

# UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed July 16, 2013, 12:00 a.m. through August 01, 2013, 11:59 p.m.

Number 2013-16  
August 15, 2013

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

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

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Division of Administrative Rules, 5110 State Office Building, Salt Lake City, Utah 84114-1201, telephone 801-538-3764. Additional rulemaking information, and electronic versions of all administrative rule publications are available at: <http://www.rules.utah.gov/>

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)*. The *Digest* is available by E-mail or over the Internet. Visit <http://www.rules.utah.gov/publicat/digest.htm> for additional information.

Division of Administrative Rules, Salt Lake City 84114

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

Utah state bulletin.

Semimonthly.

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

I. Utah. Office of Administrative Rules.

KFU440.A73S7

348.792'025--DDC

85-643197

# TABLE OF CONTENTS

---

<b>SPECIAL NOTICES</b> .....	<b>1</b>
Health	
Health Care Financing, Coverage and Reimbursement Policy	
Notice for September 2013 Medicaid Rate Changes.....	1
<b>NOTICES OF PROPOSED RULES</b> .....	<b>3</b>
Commerce	
Real Estate	
No. 37865 (Amendment): R162-2g Real Estate Appraiser Licensing and Certification	
Administrative Rules.....	4
Environmental Quality	
Radiation Control	
No. 37867 (Amendment): R313-28-80 Intraoral Dental Radiographic Systems.....	6
Financial Institutions	
Nondepository Lenders	
No. 37864 (New Rule): R343-9 Deferred Deposit Lenders Registration with the	
Nationwide Database.....	8
Health	
Children's Health Insurance Program	
No. 37879 (Amendment): R382-10 Eligibility.....	10
Health Care Financing, Coverage and Reimbursement Policy	
No. 37880 (Amendment): R414-301 Medicaid General Provisions.....	11
No. 37881 (Amendment): R414-308-4 Verification of Eligibility and Information Exchange.....	15
Insurance	
Administration	
No. 37882 (Amendment): R590-142 Continuing Education Rule.....	17
No. 37861 (Amendment): R590-226 Submission of Life Insurance Filings.....	23
No. 37862 (Amendment): R590-227 Submission of Annuity Filings.....	28
No. 37883 (Amendment): R590-244 Individual and Agency Licensing Requirements.....	31
Labor Commission	
Administration	
No. 37866 (Amendment): R600-2 Operations.....	36
Natural Resources	
Oil, Gas and Mining Board	
No. 37873 (Amendment): R641-100-600 Electronic Meetings.....	37
Transportation	
Motor Carrier	
No. 37875 (Amendment): R909-75 Safety Regulations for Motor Carriers Transporting	
Hazardous Materials and/or Hazardous Wastes.....	38
Workforce Services	
Employment Development	
No. 37878 (Amendment): R986-600 Workforce Investment Act.....	40
Unemployment Insurance	
No. 37877 (Amendment): R994-403-108b Deferral of Work Registration and Work Search.....	50
No. 37876 (Amendment): R994-508-307 Withdrawal of Appeal to the Board.....	51
<b>NOTICES OF CHANGES IN PROPOSED RULES</b> .....	<b>53</b>
Alcoholic Beverage Control	
Administration	
No. 37617: R81-5-1 Licensing.....	54
Public Service Commission	
Administration	
No. 37508: R746-200 Residential Utility Service Rules for Electric, Gas, Water,	
and Sewer Utilities.....	55

TABLE OF CONTENTS

---

**NOTICES 120-DAY (EMERGENCY) RULES..... 61**  
Agriculture and Food  
Horse Racing Commission (Utah)  
No. 37860: R52-7 Horse Racing..... 61

**FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION..... 67**  
Public Service Commission  
Administration  
No. 37869: R746-344 Filing Requirements for Telephone Corporations with Less  
than 5,000 Access Line Subscribers..... 67  
No. 37870: R746-345 Pole Attachments..... 67  
No. 37872: R746-404 Regulation of Promotional Programs of Electric and Gas  
Public Utilities..... 68  
No. 37871: R746-406 Advertising by Electric and Gas Utilities..... 68  
No. 37868: R746-500 Americans with Disabilities Act Complaint Procedure..... 69  
Transportation  
Operations, Maintenance  
No. 37874: R918-4 Using Volunteer Groups and Third Party Contractors for the  
Adopt-a-Highway and Sponsor-a-Highway Litter Pickup Programs..... 70

**NOTICES OF RULE EFFECTIVE DATES..... 71**

**RULES INDEX  
BY AGENCY (CODE NUMBER)  
AND  
BY KEYWORD (SUBJECT)..... 73**

# **SPECIAL NOTICES**

---

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

### **Notice for September 2013 Medicaid Rate Changes**

Effective September 1, 2013, Utah Medicaid will adjust its rates consistent with approved methodologies. Rate adjustments include new codes priced consistent with approved Medicaid methodologies, potential adjustments to existing codes, and nursing home rate changes to case mix components consistent with adopted payment methodology. All rate changes are posted to the web and can be viewed at: <http://health.utah.gov/medicaid/stplan/bcrp.htm>

**End of the Special Notices Section**



## NOTICES OF PROPOSED RULES

---

A state agency may file a **PROPOSED RULE** when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between July 16, 2013, 12:00 a.m., and August 01, 2013, 11:59 p.m. are included in this, the August 15, 2013 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 between paragraphs (. . . . .) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not printed. 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, 2013. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through December 13, 2013, the agency may notify the Division of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Division of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE OF a CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses 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 Section 63G-3-301; 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**

**Commerce, Real Estate**  
**R162-2g**  
**Real Estate Appraiser Licensing and**  
**Certification Administrative Rules**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37865

FILED: 07/26/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to establish a mechanism by which a registered, licensed, or certified appraiser may defer the completion of required continuing education under prescribed circumstances.

**SUMMARY OF THE RULE OR CHANGE:** The terms "deferral" and "supervisory appraiser" are defined. A mechanism is created by which an individual may request deferment of continuing education requirements because of active military service or because of hardship due to a state- or federally-declared natural disaster.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Subsection 61-2g-201(2)(h) and Subsection 61-2g-307(3)

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** The Division has the staff and budget in place to administer the rules regarding the renewal of appraiser credentials. No additional resources will be required to review a request for deferment of continuing education when submitted as part of a renewal application.
- ◆ **LOCAL GOVERNMENTS:** Local government is not required to comply with or administer the rules governing appraiser credentialing. No fiscal impact to local government is anticipated from this filing.
- ◆ **SMALL BUSINESSES:** This filing does not add fees or costs to the appraiser credential renewal process. No fiscal impact to small businesses is anticipated.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This filing does not add fees or costs to the appraiser credential renewal process. No fiscal impact to affected persons is anticipated.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** This filing outlines circumstances where affected persons may request a deferment of the continuing education required to renew an appraiser credential. No compliance is required, and there are no compliance costs.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** No fiscal impact to businesses is anticipated from this rule filing, which recognizes circumstances under which an appraiser may request deferment of continuing education requirements.

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

COMMERCE  
 REAL ESTATE  
 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:

◆ Jennie Jonsson by phone at 801-530-6706, by FAX at 801-526-4387, or by Internet E-mail at [jjonsson@utah.gov](mailto:jjonsson@utah.gov)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Jonathan Stewart, Director

**R162. Commerce, Real Estate.**

**R162-2g. Real Estate Appraiser Licensing and Certification Administrative Rules.**

**R162-2g-102. Definitions.**

- (1) "Affiliation" means an ongoing business association:
  - (a) between:
    - (i) two individuals registered, licensed, or certified under Section 61-2g; or
    - (ii) an individual registered, licensed, or certified under Section 61-2g and:
      - (A) an appraisal entity; or
      - (B) a government agency;
  - (b) for the purpose of providing an appraisal service; and
  - (c) regardless of whether an employment relationship exists between the parties.
- (2) The acronym "AQB" stands for the Appraiser Qualifications Board of the Appraisal Foundation.
- (3) "Board" means the Utah Real Estate Appraiser Licensing and Certification Board.
- (4) "Business day" means a day other than:
  - (a) a Saturday;
  - (b) a Sunday; or
  - (c) a federal or state holiday.
- (5) "Classification" means the type of license or certification held by an appraiser.
- (6) "Day" means calendar day unless specified as "business day."



(7) "Deferral" means the postponement or delay for completion of a continuing education requirement due to active military duty or due to the impacts of a state- or federally-declared disaster as specified in R162-2g-306a.

~~(7)~~(8) "Desk review" means review of an appraisal:

- (a) including verification of the data; but
- (b) not including a physical inspection of the property.

~~(8)~~(9) "Distance education" means an education process based on the geographical separation of student and instructor, including:

- (a) computer conferencing;
- (b) satellite teleconferencing;
- (c) interactive audio;
- (d) interactive computer software;
- (e) Internet-based instruction; and
- (f) other interactive online courses.

~~(9)~~(10) "Division" means the Division of Real Estate of the Department of Commerce.

~~(10)~~(11) "Draft report" means an appraisal report that is distributed prior to being completed, as provided in Subsection R162-2g-502b(1).

~~(11)~~(12) "Entity" means:

- (a) a corporation;
- (b) a partnership;
- (c) a sole proprietorship;
- (d) a limited liability company;
- (e) another business entity; or
- (f) a subsidiary or unit of an entity described in this

Subsection ~~(11)~~(12).

~~(12)~~(13) "Field review" means review of an appraisal, including:

- (a) a physical inspection of the property; and
- (b) verification of the data.

~~(13)~~(14) "Non-certified education" means a continuing education course offered outside of Utah, but for which a licensee may apply for credit pursuant to R162-2g-307c(4).

~~(14)~~(15) "Person" means an individual or an entity.

~~(15)~~(16) "Reinstatement" means renewing a license or certification for an additional period after its expiration date has passed, but prior to 12 months after the expiration date.

~~(16)~~(17) The acronym "RELMS" stands for Real Estate Licensing and Management System, which is the online database through which individuals registered, licensed, or certified under these rules must submit certain information to the division.

~~(17)~~(18) "Renewal" means reissuing a license or certification upon its expiration for an additional period.

~~(18)~~(19) "School" means:

- (a) an accredited college, university, junior college, or community college;
- (b) any state or federal agency or commission;
- (c) a nationally recognized real estate appraisal or real estate related organization, society, institute, or association; or
- (d) any school or organization approved by the board.

~~(19)~~(20) "School director" means an authorized individual in charge of the educational program at a school.

(21) "Supervisory Appraiser" means a state-certified residential appraiser or a state certified general appraiser that directly supervises a trainee.

~~(20)~~(22) "Trainee" means a person who is working under the direct supervision of a state-certified residential appraiser or a state-certified general appraiser to earn experience hours for licensure, and who meets the requirements of Subsection R162-2g-302.

~~(21)~~(23) "Transaction value" means:

(a) for loans or other extensions of credit, the amount of the loan or extension of credit;

(b) for sales, leases, purchases, and investments in, or exchanges of, real property, the market value of the real property interest involved; and

(c) for the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.

~~(22)~~(24) The acronym "USPAP" stands for the current edition of the Uniform Standards of Professional Appraisal Practice published by the Appraisal Foundation.

**R162-2g-306a. Renewal and Reinstatement of a Registration, License, or Certification.**

(1)(a) A registration, license, or certification is valid for two years and expires unless it is renewed according to this Subsection R162-2g-306a before the expiration date printed on the registration, license, or certificate.

(b) It shall be grounds for disciplinary sanction if, after an individual's registration, license, or certification has expired, the individual continues to perform work for which the individual is required to be registered, licensed, or certified.

(2)(a) To timely renew a registration, license, or certification, an applicant shall, prior to the expiration date of the registration, license, or certification, submit to the division:

~~(a)~~(i) a completed renewal application as provided by the division;

~~(b)~~(ii)(A) evidence that the continuing education requirements listed in this Subsection (2)(b) have been completed; or

(B) evidence sufficient to enable the Division, in its sole discretion, to determine that a deferral of continuing education is appropriate due to the applicant's having been currently or recently:

(I) assigned to active military duty; or

(II) impacted by a state- or federally-declared natural disaster; and

(iii) the applicable non-refundable renewal fee.

(b) The continuing education required under this Subsection (2)(a)(ii)(A) shall be completed [proof of completion of the following continuing education taken] during the [preceding two years] two-year period preceding the date of application and shall include:

(i)(A) the 7-hour National USPAP Update Course, taught by an instructor or instructors, at least one of whom is a state-certified residential or state-certified general appraiser and has been certified by the AQB; or

(B) equivalent education, as determined through the course approval program of the AQB; and

(ii)(A) 21 additional hours of continuing education:

(I) certified by the division for the appraisal industry at the time the courses are taught; or

(II) not required to be certified, pursuant to Subsection R162-2g-307c(3); or

(B) if the renewal applicant is also working toward certification, 21 hours of pre-licensing education credit applicable to the certification being sought; and

~~(c) the applicable nonrefundable renewal fee.~~

(3)(a) In order to renew on time, an applicant shall complete continuing education hours by the 15th day of the month in which the registration, license, or certification expires.

(b) An applicant who complies with this Subsection (3)(a), but whose credits are not banked by the education provider pursuant to Subsection R162-2g-502a(5)(c), may obtain credit for the course(s) taken by:

(i) submitting to the division the original course completion certificates; and

(ii) filing a complaint against the provider.

(4) A license, certification, or registration may be renewed for a period of 30 days after the expiration date upon payment of a late fee in addition to the requirements of this Subsection (2).

(5)(a) After the 30-day period described in this Subsection (4) and until six months after the expiration date, an individual may reinstate an expired license, certification, or registration by:

(i) complying with this Subsection (2);

(ii) paying a late fee; and

(iii) paying a reinstatement fee.

(b) After the six-month period described in this Subsection (5)(a) and until one year after the expiration date, an individual may reinstate an expired license, certification, or registration by:

(i) complying with this Subsection (2);

(ii) paying a late fee;

(iii) paying a reinstatement fee; and

(iv) completing 24 hours of additional continuing education as approved by the division.

(c)(i) An individual who does not reinstate an expired license, certification, or registration within 12 months of the expiration date shall:

(A) reapply with the division as a new applicant;

(B) retake and pass the 15-hour USPAP course; and

(C) retake and pass any applicable licensing or certification examination.

(ii) An individual reapplying under this Subsection (4)(c)(i) shall receive credit for previously credited pre-licensing education if:

(A) it was completed within the five-year period prior to the date of reapplication; and

(B) it was either:

(I) completed after January 1, 2008; or

(II) certified by the division and the AQB prior to January 1, 2008, as approved, qualified pre-licensing education.

(6) If the division receives renewal documents in a timely manner, but the information is incomplete, the appraiser or trainee may be extended a 15-day grace period to complete the application.

(7) Renewal after deferment of continuing education due to [while on] active military service or the impacts of a state- or federally-declared disaster.

(a) An appraiser or trainee who is unable to complete the continuing education requirements to renew a registration, license, or certification [because] due to active military service or because the individual has been impacted by a state- or federally-declared disaster [has prevented the completion of the appraiser's or trainee's required continuing education.] may:

(i) submit a timely application for renewal pursuant to Subsection (2)(a)(ii)(B) ~~[that is complete, except for proof of continuing education];~~ and

(ii) request that the application for renewal be conditionally approved, with the expiration date of the applicant's registration, license, or certification extended pursuant to this Subsection (7)(b), [held in suspense] pending the completion of the continuing education requirement.

(b) Upon the division's approving a deferral of continuing education. ~~[The appraiser or trainee shall have 120 days after completion of active military service to]~~ the expiration date of the applicant's registration, license, or certification shall be extended 90 days, during which time the applicant shall:

(i) complete the continuing education required for the renewal; and

(ii) submit proof of the continuing education to the division.

~~[(c) An individual may not act as an appraiser or trainee in Utah:~~

~~(i) after the expiration of the registration, license, or certification; or~~

~~(ii) while the individual's application for renewal is held in suspense by the division pending the completion of military service and the completion of the continuing education required for renewal.~~

**KEY: real estate appraisals, trainee registration, licensing and certification, administrative procedures**  
**Date of Enactment or Last Substantive Amendment: [January 2,] 2013**

**Authorizing, and Implemented or Interpreted Law: 61-2g-201(2)(h); 61-2g-202(1); 61-2g-205(5)(c); 61-2g-307(3); 61-2g-401(5)**

## Environmental Quality, Radiation Control **R313-28-80** Intraoral Dental Radiographic Systems

### NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 37867

FILED: 07/30/2013

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The reason for the change is to allow registrants (owners of X-ray systems) the ability to acquire and use hand-held portable dental X-ray systems, without the need for an exemption.

**SUMMARY OF THE RULE OR CHANGE:** The change adds Subsection R313-28-80(12). The added subsection requires that hand-held portable dental X-ray systems be compliant with Section R313-28-31, excluding Subsection R313-28-31(5), and with Section R313-28-80, excluding Subsections

R313-28-80(7)(b) and R313-28-80(11)(b). The change specifies shielding requirements for the operator of the X-ray unit to protect the operator's torso, hands, face, and gonads from backscatter radiation. The change states that portable radiation machines designed to be hand-held are exempt from Subsection R313-28-35(7), shall be held by the tube housing support or handle, and shall be used in accordance with the manufacturer's operating procedures. The rule requires operators to be trained and records of training to be maintained on file for examination by an authorized representative of the Director.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-3-104 and Section 19-3-108

ANTICIPATED COST OR SAVINGS TO:

◆ THE STATE BUDGET: It is not believed that there will be any anticipated cost or savings to the state budget. This is because certain hand-held portable dental X-ray systems are already registered by the Division of Radiation Control through an exemption previously granted by the Radiation Control Board. This rule change eliminates the exemption.

◆ LOCAL GOVERNMENTS: There will be no cost or savings to local government because there are no local government agencies with hand-held portable dental X-ray systems. If a local government agency should obtain such a system, the registration cost will be the same as all other X-ray tubes and the inspection fee will remain the same as for other dental X-ray units.

◆ SMALL BUSINESSES: Dental practice facilities, as small businesses, may see a savings because a hand-held portable dental X-ray system may be moved from room to room. Portable systems may eliminate the need for a wall-mounted X-ray system to be installed in each examination room. It is not possible to estimate the amount of this savings, because any savings will be dependent on the size of the dental practice.

◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There will be no cost or savings to persons other than small businesses, businesses, or local government entities; because if a person obtains a hand-held portable dental X-ray system, the registration cost will be the same as all other X-ray tubes and the inspection fee will remain the same as for other dental X-ray units.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The compliance costs for affected persons are expected to be minimal, likely less than \$500 per facility using a hand-held portable dental X-ray system. The costs will be predominately related to any need to obtain a lead apron for operators to wear and the need to store training records for operators. Affected persons may obtain operator training through information manuals provided by the manufacturer or through onsite instruction. It is not possible to estimate the cost for onsite instruction because of the many variables associated with this option.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule does not change the X-ray tube registration cost or the inspection fee for a hand-held portable dental X-ray system. Some regulated facilities may see a cost savings because portable dental X-ray systems may eliminate the need for a wall mounted X-ray unit to be installed in each examination room. The compliance costs are expected to be minimal, likely less than \$500 per facility that chooses to use a hand-held portable dental X-ray system.

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

ENVIRONMENTAL QUALITY  
RADIATION CONTROL  
THIRD FLOOR

195 N 1950 W

SALT LAKE CITY, UT 84116-3085

or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Craig Jones by phone at 801-536-4264, by FAX at 801-533-4097, or by Internet E-mail at cwjones@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 10/15/2013

AUTHORIZED BY: Rusty Lundberg, Director

---

**R313. Environmental Quality, Radiation Control.**

**R313-28. Use of X-Rays in the Healing Arts.**

**R313-28-80. Intraoral Dental Radiographic Systems.**

In addition to the provisions of R313-28-31, R313-28-32 and R313-28-35, the requirements of this section apply to x-ray equipment and associated facilities used for dental radiography. Criteria for extraoral dental radiographic systems are covered in R313-28-51, R313-28-52 and R313-28-53. Intraoral dental radiographic systems used must meet the requirements of R313-28-80.

(1) Source-to-Skin distance (SSD). X-ray systems designed for use with an intraoral image receptor shall be provided with means to limit source-to-skin distance to not less than:

- (a) 18 centimeters if operable above 50 kilovolts peak, or
- (b) 10 centimeters if not operable above 50 kilovolts peak.

(2) Field limitation. Radiographic systems designed for use with an intraoral image receptor shall be provided with means to limit the x-ray field so that:

(a) if the minimum source-to-skin distance (SSD) is 18 centimeters or more, the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than seven centimeters; and

(b) if the minimum SSD is less than 18 centimeters, the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than six centimeters.

## (3) Exposure Initiation.

(a) Means shall be provided to initiate the radiation exposure by a deliberate action on the part of the operator, for example, the depression of a switch. Radiation exposure shall not be initiated without a deliberate action; and

(b) It shall not be possible to make an exposure when the timer is set to a "zero" or "off" position if either position is provided.

## (4) Exposure Termination.

(a) Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, a preset number of pulses, or a preset radiation exposure to the image receptor.

(b) An x-ray exposure control shall be incorporated into x-ray systems so that an exposure of more than 0.5 seconds can be terminated immediately by the operator.

(c) Termination of an exposure shall cause automatic resetting of the timer to its initial setting or to "zero."

(5) Exposure Indication. Means shall be provided for visual indication, observable from the operator's protected position, whenever x-rays are produced. In addition, a signal audible to the operator shall indicate that the exposure has terminated.

(6) Timer Linearity. For systems having independent selection of exposure time settings, the average ratio of exposure to the indicated milliamperere-seconds product obtained at two consecutive timer settings or at two settings not differing by more than a factor of two shall not differ by more than 0.10 times their sum.

## (7) Exposure Control Location and Operator Protection.

(a) Stationary x-ray systems shall be required to have the x-ray exposure control mounted in a protected area or a means to allow the operator to be at least 2.7 meters (9.0 feet) from the tube housing assembly while making exposures; and

(b) Mobile and portable x-ray systems which are:

(i) used for greater than one week in the same location, for example, a room or suite, shall meet the requirements of R313-28-80(7)(a); or

(ii) used for less than one week in the same location shall be provided with either a protective barrier at least two meters high for operator protection, or means to allow the operator to be at least 2.7 meters (nine feet) from the tube housing assembly while making exposures.

(8) Exposure Reproducibility. When all technique factors are held constant, the coefficient of variation of exposure shall not exceed 0.05 for certified x-ray systems or 0.10 for non-certified x-ray systems. This requirement applies to clinically used techniques.

(9) mA/mAs Linearity. The following requirements apply when the equipment is operated on a power supply as specified by the manufacturer for fixed x-ray tube potentials within the range of 40 to 100 percent of the maximum rated potentials.

(a) For equipment having independent selection of x-ray tube current, the average ratios of exposure to the indicated milliamperere-seconds product obtained at two consecutive tube current settings or, when the tube current selection is continuous, two settings differing by no more than a factor of two shall not differ by more than 0.10 times their sum.

(b) For equipment having a combined x-ray tube current-exposure time product selector but not a separate tube current selector, the average ratios of exposure to the indicated milliamperere-seconds product obtained at two consecutive mAs selector settings, or when the mAs selector provides continuous selection, at two settings differing

by no more than a factor of two shall not differ by more than 0.10 times their sum.

(10) Accuracy. Deviation of technique factors from indicated values shall not exceed the limits specified for that system by its manufacturer. In the absence of manufacturer's specifications the deviation shall not exceed ten percent of the indicated value.

## (11) Administrative Controls.

(a) Patient and film holding devices shall be used when the technique permits and holding is required.

(b) The x-ray tube housing and the position indicating device shall not be hand-held during an exposure.

(c) The x-ray system shall be operated so that the useful beam at the patient's skin does not exceed the requirements of R313-28-80(2).

(d) Dental fluoroscopy without image intensification shall not be used.

## (12) Hand-held Portable Dental X-ray Systems.

(a) X-ray equipment designed to be hand-held shall comply with Section R313-28-31, excluding Subsection R313-28-31(5), and with Section R313-28-80, excluding Subsections R313-28-80(7)(b) and R313-28-80(11)(b).

(b) Protective shielding of at least 0.5 millimeter lead equivalence shall be provided for the operator to protect the operator's torso, hands, face, and gonads from backscatter radiation. If the protective shielding is a backscatter shield attached to the x-ray unit, the shield shall be positioned as close to the patient as possible and the operator shall take care to remain in a protective position.

(c) Portable radiation machines designed to be hand-held are exempt from Subsection R313-28-35(7). The portable radiation machines shall be held by the tube housing support or handle and shall be used in accordance with the manufacturer's operating procedures.

(d) In addition to the requirements of Subsection R313-28-350(1), each operator shall complete the training program supplied by the manufacturer prior to using the x-ray unit. Records of training shall be maintained on file for examination by an authorized representative of the Director.

**KEY: dental, [x]X-rays, mammography, beam limitation**

**Date of Enactment or Last Substantive Amendment: [March 16, 2007]2013**

**Notice of Continuation: September 23, 2011**

**Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108**

## Financial Institutions, Nondepository Lenders **R343-9**

### Deferred Deposit Lenders Registration with the Nationwide Database

#### NOTICE OF PROPOSED RULE

(New Rule)

DAR FILE NO.: 37864

FILED: 07/23/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** With the passage of S.B. 150, during the 2013 General Legislative Session, the department may by rule establish initial and renewal registration requirements for deferred deposit lenders with the nationwide database.

**SUMMARY OF THE RULE OR CHANGE:** The proposed new rule establishes initial and renewal registration requirements for deferred deposit lenders and identifies fees to be paid to the commissioner and the nationwide database.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Subsection 7-23-201(2)(f)

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** The proposed new rule will not require additional appropriations because compliance to the rule affects deferred deposit lenders not the department.
- ◆ **LOCAL GOVERNMENTS:** Local governments are not involved in regulating deferred deposit lenders and are therefore not subject to this rule.
- ◆ **SMALL BUSINESSES:** The costs for conducting business as a deferred deposit lender, for those who have not previously registered with the nationwide database, will increase. Deferred deposit lenders that register with the nationwide database for the first time will have to pay any fees that are required by the nationwide database.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The costs for conducting business as a deferred deposit lender, for those who have not previously registered with the nationwide database, will increase. Deferred deposit lenders that register with the nationwide database for the first time will have to pay any fees that are required by the nationwide database.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** The costs for conducting business as a deferred deposit lender, for those who have not previously registered with the nationwide database, will increase. Deferred deposit lenders that register with the nationwide database for the first time will have to pay any fees that are required by the nationwide database.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** The costs for conducting business as a deferred deposit lender, for those who have not previously registered with the nationwide database, will increase. Deferred deposit lenders that register with the nationwide database for the first time will have to pay any fees that are required by the nationwide database.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 FINANCIAL INSTITUTIONS  
 NONDEPOSITORY LENDERS  
 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 by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at [pallred@utah.gov](mailto:pallred@utah.gov)

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013**

**THIS RULE MAY BECOME EFFECTIVE ON:** 09/23/2013

**AUTHORIZED BY:** Edward Leary, Commissioner

**R343. Nondepository Lenders.**  
**R343-9. Deferred Deposit Lenders Registration with the Nationwide Database.**

- R343-9-1. Authority, Scope and Purpose.**
- (1) This rule is issued pursuant to Section 7-23-201(2)(f).
  - (2) This rule applies to deferred deposit lenders that are required to register with the nationwide database.
  - (3) This rule establishes initial and renewal registration requirements for deferred deposit lenders.

- R343-9-2. Definitions.**
- (1) "Commissioner" means the Commissioner of Financial Institutions.
  - (2) "Department" means the Department of Financial Institutions.
  - (3) "Form MU1" means the Uniform Company License/Registration and Consent form adopted by the nationwide database.
  - (3) "NMLS" means the Nationwide Mortgage Licensing System located at <http://mortgage.nationwidelicencingsystem.org/>.

**R343-9-3. Renewal of Current Registered Deferred Deposit Lenders.**

- (1) On or after November 1, 2013, deferred deposit lenders that are registered with the department shall renew a registration through the NMLS.
  - (a) Deferred deposit lenders that do not have a record in NMLS will be required to complete a Form MU1 on the NMLS website.
  - (b) Deferred deposit lenders that have a record in NMLS and have submitted a company Form MU1 are not required to reenter their company information. Those with a record will complete the appropriate registration for Utah.

**R343-9-4. Initial Registration of Deferred Deposit Lenders.**

- (1) On or after November 1, 2013, persons seeking authorization to transact business as a deferred deposit lender in Utah or with a Utah resident may register with the department through the NMLS.
  - (a) Deferred deposit lenders that do not have a record in NMLS will be required to complete a Form MU1 on the NMLS website.

(b) Deferred deposit lenders that have a record in NMLS and have submitted a company Form MU1 are not required to reenter their company information. Those with a record will complete the appropriate registration for Utah.

**R343-9-5. Fees.**

(1) Deferred deposit lenders filing an original registration through the NMLS shall pay the department an original registration fee as set forth in Subsection 7-1-401(8).

(2) Deferred deposit lenders renewing a registration through NMLS shall pay an annual fee as set forth in Subsection 7-1-401(5).

(3) Deferred deposit lenders renewing a registration through the NMLS in 2013, which have previously paid an annual fee in 2013, are not required to pay a second annual fee to the Department for 2013.

(4) Deferred deposit lenders shall pay to the NMLS all fees required by NMLS.

**KEY: deferred deposit lenders, fees**

**Date of Enactment or Last Substantive Amendment: 2013**  
**Authorizing, and Implemented or Interpreted Law: 7-23-201(2)**  
**(f)**

**Health, Children's Health Insurance  
 Program  
 R382-10  
 Eligibility**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37879

FILED: 08/01/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to comply with provisions of the Patient Protection and Affordable Care Act, the purpose of this change is to implement the interface and exchange of information with the Federally Facilitated Marketplace (FFM).

**SUMMARY OF THE RULE OR CHANGE:** This amendment includes requirements for the setup of an electronic interface with FFM, which implements the eligibility process for assessing whether individuals are eligible for medical assistance programs or are eligible to enroll in insurance and receive advanced premium tax credits. It also adds new definitions related to health care reform provisions.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Pub. L. No. 111-148 and Title 26, Chapter 40

**MATERIALS INCORPORATED BY REFERENCES:**

- ◆ Adds 42 CFR 457.348 and 42 CFR 457.350, published by Government Printing Office, 10/01/2012
- ◆ Updates Sections 2110(b) and (c) of the Compilation of Social Security Laws, published by Social Security Administration, 01/01/2013

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** Some administrative costs are associated with the implementation of this process. Nevertheless, these costs are minimal and there is no data to determine them at this time.
- ◆ **LOCAL GOVERNMENTS:** There is no impact to local governments, as they do not make eligibility determinations for Medicaid.
- ◆ **SMALL BUSINESSES:** This amendment does not impose any new costs or requirements on small businesses because they do not make eligibility determinations for the Medicaid program.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This amendment does not impose any new costs or requirements on Medicaid providers and on Medicaid recipients because it does not affect Medicaid services. These changes are solely about interactions between the Medicaid agency and the FFM to implement the eligibility process.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** This amendment does not impose any new costs or requirements on a single Medicaid provider or on a Medicaid recipient because it does not affect Medicaid services. These changes are solely about interactions between the Medicaid agency and the FFM to implement the eligibility process.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** Minimal impact on business--This will enhance data exchange between Agency and FFM.

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

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

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

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

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013**

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2013

AUTHORIZED BY: David Patton, PhD, Executive Director

**R382. Health, Children's Health Insurance Program.**

**R382-10. Eligibility.**

**R382-10-2. Definitions.**

(1) The Department adopts and incorporates by reference the definitions found in Sections 2110(b) and (c) of the Compilation of Social Security Laws, in effect January 1, 2011~~3~~.

(2) The Department adopts the definitions in Section R382-1-2. In addition, the Department adopts the following definitions:

(a) "American Indian or Alaska Native" means someone having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

(b) "Best estimate" means the eligibility agency's determination of a household's income for the upcoming eligibility period, based on past and current circumstances and anticipated future changes.

(c) "Children's Health Insurance Program" ~~or~~ [(CHIP)]<sup>2</sup> means the program for benefits under the Utah Children's Health Insurance Act, Title 26, Chapter 40.

(d) "Co-payment and co-insurance" means a portion of the cost for a medical service for which the enrollee is responsible to pay for services received under CHIP.

(e) "Due process month" means the month that allows time for the enrollee to return all verification, and for the eligibility agency to determine eligibility and notify the enrollee.

(f) "Eligibility agency" means the Department of Workforce Services (DWS) that determines eligibility for CHIP under contract with the Department.

(g) "Employer-sponsored health plan" means health insurance that meets the requirements of Subsection R414-320-2(9).

(h) "Federally Facilitated Marketplace" (FFM) means the entity individuals can access to enroll in health insurance and apply for assistance from insurance affordability programs such as Advanced Premium Tax Credits, Medicaid and CHIP.

(~~h~~)<sup>i</sup> "Income annualizing" means a process of determining the average annual income of a household, based on the past history of income and expected changes.

(~~i~~)<sup>j</sup> "Income anticipating" means a process of using current facts regarding rate of pay, number of working hours, and expected changes to anticipate future income.

(~~j~~)<sup>k</sup> "Income averaging" means a process of using a history of past or current income and averaging it over a determined period of time that is representative of future income.

(l) "Modified Adjusted Gross Income" (MAGI) means the income determined using the methodology defined in 42 CFR 435.603(e).

(~~k~~)<sup>m</sup> "Presumptive eligibility" means a period of time during which a child may receive CHIP benefits based on preliminary information that the child meets the eligibility criteria.

(~~h~~)<sup>n</sup> "Quarterly Premium" means a payment that enrollees must pay every three months to receive coverage under CHIP.

(~~m~~)<sup>o</sup> "Review month" means the last month of the eligibility certification period for an enrollee during which the eligibility agency redetermines an enrollee's eligibility for a new certification period.

(~~n~~)<sup>p</sup> "Utah's Premium Partnership for Health Insurance" or "UPP" means the program described in Rule R414-320.

(~~o~~)<sup>q</sup> "Verification" means the proof needed to ~~decide if~~determine whether a child meets the eligibility criteria to be enrolled in the program. Verification may include ~~hard-copy~~documents in paper format[such as a birth certificate], electronic records from computer match systems[records such as Social Security benefits match records], and collateral contacts with third parties who have information needed to determine the eligibility of a child.

**R382-10-5. Verification and Information Exchange.**

(1) The provisions of Section R414-308-4 apply to applicants and enrollees of CHIP.

(2) The Department and the eligibility agency shall safeguard applicant and enrollee information in accordance with Section R414-301-4.

(3) The Department or the eligibility agency may release information concerning applicants and enrollees and their households to other state and federal agencies to determine eligibility for other public assistance programs.

(4) The Department adopts and incorporates by reference 42 CFR 457.348, 457.350, and 457.380, October 1, 2012 ed.

(5) The Department shall enter into an agreement with the Centers for Medicare and Medicaid Services (CMS) to allow the FFM to screen applications and reviews submitted through the FFM for CHIP eligibility.

(a) The agreement must provide for the exchange of file data and eligibility status information between the Department and the FFM as required to determine eligibility and enrollment in insurance affordability programs, and eligibility for advance premium tax credits and reduced cost sharing.

(b) The agreement applies to agencies under contract with the Department to provide CHIP eligibility determination services.

(~~4~~)<sup>6</sup> The Department and the eligibility agency shall release information to the Title IV-D agency and Social Security Administration to determine benefits.

~~[(5) The Department and the eligibility agency may verify information by exchanging information with other public agencies as described in 42 CFR 435.945, 435.948, 435.952, 435.955, and 435.960.]~~

**KEY: children's health benefits**

**Date of Enactment or Last Substantive Amendment: ~~April 1, 2012~~2013**

**Notice of Continuation: May 9, 2013**

**Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-40**

**Health, Health Care Financing,  
Coverage and Reimbursement Policy  
R414-301  
Medicaid General Provisions**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37880

FILED: 08/01/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to comply with provisions of the Patient Protection and Affordable Care Act, the purpose of this change is to implement the interface and exchange of information with the Federally Facilitated Marketplace (FFM).

**SUMMARY OF THE RULE OR CHANGE:** This amendment includes requirements for the setup of an electronic interface with FFM, which implements the eligibility process for assessing whether individuals are eligible for medical assistance programs or are eligible to enroll in insurance and receive advanced premium tax credits. It also adds new definitions related to health care reform provisions. Further, this amendment clarifies the hearing process for eligibility decisions and advanced premium tax credit determinations.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Pub. L. No. 111-148 and Section 26-1-5 and Section 26-18-3

**MATERIALS INCORPORATED BY REFERENCES:**

- ◆ Adds 42 CFR 435.1200(b) and (d) through (f), October 1, 2012 ed., published by Government Printing Office, 10/01/2012
- ◆ Updates 42 CFR 431.300 through 42 CFR 431.306, October 1, 2012 ed., published by Government Printing Office, 10/01/2012

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** Some administrative costs are associated with the implementation of this process. Nevertheless, these costs are minimal and there is no data to determine them at this time.
- ◆ **LOCAL GOVERNMENTS:** There is no impact to local governments, as they do not make eligibility determinations for Medicaid.
- ◆ **SMALL BUSINESSES:** This amendment does not impose any new costs or requirements on small businesses because they do not make eligibility determinations for the Medicaid program.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This amendment does not impose any new costs or requirements on Medicaid providers and on Medicaid recipients because it does not affect Medicaid services. These changes are solely about interactions between the Medicaid agency and the FFM to implement the eligibility process.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** This amendment does not impose any new costs or requirements on a single Medicaid provider or on a Medicaid recipient

because it does not affect Medicaid services. These changes are solely about interactions between the Medicaid agency and the FFM to implement the eligibility process.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** Minimal impact on business. This will enhance data exchange between Agency and FFM.

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

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

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

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

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013**

**THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2013**

**AUTHORIZED BY: David Patton, PhD, Executive Director**

**R414. Health, Health Care Financing, Coverage and Reimbursement Policy.****R414-301. Medicaid General Provisions.****R414-301-1. Authority and Purpose.**

(1) This rule is established under the authority of Section 26-18-3.

(2) The purpose of this rule is to establish general provisions governing eligibility for medical assistance programs and the requirement to exchange information with the Federally Facilitated Marketplace (FFM) to facilitate enrollment in health insurance and eligibility determinations for advance premium tax credits.

~~\_\_\_\_\_ (3) The Department of Health may contract with the Department of Workforce Services and the Department of Human Services to do eligibility determinations for one or more medical assistance programs authorized by the Department of Health. The Department of Health is responsible for the administration of medical assistance programs authorized under the Utah Medicaid State Plan, the State Plan for the Utah Children's Health Insurance Program and various waivers under Title XIX of the Social Security Act.~~

**R414-301-2. Definitions.**

The definitions in Section 26-18-2 apply in this rule. In addition, the following definitions apply in Rules R414-301 through R414-308:

(1) "Aged" means an individual who is 65 years of age or older.



(2) "Agency" means the Department of Health, as referenced in incorporated federal materials.

(3) "CHEC" means Child Health Evaluation and Care and is the Utah specific term for the federally mandated program of Early and Periodic Screening, Diagnosis and Treatment (EPSDT) for children under the age of 21.

(4) "Cost-of-care" means the amount of income after allowable deductions an individual must pay for their long-term care services either in a medical institution or for home and community-based waiver services.

(5) "Deemed Newborn" means a child who receives one year of continuous eligibility because at the time of the child's birth, the child's mother was a Medicaid recipient or was receiving coverage under the Children's Health Insurance Program (CHIP) in a state that provides deemed newborn coverage to infants born to a CHIP eligible mother.

~~(5)6~~ "Department" means the Department of Health.

~~(6)7~~ "Eligibility Agency" means any state office or outreach location of the Department of Workforce Services (DWS) that accepts and processes applications for medical assistance programs under contract with the Department. The Department of Human Services (DHS) is the eligibility agency under contract with the Department to process applications for children in state custody.

~~(7)8~~ "Federal poverty guideline" means the United States (U.S.) federal poverty measure issued annually by the Department and DHS to determine financial eligibility for certain means-tested federal programs.

(9) "Federally Facilitated Marketplace (FFM) means the entity that individuals can access to enroll in health insurance and apply for assistance from insurance affordability programs such as Advanced Premium Tax Credits, Medicaid and CHIP.

~~(8)10~~ "Medically needy" means medical assistance coverage under the provisions of 42 CFR 435.301 that uses the Basic Maintenance Standard as the income limit for eligibility.

(11) "Modified Adjusted Gross Income (MAGI)" means the income that is determined using the methodology defined in 42 CFR 435.603(e).

~~(9)12~~ "Outreach location" means any site other than a state office where state workers are located to accept applications for medical assistance programs. Locations include sites such as hospitals, clinics, homeless shelters, etc.

~~(10)13~~ "QI[+] " means the Qualifying Individuals [Group +] program, a Medicare Cost-Sharing program.

~~(11)14~~ "QMB" means Qualified Medicare Beneficiary program, a Medicare Cost-Sharing program.

~~(12)15~~ "Reportable change" means any change in circumstances which could affect a client's eligibility for Medicaid, including the following changes:

(a) ~~change in~~ the source of income;  
 (b) ~~change of more than \$25 in~~ gross income of \$25 or more;

(c) ~~changes in~~ household size;

(d) ~~changes in~~ residence;

(e) gain of a vehicle;

(f) ~~change in~~ resources;

(g) ~~change of more than \$25 in~~ total allowable deductions of \$25 or more;

(h) ~~changes in~~ marital status, deprivation, or living arrangements;

(i) pregnancy or termination of a pregnancy;

(j) onset of a disabling condition;~~and~~

(k) change in health insurance coverage including changes in the cost of coverage;

~~(l) tax filing status;~~

~~(m) number of dependents claimed as tax dependents;~~

~~(n) earnings of a child; and~~

~~(o) student status of a child.~~

~~(13)16~~ "Resident of a medical institution" means a single individual who is a resident of a medical institution from the month after entry into a medical institution until the month prior to discharge from the institution. Death in a medical institution is not considered a discharge from the institution and does not change the client's status as a resident of the medical institution. Married individuals are residents of an institution in the month of entry into the institution and in the month they leave the institution.

~~(14)17~~ "SLMB" means Specified Low-Income Medicare Beneficiary program, a Medicare Cost-Sharing program.

~~(15)18~~ "Spendedown" means an amount of income in excess of the allowable income standard that must be paid in cash to the eligibility agency or incurred through the medical services not paid by Medicaid or other health insurance coverage, or some combination of these.

~~(16)19~~ "Spouse" means any individual who has been married to an applicant or recipient and has not legally terminated the marriage.

~~(17)20~~ "Verification" means the proof needed to decide whether an individual meets the eligibility criteria to be enrolled in the applicable medical assistance program. Verification may include documents in paper format, electronic records from computer match systems, and collateral contacts with third parties who have information needed to determine the eligibility of the individual.

~~(18)21~~ "Worker" means a state employee who determines eligibility for medical assistance programs.

#### **R414-301-3 Coordination and Agreements with Other Government Agencies.**

(1) The Department adopts and incorporates by reference 42 CFR 435.1200(b) and (d) through (f), October 1, 2012 ed.

(2) The Department shall enter into an agreement with the Centers for Medicare and Medicaid Services (CMS) to allow the FFM to screen applications and reviews submitted through the FFM for Medicaid eligibility.

(a) The agreement must provide for the exchange of file data and eligibility status information between the Department and the FFM as required to determine eligibility and enrollment in insurance affordability programs, and eligibility for advance premium tax credits and reduced cost-sharing.

(b) The agreement applies to agencies under contract with the Department to provide eligibility determination services.

(3) The Department may contract with the Department of Workforce Services and the Department of Human Services to do eligibility determinations for one or more medical assistance programs authorized by the Department. The Department is responsible for the administration of medical assistance programs authorized under the Utah Medicaid State Plan, the State Plan for the Utah Children's Health Insurance Program, and various waivers under Title XIX of the Social Security Act.

**R414-301-[3]4. Client Rights and Responsibilities.**

(1) Anyone may apply or reapply any time for any program. A program subject to periods of closed enrollment will deny applications received during a closed enrollment period.

(2) If someone needs help to apply he may have a friend or family member help, or he may request help from the eligibility agency or outreach staff.

(3) Workers will identify themselves to clients.

(4) Workers will treat clients with courtesy, dignity and respect.

(5) Workers will ask for verification and information clearly and courteously. Workers shall send a written request for verifications.

(6) If a client must be visited after working hours, the eligibility worker will make an appointment.

(7) Workers will not enter a client's home without the client's permission.

(8) Clients must provide requested verifications within the time limits given. The eligibility agency may grant additional time to provide information and verifications upon client request.

(9) Clients have a right to be notified about the decision made on an application or other action taken that affects their eligibility for benefits in accordance with the requirements of 42 CFR 431.210, 42 CFR 431.211, 42 CFR 431.213, and 42 CFR 431.214.

(10) Clients may look at most information about their case.

(11) Anyone may look at the policy manuals located at any eligibility agency office or online. Policy manuals are not available for review at outreach locations or call centers.

(12) Applicants and recipients may request a fair hearing if they disagree with the eligibility agency's decision.

(13) The recipient must repay any understated liability. The recipient is responsible for repayments due to ineligibility including benefits received pending a fair hearing decision. In addition to payments made directly to medical providers, benefits include Medicare or other health insurance premiums, premium payments made in the recipient's behalf to Medicaid health plans and mental health providers even if the recipient does not receive a direct medical service from these entities.

(14) The client must report a reportable change as defined in Subsection R414-301-2(1)[+5] to the eligibility agency within ten days of the day the change becomes known.

**R414-301-[4]5. Safeguarding Information.**

(1) The Department adopts and incorporates by reference 42 CFR 431.30[+0] through 42 CFR 431.30[7]6, October 1, 201[+2] ed.; ~~which is incorporated by reference.~~ The Department requires compliance with Section 63G-2-101 through Section 63G-2-310.

(2) Workers shall safeguard all information about specific clients.

(3) There are no provisions for taxpayers to see any information from client records.

(4) The director or designee shall decide if a situation is an emergency warranting release of information to someone other than the client. The information may be released only to an agency with comparable rules for safeguarding records. The information released cannot include information obtained through an income match system.

**R414-301-[5]6. Complaints and Agency Conferences.**

(1) A client may request an agency conference with the eligibility staff or supervisor at the eligibility agency at any time to

resolve a problem regarding the client's case. Requests shall be granted at the eligibility agency's discretion. Clients may have an authorized representative or a friend attend the agency conference.

(2) Requesting an agency conference does not prevent a client from also requesting a fair hearing in the event the agency conference does not resolve the client's concerns.

(3) Having an agency conference does not extend the time period in which a client has to request a fair hearing. The client must request a fair hearing according to the provisions in Section R414-301-6, to assure the right to a hearing.

(4) There is no appeal to the decisions made during an agency conference; however, if the client is not satisfied with the results of the agency conference, and makes a timely request for a fair hearing as defined in Section R414-301-[6]7, the client may proceed with the fair hearing process.

(5) The eligibility agency shall provide proper notice if the agency makes any additional adverse changes in the client's eligibility as a result of the agency conference. The client then has a right to request a fair hearing based on the new adverse action.

**R414-301-[6]7. Hearings.**

(1) The eligibility agency shall provide a fair hearing process for applicants and recipients in accordance with the requirements of 42 CFR 431.220 through 42 CFR 431.246. The eligibility agency shall comply with Title 63G, Chapter 4.

(2) An applicant or recipient must request a hearing in writing or orally at the [eligibility] agency that made the final eligibility decision. ~~[The] A request for a hearing concerning a Medicaid eligibility decision~~ must be made within 90 calendar days of the date of the notice of agency action with which the applicant or recipient disagrees. The request need only include a statement that the applicant or recipient wants to present his case.

(3) Hearings are conducted only at the request of a client or spouse; a minor client's parent; or a guardian or representative of the client.

(4) A recipient who requests a fair hearing concerning a decision about Medicaid eligibility shall receive continued medical assistance benefits pending a hearing decision if the recipient requests a hearing before the effective date of the action or within ~~[ten]~~15 calendar days of the ~~[mailing]~~date ~~[of]~~on the notice of agency action.

(5) The recipient must repay the continued benefits that he receives pending the hearing decision if the hearing decision upholds the agency action.

(a) A recipient may decline the continued benefits that the Department offers pending a hearing decision by notifying the eligibility agency.

(b) Benefits that the recipient must repay include premiums for Medicare or other health insurance, premiums and fees to managed care and contracted mental health services entities, fee-for-service benefits on behalf of the individual, and medical travel fees or reimbursement to or on behalf of the individual.

(6) The eligibility agency must receive a request for a hearing by the close of business on a business day that is before or on the due date. If the due date is a non-business day, ~~[then]~~ the eligibility agency must receive the request by the close of business on the ~~[first]~~next business day ~~[immediately following the due date].~~

(7) DWS conducts fair hearings for all medical assistance cases except those concerning eligibility for advanced premium tax credits made by the FFM, foster care or subsidized adoption Medicaid.

The Department conducts hearings for foster care or subsidized adoption Medicaid cases. In addition, the Department conducts hearings concerning its disability determination decisions. The FFM conducts hearings concerning determinations for advanced premium tax credits.

(8) DWS conducts informal, evidentiary hearings in accordance with Section R986-100-124 through Section R986-100-134, except for the provisions in Subsection R986-100-128(17) and Subsection R986-100-134(5). Instead, the provisions in Subsection R414-301-[6]Z(16) concerning the time frame to comply with the DWS decision, and Subsection R414-301-[6]Z (17)(c) concerning continued assistance during a superior agency review conducted by the Department apply respectively.

(9) The Department conducts informal hearings concerning eligibility for foster care or subsidized adoption Medicaid in accordance with Rule R414-1. Pursuant to Section 63G-4-402, within 30 days of the date the Department issues the hearing decision, the applicant or recipient may file a petition for judicial review with the district court.

(10) DWS may not conduct a hearing contesting resource assessment until an institutionalized individual has applied for Medicaid.

(11) An applicant or recipient may designate a person or professional organization to assist in the hearing or act as his representative. An applicant or recipient may have a friend or family member attend the hearing for assistance.

(12) The applicant, recipient or representative can arrange to review case information before the scheduled hearing.

(13) At least one employee from the eligibility agency must attend the hearing. Other employees of the eligibility agency, other state agencies and legal representatives for the eligibility agency may attend as needed.

(14) The DWS Division of Adjudication and Appeals shall mail a written hearing decision to the parties involved in the hearing. The decision shall include the decision, a summary of the facts and the policies or regulations supporting the decision.

(a) The DWS decision shall include information about the right to request a superior agency review from the Department and how to make that request.

(b) The applicant or recipient may appeal the DWS decision to the Department pursuant to Section R410-14-18. The request for agency review must be made in writing and delivered to either DWS or the Department within 30 days of the mailing date of the decision.

(15) The Department, as the single state Medicaid agency, is a party to all fair hearings concerning eligibility for medical assistance programs. The Department conducts appeals and has the right to conduct a superior agency review of medical assistance hearing decisions rendered by DWS.

(16) The DWS hearing decision becomes final 30 days after the decision is sent unless the Department conducts a superior agency review. The DWS hearing decision may be made final in less than 30 days upon agreement of all parties.

(17) The Department conducts a superior agency review when the applicant or recipient appeals the DWS decision or upon its own accord if it disagrees with the DWS decision.

(a) The Department notifies DWS whenever it conducts a superior agency review.

(b) The DWS hearing decision is suspended until the Department issues a final decision and order on agency review.

(c) A recipient receiving continued benefits continues to be eligible for continued benefits pending the superior agency review decision.

(18) The superior agency review is an informal proceeding and shall be conducted in accordance with Section 63G-4-301.

(19) A Department decision and order on agency review becomes final upon issuance.

(20) The eligibility agency takes case action within ten calendar days of the date the decision becomes final.

(21) Pursuant to Section 63G-4-402, within 30 days of the date the decision and order on agency review is issued, the applicant or recipient may file a petition for judicial review with the district court. Failure to appeal a DWS hearing decision to the Department negates this right to a judicial appeal.

(22) Recipients are not entitled to continued benefits pending judicial review by the district court.

**KEY: client rights, hearings, Medicaid**

**Date of Enactment or Last Substantive Amendment: [~~December 1, 2012~~2013]**

**Notice of Continuation: January 23, 2013**

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

## Health, Health Care Financing, Coverage and Reimbursement Policy **R414-308-4** Verification of Eligibility and Information Exchange

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 37881

FILED: 08/01/2013

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to comply with provisions of the Patient Protection and Affordable Care Act, the purpose of this change is to implement the different verification sources for Medicaid eligibility.

**SUMMARY OF THE RULE OR CHANGE:** This amendment defines the requirements for verifying eligibility, and allows for the use of other electronic data sources instead of using the federal data hub. The change sets up the criteria for requesting verification from applicants and recipients.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Pub. L. No. 111-148 and Section 26-1-5 and Section 26-18-3

**MATERIALS INCORPORATED BY REFERENCES:**

♦ Removes 42 CFR 435.945, 435.948, 435.952, 435.955, and 435.960, published by Government Printing Office, 10/01/2010

- ◆ Adds 42 CFR 435.945, 42 CFR 435.948, 42 CFR 435.949, 42 CFR 435.952 and 42 CFR 435.956, published by Government Printing Office, 10/01/2012

ANTICIPATED COST OR SAVINGS TO:

- ◆ THE STATE BUDGET: Some administrative costs are associated with the implementation of this process. Nevertheless, these costs are minimal and there is no data to determine them at this time.
- ◆ LOCAL GOVERNMENTS: There is no impact to local governments, as they do not make eligibility determinations for Medicaid.
- ◆ SMALL BUSINESSES: This amendment does not impose any new costs or requirements on small businesses because they do not make eligibility determinations for the Medicaid program.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: This amendment does not impose any new costs or requirements on Medicaid providers and on Medicaid recipients because it does not affect Medicaid services. These changes are solely about interactions between the Medicaid agency and the federal data hub to implement the eligibility process.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This amendment does not impose any new costs or requirements on a single Medicaid provider or on a Medicaid recipient because it does not affect Medicaid services. These changes are solely about interactions between the Medicaid agency and the federal data hub to implement the eligibility process.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Minimal impact on business. This will allow greater flexibility and efficiency in verifying the client eligibility data.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2013

AUTHORIZED BY: David Patton, PhD, Executive Director

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

**R414-308. Application, Eligibility Determinations and Improper Medical Assistance.**

**R414-308-4. Verification of Eligibility and Information Exchange.**

(1) The Department adopts and incorporates by reference 42 CFR 435.945, 435.948, 435.949, 435.952, and 435.956, October 1, 2012 ed.

(a) The Department may seek approval from the Secretary in accordance with 42 CFR 435.945(k) to use alternative electronic data sources in lieu of using the data available from the federal data hub.

(b) Medical assistance applicants and recipients must provide identifying information that the eligibility agency needs to complete electronic data matches.

(c) The eligibility agency may request verification from applicants and recipients in accordance with the agency's verification plan that is necessary to determine eligibility.

([+]2) Medical assistance applicants and recipients must verify all eligibility factors requested by the eligibility agency to establish or to redetermine eligibility when the information cannot be verified through electronic data matches, or when the electronic data match information is not reasonably compatible with the client provided information. [~~Medical assistance applicants and recipients must provide identifying information that the eligibility agency needs to meet the requirements of 42 CFR 435.945, 435.948, 435.952, 435.955, and 435.960, 2010 ed., which are incorporated by reference.~~]

(a) The eligibility agency shall provide the applicant or recipient a written request of the needed verification.

(b) The applicant or recipient has at least ten calendar days from the date that the eligibility agency gives or sends the verification request to provide verification.

(c) The due date for returning verification, forms or information requested by the eligibility agency is the close of business on the date that the eligibility agency sets as the due date in a written request.

(d) An applicant [~~or recipient~~] must provide all requested verification before the close of business on the last day of the application period. If the last day of the application processing period is a non-business day, the applicant or recipient has until the close of business on the next business day to return verification.

(e) The eligibility agency shall allow the applicant or recipient more time to provide verification if he requests more time by the due date. The eligibility agency shall set a new due date based on what the applicant or recipient needs to do to obtain the verification and whether he shows a good faith effort to obtain the verification.

(f) If an applicant or recipient does not provide verification by the due date and does not contact the eligibility agency to ask for more time to provide verification, the eligibility agency shall deny the application or review, or end eligibility.

(g) If a due date falls on a non-business day, the due date is the close of business on the next business day.

([2]3) The eligibility agency must receive verification of an individual's income, both unearned and earned. To be eligible under the Medicaid Work Incentive program, the eligibility agency may require proof such as paycheck stubs showing deductions of FICA tax,

self-employment tax filing documents, or for newly self-employed individuals who have not filed tax forms yet, a written business plan and verification of gross receipts and business expenses, to verify that the income is earned income.

(3)4 If an applicant's citizenship and identity do not match through the Social Security electronic match process and the eligibility agency cannot resolve this inconsistency, the eligibility agency shall require the applicant to provide verification of his citizenship and identity in accordance with 42 U.S.C. 1396a(ee)(1)(B).

(a) The individual must provide verification to resolve the inconsistency or provide original documentation to verify his citizenship and identity within 90 days of the request.

(b) The eligibility agency shall continue to provide medical assistance during the 90-day period if the individual meets all other eligibility criteria.

(c) If the individual fails to provide verification, the eligibility agency shall end eligibility within 30 days after the 90-day period. The eligibility agency may not extend or repeat the verification period.

(d) An individual who provides false information to receive medical assistance is subject to investigation of Medicaid fraud and penalties as outlined in 42 CFR 455.13 through 455.23.

**KEY: public assistance programs, applications, eligibility, Medicaid**

**Date of Enactment or Last Substantive Amendment: [~~October 1, 2012~~2013]**

**Notice of Continuation: January 23, 2013**

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

## Insurance, Administration R590-142 Continuing Education Rule

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 37882

FILED: 08/01/2013

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** Due to passage of H.B. 160 in the 2013 General Legislative Session, a new Chapter, 23b, has been added to the insurance code. Chapter 23b is the Navigator License Act. This rule is being amended to satisfy the continuing education (CE) requirements of the Navigator Act. Other changes have been made to clarify and update code references. The only other substantive changes are to require CE providers to register via SIRCON, and to prohibit CE providers from using courses that were plagiarized, or copied from others without permission.

**SUMMARY OF THE RULE OR CHANGE:** Code references have been updated in the Authority section, and throughout

the rule, to reference the new Chapter 23b. A few other code references have been added that should have been noted previously. The term "provider" is being revised to "registered provider." The "Continuing Education Requirements" Section R590-142-4 is amended to include Navigator licensees, as well as language to state specific requirements that apply only to Navigator licensees. Changes in Section R590-142-5 clarify which license types the experience credit applies to. Changes in Section R590-142-6 clarify that continuing education (CE) providers must submit course completion credits through SIRCON and specify the information that needs to be reported. Changes to Section R590-142-8 specify the manner in which a provider electronically register as a CE provider. Changes to Section R590-142-9 specify the manner in which a CE provider electronically reinstates a provider registration. Section R590-142-9 also prohibits CE providers from using courses that are plagiarized, or copied from others without permission.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 31A-30-209 and Subsection 31A-2-201(3) and Subsection 31A-23a-202(1) and Subsection 31A-23a-202(3) and Subsection 31A-23a-202(5) and Subsection 31A-23b-205(2) and Subsection 31A-23b-206(1) and Subsection 31A-23b-206(3) and Subsection 31A-23b-206(5) and Subsection 31A-26-206(1)

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** There will be some additional work for staff in checking to make sure those individuals that apply to renew a Navigator license have complied with the CE requirements. Additional work will be required to handle the approval process of any new Navigator CE courses that are offered by CE providers. There will be no fiscal impact on the department or state's budget.

◆ **LOCAL GOVERNMENTS:** This rule will have no impact on local government since the rule only deals with the relationship between the department and their licensees.

◆ **SMALL BUSINESSES:** This rule deals with CE for individuals and CE providers. Any new CE provider will have to pay the fee for new and renewal application, which is \$250. It is not known how many applicants will apply. There is also a small SIRCON electronic processing fee.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** New individual Navigators will have to pay the cost for CE courses administered through Health and Human Services (HHS) or any registered CE provider.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** Any new CE provider resulting from the new Navigator license, will have to pay the cost for registration which is \$250 for the initial or renewal application. It is not known how many applications will be received by the department. There is a small SIRCON electronic processing fee for these applications. New individual Navigators will have to pay the cost for CE courses administered through Health and Human Services (HHS) or any other registered CE provider.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be a cost to new CE providers resulting from the Navigator license, to register and renew their application with the department.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

♦ 09/09/2013 01:00 PM, State Office Building, 450 N State Street, Room 3112, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Todd Kiser, Commissioner

#### **R590. Insurance, Administration.**

#### **R590-142. Continuing Education Rule.**

##### **R590-142-1. Authority.**

This rule is promulgated pursuant to:

(1) Subsection 31A-2-201(3) that authorizes the commissioner to adopt rules to implement the provisions of the Utah Insurance Code;

(2) Subsection 31A-23a-202(1) that authorizes the commissioner to adopt a rule to prescribe the continuation requirements for a producer and a consultant;

(3) Subsection 31A-23a-202(3) that authorizes the commissioner to adopt a rule to:

(a) prescribe the manner in which a producer or consultant may obtain continuing education credit; and

(b) publish a list of professional designations whose continuing education requirements can be used to meet the requirements for continuing education for a producer and a consultant;

(4) Subsection 31A-23a-202(5) that authorizes the commissioner to adopt a rule to prescribe the processes and procedures for continuing education provider registration and course approval;

(5) Subsection 31A-23b-205(2) that authorizes the commissioner to adopt a rule to prescribe how navigator training requirements may be administered;

(6) Subsection 31A-23b-206(1) that authorizes the commissioner to adopt a rule to prescribe the continuing education requirements for the a navigator;

(7) Subsection 31A-23b-206(3) that authorizes the commissioner to adopt a rule to prescribe the manner in which a navigator may obtain continuing education credit;

(8) Subsection 31A-23b-206(5) that authorizes the commissioner to adopt a rule to prescribe the processes and procedures for continuing education provider registration and course approval;

~~[(4)](9)~~ Subsection 31A-26-206(1) that authorizes the commissioner to adopt a rule to prescribe the continuing education requirements for an adjuster; and

~~[(5)](10)~~ Subsection 31A-30-209 that authorizes the commissioner to adopt a rule to implement the continuing education requirements for the defined contribution market.

##### **R590-142-2. Purpose and Scope.**

(1) The purpose of this rule is to implement the continuing education requirements of Sections 31A-23a-202, 31A-23b-206, 31A-26-206, and ~~[31A-35-401.5]~~31A-26-209.

(2) This rule applies to all continuing education providers and individual producer, consultant, navigator, and adjuster licensees under Sections 31A-23a-202, 31A-23b-206, 31A-26-206, and 31A-30-209.

##### **R590-142-3. Definitions.**

For the purpose of this rule the ~~[Commissioner]~~commissioner adopts the definitions as set forth in Sections 31A-1-301, 31A-23a-102, 31A-23b-102, 31A-26-102, 31A-35-102, and the following:

(1) "Classroom course" means:

(a) a course of study that:

- (i) is taught on-site by a live instructor at the same location;
- (ii) requires monitoring of a student; and
- (iii) may require examination of course content to be performed by a student; or

(b) an interactive course of study that:

- (i) is taught by a live instructor from a separate location;
- (A) is delivered to a student via:
  - (I) computer;
  - (II) teleconference;
  - (III) webinar; or
  - (IV) some other method acceptable to the commissioner; or
- (ii) is not taught by a live instructor;

(A) is delivered to a student via computer; or  
(B) some other method acceptable to the commissioner;

(iii) requires two-way interaction between a student and the instrument of instruction;

(iv) requires monitoring of a student; and

(v) requires examination of course content to be performed by a student.

(2) "Credit hour" means one 50-minute period of insurance related instruction consisting of:

- (a) a classroom course;
- (b) a home study course; or
- (c) some other method acceptable to the commissioner;

(3) "Designated internet site" means an internet site that is designated by the commissioner for a registered provider to submit a student's course completion information.

(4) "Home-study course" means a non-interactive course of study that:

- (a) is not taught by a live instructor;

- (b) is completed by a student via:
- (i) computer;
  - (ii) video recording, if the video is professionally produced;
  - (iii) text book; or
  - (iv) some other method acceptable to the commissioner;
- (c) does not require two-way interaction between a student and the instrument of instruction;
- (d) does not require monitoring of a student; and
  - (e) requires examination of course content to be performed by the student.

(5) "Insurance related instruction" means that amount of time that is assigned by the commissioner to a course of study to satisfy the requirements of continuing education credit hours under this rule, in which assignment of value shall be made on the basis of:

- (a) content;
- (b) presentation; and
- (c) format.

(6) "Monitoring of a student" means a person or system in place who verifies participation in and completion of a course.

(7) "Nonprofit provider" means an organization that fits the definition of nonprofit corporation as defined in Subsection 16-6a-102(34).

(8) "Registered Provider" means a person who satisfies the requirements of R590-142-8 and 9, and offers a course of study or program for credit to an applicant to satisfy the continuing education requirements of this rule.

#### **R590-142-4. Continuing Education Requirements.**

(1) A producer, consultant, adjuster, and navigator licensee shall comply with, and a registered provider shall be familiar with, the following continuing education requirements:

(a) upon renewal of a license, no continuing education credit hours in excess of the number required to renew the license may be carried over or applied to any subsequent licensing period;

(b) a licensee shall attend a course in its entirety in order to receive credit for the course; and

(c) a licensee may repeat a course for credit but will not be permitted to take a course for credit more than once in a license continuation period.

(2) Producer, Consultant, and Adjuster License. A producer, consultant, and adjuster licensee shall comply with, and a [continuing education]registered provider shall be familiar with, the following continuing education requirements:

[(1)](a) the number of credit hours of continuing education insurance related instruction required to be completed biennially as a prerequisite to a license renewal shall be in accordance with Sections 31A-23a-202[;] and 31A-26-206;

[(2)](b) a producer, consultant, or adjuster licensee may obtain continuing education credit hours at any time during the two-year licensing period;

[(3)](c) not more than half of the total credit hours required shall be satisfied by courses provided to a producer, consultant or adjuster licensee by one or more insurers;[

(4) upon renewal of a license, no continuing education credit hours in excess of the number required to renew the license may be carried over or applied to any subsequent licensing period;

(5) a licensee shall attend a course in its entirety in order to receive credit for the course;

(6) a licensee may repeat a course for credit but will not be permitted to take a course for credit more than once in a license continuation period;]

[(7)](d) a nonresident producer, consultant, or adjuster licensee who satisfies the licensee's home state's continuing education requirement is considered to have satisfied Utah's continuing education requirement; and

[(8)](e) a producer, consultant, or adjuster licensee with a professional designation may use the continuing education credit hours required to maintain the designation to satisfy the requirement of the commissioner if:

[(a)](i) the hours are sufficient to meet the current continuing education requirement described in Sections 31A-23a-202 and 31A-26-206; and

[(b)](ii) the professional designation consists of one or more of the following:

[(i)](A) Accredited Customer Service Representative (ACSR);

[(ii)](B) Accredited Financial Examiner (AFE) or Certified Financial Examiner (CFE);

[(iii)](C) Accredited Insurance Examiner (AIE) or Certified Insurance Examiner (CIE);

[(iv)](D) Certified Financial Planner (CFP);

[(v)](E) Certified Insurance Counselor (CIC);

[(vi)](F) Certified Risk Manager (CRM);

[(vii)](G) Registered Employee Benefits Consultant (REBC);

[(viii)](H) Chartered Property Casualty Underwriter (CPCU) with completion of the Continuing Professional Development (CPD) program; or

[(ix)](I) Certified Life Underwriter (CLU), Chartered Financial Consultant (ChFC) or Registered Health Underwriter (RHU) with completion of the Professional Achievement in Continuing Education (PACE) recertification program.

[(9)](f) A producer who solicits or sells a defined contribution plan in accordance with Section 31A-30-209 shall complete a minimum of two hours of defined contribution continuing education that includes training on use of the Utah Health Exchange and premium assistance programs:

[(a)](i) prior to soliciting or selling a defined contribution plan; and

[(b)](ii) during each subsequent two-year licensing period that the producer solicits or sells a defined contribution plan.

(g) Continuing education requirements may be administered by:

(i) the commissioner; or

(ii) a continuing education provider approved by and registered with the commissioner.

(3)(a) Navigator license. A navigator licensee shall comply with, and a registered provider shall be familiar with, the following continuing education requirements:

(i) for a navigator licensee, the number of credit hours of continuing education related instruction required to be completed annually as a prerequisite to license renewal shall be in accordance with Section 31A-23b-206; and

(ii) a navigator licensee may obtain continuing education credit hours at any time during the one-year licensing period;

(b) To act as a navigator, a person must:

(i) successfully complete the federal navigator training and certification program requirements as established by federal regulation under PPACA and administered through the United States Department of Health and Human Services, including any applicable training and certification or recertification requirements under that program; and

(ii) complete a minimum of two hours of defined contribution continuing education that includes training on use of the Utah Health Exchange and premium assistance programs.

(c) A person is considered to have successfully completed the required continuing education requirements for a navigator license in accordance with Section 31A-23b-206 if the person has:

(A) met the requirements of (3)(b) above; and

(B) completed at least 2 hours of ethics course.

(d) Continuing education requirements may be administered by:

(i) the commissioner;

(ii) a continuing education provider approved by and registered with the commissioner; or

(iii) a navigator related training program administered through the United States Department of Health and Human Services.

#### **R590-142-5. Experience Credit.**

(1) Continuing education credit hours may be granted to a producer, consultant, or adjuster licensee for experience credit at the discretion of the commissioner, including credit for experience such as the authoring of an insurance book, course or article.

(2) Membership by a producer or consultant in a state or national professional producer or consultant association is considered to be a substitute for two credit hours for each year during which the producer or consultant is a member of the association, except as provided in (3) below.

(3) No more than two hours of continuing education credit shall be granted per year during the two-year license continuation period, regardless of the number of professional associations of which the producer or consultant is a member.

(4) An approved continuing education course taught by an approved instructor holding a Utah producer, consultant, or adjuster license shall receive twice the number of credit hours allocated by the commissioner for the course, except as provided in Subsection (5) below.

(5) Credit for instruction of a course shall be granted no more than once per license renewal period for each course taught.

(6) Continuing education experience credit shall not be granted for committee service.

#### **R590-142-6. Controls and Reporting of Credit Hours.**

(1) Within 14 days of completion of a course of study, the registered provider shall:

(a) furnish to each student successfully completing the course a certificate of completion; and

(b) electronically submit through Sircon a course completion record [~~to a designated Internet site~~] identifying the:

~~(i) [student and course information for each] student that completed the course[-];~~

(ii) name and identifying course number of the course completed; and

(iii) number of credit hours completed by the student.

(2) In the event the registered provider fails to notify the commissioner of a student's course completion, the licensee may use

the certificate of completion as proof of having successfully completed the course.

(3) The registered provider shall keep proof of successful electronic attendance submission on file for a period of at least the current calendar year plus two years.

#### **R590-142-7. Course Requirements.**

(1) Except as permitted in R590-142-4(3), [Prior]prior to offering a course for credit in Utah, a person must register as a provider and submit a completed continuing education course filing form and course outline for review by the commissioner.

(2) Upon receipt of a completed continuing education course filing form and course outline from a registered provider, the commissioner shall:

(a) approve a course as qualifying for credit in accordance with the standards of this rule;

(b) issue a course number; and

(c) assign the number of hours to be awarded to the approved course; or

(d) disapprove a course as not qualifying for credit; and

(e) furnish an explanation of the reason for disapproval of the course.

(3) A course offered by a registered provider must be submitted to and approved by the commissioner at least 30 days prior to being offered, except that post approval of a course may be granted by the commissioner upon submission of a written request and supporting documentation of a course attended.

(4) A course advertisement shall not state or imply that a course has been approved by the commissioner unless written confirmation of the approval has been received by the registered provider.

(5) A department employee may attend a course at no cost for the purpose of auditing the course for compliance.

(6) The following course topics are examples of subject areas that qualify for approval if they contribute to the knowledge and professional competence of an individual licensee as a producer, consultant, or adjuster, and demonstrate a direct and specific application to insurance:

(a) a particular line of insurance;

(b) investments or securities in connection with variable contracts;

(c) principles of risk management;

(d) insurance laws and administrative rules;

(e) tax laws related to insurance;

(f) accounting/actuarial considerations in insurance;

(g) business or legal ethics; and

(h) other course subject areas may be acceptable if the

registered provider can demonstrate that they contribute to professional competence and otherwise meet the standards set forth in this rule.

(7) The following course topics are examples of subject areas that do not qualify for approval:

(a) computer training and software presentations;

(b) motivation;

(c) psychology;

(d) sales training;

(e) communication skills;

(f) recruiting;

(g) prospecting;

(h) personnel management;



- (i) time management; and
  - (j) any course not in accordance with this rule.
- (8) The following continuing education standards must be met for a course offered by a registered provider to qualify for continuing education credit:
- (a) the course must have significant intellectual or practical content to enhance and improve the insurance knowledge and professional competence of participants;
  - (b) the course must be developed by persons who are qualified in the subject matter and instructional design;
  - (c) the course content must be up to date;
  - (d) the instructor must be qualified with respect to course content and teaching methods;
  - (e) the instructor may be considered qualified if through formal training or experience, the instructor has obtained sufficient knowledge to competently instruct the course;
  - (f) the number of participants and physical facilities for a course must be consistent with the teaching method specified;
  - (g) the course must include some means for evaluating the quality of the course content;
  - (h) the course must provide for a method to authenticate each student's identity; and
  - (i) the course must be taught in a manner compliant with the Americans With Disabilities Act to enable licensees with a physical or mental disability to complete the continuing education requirements.
- (9) The following are additional requirements for an interactive computer course of study offered by a registered provider that is not taught by a live instructor:
- (a) provide during each hour of the course at least four interactive inquiry periods that include one or more of the following type of exam questions:
    - (i) multiple choice
    - (ii) matching; or
    - (iii) true false;
  - (b) the inquiry periods shall occur at regular and relatively evenly-spaced intervals between each period;
  - (c) the inquiry periods shall cover material from the applicable section of the course that was presented to the student;
  - (d) one of the inquiry periods must be administered at the end of the course;
  - (e) identify all incorrect responses and inform the student of the correct response with an explanation of the correct answer;
  - (f) require answering 70% of the inquiries for each period correctly to demonstrate mastery of the current section, including the final section, before the student is allowed by the program to proceed to the next section or complete the course;
  - (g) in the event a student does not achieve the 70% correct response rate necessary to advance to the next section, generate a different set of inquiries for the section, which may be repeated as necessary on a random or rotating basis;
  - (h) provide a method to reasonably authenticate the student's identity on a periodic hourly basis, including upon entering, during, and exiting the course; and
  - (i) provide for a method to directly transmit the final course completion results to the registered provider or a printed course completion receipt to be sent to the registered provider for issuance of a completion certificate.
- (10) A continuing education course shall not be offered or taught by a person who has:

- (a) a lapsed, surrendered, suspended, or revoked provider registration;
  - (b) a suspended or revoked insurance license; or
  - (c) been prohibited from teaching a course.
- (11) Continuing education credit may not be granted for a course offered by a registered provider in which the course[that-] is:
- (a) not approved by the commissioner; or
  - (b) offered or taught by a person who has:
    - (i) a lapsed, surrendered, suspended, or revoked provider registration; or
    - (ii) been prohibited from teaching a course.

#### **R590-142-8. Registered Provider Requirements.**

- (1) A registered provider, or a state or national professional producer~~[-of]~~, consultant, adjuster, or navigator association, may:
- (a) offer a qualified course for a license type or line of authority on a geographically accessible basis; and
  - (b) collect a reasonable fee for funding and administration of a continuing education program, subject to the review and approval of the commissioner.
- (2) A person must register with the commissioner as a provider prior to acting as a registered provider in Utah.
- (3) ~~[To-]Except as provided in Subsection (4) below, to initially register as a provider, a person must:~~
- (a) electronically submit a completed provider registration form via Sircon;~~;~~
  - ~~(b) submit a course outline that includes information regarding the course content and the number of credit hours requested for the course;~~ and
  - ~~(c) pay an initial registration fee, as identified in Rule R590-102[-, except as provided in Subsection (4) below].~~
- (4)(a) To initially register as a nonprofit provider, a person must electronically submit a completed provider registration form via:
- (i) Sircon; or
  - (ii) facsimile, or as a PDF attachment to an email, using a form available through the Department's website.
- ~~(b) A person initially registering as a[A] nonprofit provider is not required to pay a registration fee.~~
- (5) To renew a provider registration, a provider, other than a non~~[-]~~profit provider, must:
- (a) electronically submit a completed provider renewal form via Sircon; and
  - (b) pay an annual renewal fee, as identified in Rule R590-102, prior to the annual renewal date.
- ~~(6)(a) To renew a non[-]profit provider registration, [electronic notification must be submitted to the commissioner prior to the annual renewal date, of the intent to renew the registration.] a nonprofit provider must:~~
- (i) electronically submit a completed provider renewal form via:
    - (A) Sircon; or
    - (B) facsimile, or as a PDF attachment to an email using a form available through the Department's website.
  - (b) A nonprofit provider is not required to pay an annual renewal fee.
- (7) Prior to a course offered by a registered provider being taught, a registered provider shall:

~~\_\_\_\_\_~~ (a) electronically submit via Sircon, a course outline that includes information regarding the course content and the number of credit hours requested for the course prior to offering the course;

~~[(a)]~~(b) post the course offering to a designated internet site;

~~[(b)]~~(c) provide the commissioner with the name and resume of the instructor or instructors who will be teaching the course; and

~~[(c)]~~(d) include identifying information as to any insurance license previously or currently held by the instructor or instructors who will be teaching the course.

(8) A registered provider shall report to the commissioner:

(a) an administrative action taken against the registered provider in any jurisdiction; and

(b) a criminal prosecution taken against the registered provider in any jurisdiction.

(9) The report required by Subsection (8) shall:

(a) be filed:

(i) at the time of submitting the initial provider registration; and

(ii) within 30 days of the:

(A) final disposition of the administrative action; or

(B) initial appearance before a court; and

(b) include a copy of the complaint or other relevant legal documents related to the action or prosecution described in Subsection (8).

(10) The commissioner may prohibit any person from acting as a registered provider or instructor in Utah if the commissioner determines that:

(a) the person is not competent and trustworthy; or

(b) the person or course of study fails to meet the qualifying standards.

#### **R590-142-9. Loss of Provider Registration and Course Disapproval.**

(1) A provider registration, other than a non[-]profit provider registration, shall lapse if a provider fails to:

~~\_\_\_\_\_~~ (a) electronically submit a completed provider renewal form via Sircon; and

~~\_\_\_\_\_~~ (b) pay an annual renewal fee prior to the annual renewal date.

(2) A non[-]profit provider registration shall lapse if ~~[electronic notification of the intent to renew the registration is not submitted to the commissioner prior to the annual renewal date.]~~ a nonprofit provider fails to electronically submit a completed provider renewal form via:

~~\_\_\_\_\_~~ (a) Sircon; or

~~\_\_\_\_\_~~ (b) facsimile, or as a PDF attachment to an email, using a form available through the Department's website.

(3) To reinstate a lapsed or surrendered provider registration, other than a non[-]profit provider registration, a provider must:

(a) electronically submit a completed provider ~~[registration]~~ reinstatement form via Sircon; and

(b) pay a reinstatement fee, as identified in Rule R590-102.

(4)(a) To reinstate a lapsed or surrendered non[-]profit provider registration, a non[-]profit provider must electronically submit a completed provider registration form via: [-]

~~\_\_\_\_\_~~ (i) Sircon; or

~~\_\_\_\_\_~~ (ii) facsimile, or as a PDF attachment to an email, using a form available through the Department's website.

~~\_\_\_\_\_~~ (b) A nonprofit provider is not required to pay a reinstatement fee.

(5) A provider registration may be denied, suspended or revoked, an instructor prohibited from teaching a course, or a course disapproved, if the commissioner determines that:

(a) a course teaching method or course content ~~[no longer meets]~~ fails to meet the standards of this rule;

(b) a registered provider ~~[reported]~~ reports that an individual ~~[had-]~~ completed a course in accordance with the standards furnished for course credit, when in fact the individual has not done so;

(c) a registered provider or instructor conducting a course instructs for less than the number of credit hours approved by the commissioner, but reports the full credits for the individual attending the course;

(d) credit for a course ~~[was]~~ is not electronically reported to a designated internet site in a timely manner for an individual who satisfactorily ~~[completed]~~ completes a course in accordance with the standards furnished for course credit;

(e) a registered provider or instructor:

(i) lacks sufficient education or experience in the subject matter of the course;

(ii) has had a provider registration suspended or revoked in another jurisdiction;

(iii) has had an insurance license suspended or revoked; ~~[-or]~~

~~\_\_\_\_\_~~ (iv) uses course material that has been plagiarized, or has copied course material without permission; or

~~[(iv)]~~(v) is otherwise no longer qualified in accordance with the standards of this rule; or

(f) there is other good cause evidencing that:

(i) a provider registration should be suspended or revoked;

(ii) an instructor should be disallowed from teaching a course; or

(iii) a course should be disapproved.

(6) The commissioner may disapprove any course, whether or not it had been previously approved, if:

(a) the commissioner determines that the course of study fails to meet the qualifying standards; ~~[-or]~~

~~\_\_\_\_\_~~ (b) the commissioner determines that the course material ~~has been plagiarized, or copied without permission; or~~

~~[(b)]~~(c) a change of 50% or more has been made in the course content since the initial approval of the course, subject to resubmission of the course for review and subsequent approval of the course by the commissioner.

(7) A registered provider may re-apply for a course that has been disapproved upon providing satisfactory proof to the commissioner that the conditions responsible for the disapproval have been corrected.

(8) To reinstate a suspended or revoked provider registration, a provider must:

(a) submit a completed provider registration form;

(b) submit a course outline that includes information regarding the course content and the number of credit hours requested for the course;

(c) pay a reinstatement fee, as identified in Rule R590-102, except as provided in Section 8(4) of this Rule; and

(d) provide satisfactory proof to the commissioner that the conditions responsible for the suspension or revocation have been corrected.

(9) A person with a revoked provider registration may not apply for a new registration for five years from the date the registration was revoked without the express approval by the commissioner, unless otherwise specified in the revocation order.

**R590-142-10. Penalties.**

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

**R590-142-11. Enforcement Date.**

The commissioner will begin enforcing this rule on the effective date of the rule.

**R590-142-12. Severability.**

If any provision of this rule or its application to any person or situation is held to be invalid, that 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: insurance continuing education**

**Date of Enactment or Last Substantive Amendment:** [~~October 22, 2012~~]**2013**

**Notice of Continuation:** January 10, 2012

**Authorizing, and Implemented or Interpreted Law:** 31A-2-201; 31A-23a-202; 31A-23b-205; 31A-23b-206; 31A-26-206; 31A-26-209; 31A-35-401.5

**Insurance, Administration  
R590-226**

**Submission of Life Insurance Filings**

**NOTICE OF PROPOSED RULE  
(Amendment)**

DAR FILE NO.: 37861  
FILED: 07/18/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The changes to this rule are being made to make it compliant with the Government Records Access and Management Act (GRAMA).

**SUMMARY OF THE RULE OR CHANGE:** A new Section R590-266-11 has been added to the rule. It adds the GRAMA requirements that allow insurance companies who file documents with the department to designate when they are protected from public access. This can be done as the company files their documents electronically. Documents can only be considered protected if they are a trade secret or commercial information, as defined in the law. Due to a new Section R590-266-11, the numbering of the following sections have been updated. The term "Health Insurance Division" is

being replaced with "Health Section." Section R590-266-13 adds the System for Electronic Rate and Form Filings (SERFF) and emails as ways to submit filings.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 31A-2-201.1 and Subsection 31A-2-201(3) and Subsection 31A-2-202(2)

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** Up until now the department has determined which company-filed documents are to be protected, as per the code. That responsibility is being turned over to the insurance company. They will mark the files to be protected when they file them electronically with the department. No programming changes will be needed or additional work required of the department in order to make this change.

◆ **LOCAL GOVERNMENTS:** This rule will have no effect on local governments since it deals solely with the relationship between the department and their licensees.

◆ **SMALL BUSINESSES:** No small businesses will be affected by this rule. The rule only affects insurance companies, which are large businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This rule affects all licensed life insurance companies. It will have no fiscal impact on them since the changes simply allow them to determine which of the filed documents they send to the department are to be protected. It will have no fiscal impact on individual insureds.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** This rule affects all licensed life insurance companies. It will have no fiscal impact on them since the changes simply allow them to determine which of the filed documents they send to the department are to be protected. It will have no fiscal impact on individual insureds.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** The changes to this rule merely make the insurance company responsible for marking their own documents as protected when they file them with the department instead of having the department do it for them. This will have no fiscal impact on insurers.

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

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

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Jilene Whitby by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at [jwhitby@utah.gov](mailto:jwhitby@utah.gov)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Todd Kiser, Commissioner

**R590. Insurance, Administration.**

**R590-226. Submission of Life Insurance Filings.**

**R590-226-5. Filing Submission Requirements.**

- (1) All filings must be submitted as an electronic filing.
- (a) All filers must use SERFF to submit a filing.
- (b) EXCEPTION: life settlement filers may choose to use email instead of SERFF to submit a filing.
- (c) All filings must comply with [F]the "NAIC Uniform Life, Accident and Health, Annuity, and Credit Coding Matrix," dated January 1, 20[09]12, and incorporated by reference. This form is available on the department's website, www.insurance.utah.gov.
- (2) A filings must be submitted by market type and type of insurance.
- (3) A filing may not include more than one type of insurance, or request filing for more than one licensee.

(4) SERFF Filings.

(a) Filing Description. Do not submit a cover letter. On the General Information tab, complete the Filing Description section with the following information, presented in the order shown below.

(i) Certification.

(A) The filer must certify that a filing has been properly completed AND is in compliance with Utah laws and rules.

(B) The following statement must be included in the filing description: "BY SUBMITTING THIS FILING I CERTIFY THAT THE ATTACHED FILING HAS BEEN COMPLETED IN ACCORANCE WITH UTAH ADMINISTRATIVE RULE R590-266 AND IS IN COMPLIANCE WITH APPLICABLE UTAH LAWS AND RULES".

(C) The "Utah Life Insurance Filing Certification for Individual" or the "Utah Life Insurance Filing Certification for Group" must be properly completed, signed, and attached to the Supporting Documentation tab.

(D) A filing will be rejected if the certification is false, missing, or incomplete.

(E) A false certification may subject the licensee to administrative action.

[(+)](ii) Provide a description of the filing including:

- (A) the intent of the filing; and
- (B) the purpose of each document within the filing.

[(+)](iii) Indicate if the filing:

- (A) is new;
- (B) has been submitted to the Interstate Insurance Product Regulation Commission (IIPRC);

[(B)](C) is replacing or modifying a previous submission; if so, describe the changes made, if previously rejected or withdrawn, the reasons for rejection or withdrawal, and the previous Utah Filed Date or the IIPRC approval date;

[(C)](D) includes documents for informational purposes; if so, provide the Utah Filed Date; or

[(D)](E) does not include the base policy; if so, provide the Utah Filed Date of the base policy and describe the effect on the base policy.

[(+)](iv) Identify if any of the provisions are unusual, innovative, controversial, or have been previously objected to, or prohibited, and explain why the provision is included in the filing.

[(+)](v) Explain any change in benefits or premiums that may occur while the contract is in force.

[(+)](vi) List the issue ages, which means the range of minimum and maximum ages for which a policy will be issued.

[(+)](vii) List the minimum death benefit.

[(+)](viii) Identify the intended market for filing, such as senior citizens, nonprofit organizations, association members, corporate owned, bank owned, etc.

[-----](b) Certification. The filer must certify that a filing has been properly completed AND is in compliance with Utah laws and rules. The "Utah Life Insurance Filing Certification for Individual" or the "Utah Life Insurance Filing Certification for Group" must be properly completed, signed, and attached to the Supporting Documentation tab. A false certification may subject the licensee to administrative action.

[(+)](b) Domiciliary Approval and Filing Status Information. All filings for a foreign licensee must include on the Supporting Documentation tab:

(i) copy of domicile approval for the exact same filing; or

(ii) filing status information, which includes:

(A) a list of the states to which the filing was submitted;

(B) the date submitted; and

(C) summary of the states' actions and their responses; or

(iii) if the filing is specific to Utah and only filed in Utah, then state, "UTAH SPECIFIC - NOT SUBMITTED TO ANY OTHER STATE."

[(+)](c) Group Questionnaire or Discretionary Group Authorization Letter. A group filing must attach to the Supporting Documentation tab either a:

(i) signed and fully completed "Utah Life and Annuity Group Questionnaire"; or

(ii) copy of the Utah Life and Annuity Discretionary Group Authorization letter.

[(+)](d) Letter of Authorization.

(i) When the filer is not the licensee, a letter of authorization from the licensee must be attached to the Supporting Documentation tab.

(ii) The licensee remains responsible for the filing being in compliance with Utah laws and rules.

[(+)](e) Statement of Variability.

(i) A statement of variability must be attached to the Supporting Documentation tab and certify:

(A) the final form will not contain brackets denoting variable data;

(B) the use of variable data will be administered in a uniform and non-discriminatory manner and will not result in unfair discrimination;

(C) the variable data included in this statement will be used on the referenced forms;

(D) any changes to variable data will be submitted prior to implementation.

(ii) Variable data are denoted in brackets and are defined, either by imbedding in the form, or by a separate form identified by its own form number and edition date. Variable data submitted as a separate form must be in a manner that follows the construction of the form, by page and paragraph, or page and footnote.

(iii) Variable data must be reasonable, appropriate and compliant.

(iv) Use of unauthorized variable data is prohibited.

~~(g)~~(f) Life Insurance Illustration Materials. If the life insurance form is identified as illustrated, the filing must include a sample:

- (i) basic illustration complete with data in John Doe fashion;
- (ii) current illustration actuary's certification;
- (iii) company officer certification; and
- (iv) sample annual report.

~~(h)~~(g) Statement of Policy Cost and Benefit Information. If the life insurance form is not illustrated, the filing must include a sample of the Statement of Policy Cost and Benefit Information.

~~(i)~~(h) Items being submitted for filing.

(i) All forms must be attached to the Form Schedule tab.

(ii) All rating documentation, including actuarial memorandums and rate schedules, must be attached to the Rate/Rule Schedule tab.

(iii) Actuarial Memorandum, Demonstration, and Certification of Compliance. An actuarial memorandum, demonstration of compliance, and a certification of compliance with Utah laws are required in individual and group life insurance filings. The memorandum must be currently dated and signed by the actuary. The memorandum must include:

- (A) a description of the coverage in detail;
  - (B) a demonstration of compliance with applicable nonforfeiture and valuation laws; and
  - (C) a certification of compliance with Utah law.
- (5) Refer to each applicable section of this rule for additional procedures on how to submit forms and reports.

(6) A filer submitting a life settlement filing, in addition to the requirements contained in R590-222-14, shall:

- (a) attach a letter of authorization from the licensee if the filer is not the licensee;
- (b) submit the documents in PDF format;
- (c) identify any provisions that are unusual, controversial, innovative, or have been previously objected to, or prohibited, and explain why the provision is included in the filing; and
- (d) shall certify that the filing has been properly completed and is in compliance with Utah laws and rules.

**R590-226-6. Procedures for Filings.**

- (1) Forms in General.
- (a) Forms are "File and Use" filings.
- (b) Each form must be identified by a unique form number.

The form number may not be variable.

- (c) Forms must contain a descriptive title on the cover page.
- (d) Forms must be in final printed form ~~[-or printer's proof format].~~ Drafts may not be submitted.

(e) Blank spaces within the form must be completed in John Doe fashion to accurately represent the intended market, purpose, and use.

(i) If the market intended is for the senior age group, the form must be completed with data representative of senior insureds.

(ii) All John Doe data in the forms including the data page must be accurate and consistent with the actuarial memorandum, the basic illustration, the Statement of Policy Cost and Benefit information, and the application, as applicable.

(2) Application Filing.

(a) Each application or enrollment form may be submitted as a separate filing or may be filed with its related policy or certificate filing.

(b) If an application has been previously filed or is filed separately, an informational copy of the application must be included with the policy or certificate filing.

(3) Policy Filings.

(a) Each type of insurance must be filed separately.

(b) A policy filing consists of one policy form, including its related forms, such as the application, sample data page, rider, endorsement, and actuarial memorandum.

(c) A policy data page must be included with every policy filing.

(d) Only one policy form for a single type of insurance may be filed, in each filing a life insurance policy with different premium payment periods is considered one form.

(e) A policy data page that changes the basic feature of the policy may not be filed without including the entire policy form in the filing.

(4) Rider or Endorsement Filing.

(a) Related riders or endorsements may be filed together.

(b) A single rider or endorsement that affects multiple forms may be filed if the Filing Description references all affected forms.

(c) A rider or endorsement that is based on morbidity risks, such as critical illness or long-term care, is considered accident and health insurance and must be filed in accordance with Rule R590-220, "Accident and Health Insurance Filings."

(d) The filing must include:

(i) a listing of all base policy form numbers, title and Utah Filed Dates;

(ii) a description of how each filed rider or endorsement affects the base policy; and

(iii) a sample data page with data for the submitted form.

(e) Unrelated riders or endorsement may not be filed together.

**R590-226-7. Additional Procedures for Individual Life Insurance Forms and Group Life Insurance Certificates Marketed Individually.**

(1) Insurers filing life insurance forms are advised to review the following code ~~[sections]~~parts and rules prior to submitting a filing:

- (a) Section 31A-21 Part III, "Specific Clauses in Contracts;"
- (b) Section 31A-22 Part IV, "Life Insurance and Annuities;"
- (c) R590-79, "Life Insurance Disclosure Rule;"
- (d) R590-93, "Replacement of Life Insurance and Annuities;"
- (e) R590-94, "Smoker/Nonsmoker Mortality Tables";
- (f) R590-95, "Minimum Nonforfeiture Standards 1980 CSO and 1980 CET Mortality Tables;"
- (g) R590-98, "Unfair Practice in Payment of Life Insurance and Annuity Policy Values;"
- (h) R590-108, "Interest Rate During Grace Period or Upon Reinstatement of Policy;"

(i) R590-122, "Permissible Arbitration Provisions;"  
 (j) R590-177, "Life Insurance Illustrations;"  
 (k) R590-191, "Unfair Life Insurance Claims Settlement Practice;"

(l) R590-198, "Valuation of Life Insurance Policies;" and  
 (m) R590-223, "Rule to Recognize 2001 CSO Mortality Table."

(2) Every filing for an individual life insurance policy, rider or benefit endorsement [~~providing benefits~~], and [every]a group life insurance [filing]policy that [including]includes certificates that are marketed individually, shall include an actuarial memorandum, which includes a demonstration[;] and [a-]certification of compliance [for nonforfeiture and valuation. Refer to the following]with:

(a) Section 31A-22-408, "Standard Nonforfeiture Law for Life Insurance;" and

(b) Section 31A-17 Part V, "Standard Valuation Law."

#### **R590-226-8. Additional Procedures for Group Market Filings.**

(1) A filer submitting group life insurance filings are advised to review the following code [sections]parts and rules prior to submitting a filing:

(a) Section 31A-21 Part III, "Specific Clauses in Contracts;"

(b) Section 31A-22 Part IV, "Life Insurance and Annuities;"

(c) Section 31A-22 Part V, "Group Life Insurance;"

(d) R590-79, "Life Insurance Disclosure Rule;" and

(e) R590-191, "Unfair Life Insurance Claims Settlement Practice."

(2) A policy must be included with each certificate filing along with a master application and enrollment form.

(3) Statement of Policy Cost and Benefit Information. A statement of policy cost and benefit information must be included in non-term group life insurance and preneed funeral policies or prearrangements. This disclosure requirement shall extend to the issuance or delivery of certificates as well as to the master policy in compliance with R590-79-3.

(4) Actuarial Memorandum. An actuarial memorandum must be included in all group life insurance filings describing the coverage in detail and certifying compliance with applicable laws and rules. For non-term group life filings, the memorandum must also demonstrate nonforfeiture compliance with Section 31A-22-515.

(5) Eligible Group. A filing for an eligible group must include a completed "Utah Life and Annuity Group Questionnaire."

(a) A questionnaire must be completed for each eligible group under Section 31A-22-502 through 508.

(b) When a filing applies to multiple employer-employee groups under Section 31A-22-502, only one questionnaire is required to be completed.

(6) Discretionary Group. If a group is not an eligible group, then specific discretionary group authorization must be obtained prior to submitting the filing. If a form filing is submitted without discretionary group authorization, the filing will be rejected.

(a) To obtain discretionary group authorization a "Utah Life and Annuity Request For Discretionary Group Authorization" must be submitted and include all required information.

(b) Evidence or proof of the following items is[are some factors] considered in determining acceptability of a discretionary group:

(i) existence of a verifiable group;

(ii) that granting permission is not contrary to public policy;

(iii) the proposed group would be actuarially sound;

(iv) the group would result in economies of acquisition and administration which justify a group rate; and

(v) the group would not present hazards of adverse selection.

(c) Discretionary group filings that do not provide authorization documentation will be rejected.

(d) Any changes to an authorized discretionary group must be submitted to the department, such as[;] change of name, trustee, domicile state, within 30 days of the change.

(e) The commissioner may periodically re-evaluate the group's authorization.

#### **R590-226-9. Additional Procedures for Variable Life Filings.**

(1) Insurers submitting variable life filings are advised to review the following code section[s] and rule[s] prior to submitting a filing:

(a) Section 31A-22-411, "Contracts Providing Variable Benefits;"

(b) R590-133, "Variable Contracts."

(2) A variable life insurance policy must have been previously approved or accepted by the licensee's state of domicile before it is submitted for filing in Utah.

(3) Information regarding the status of the filing of the variable life insurance policy with the Securities and Exchange Commission must be included in the filing.

(4) The description and the actuarial memorandum must:

(a) describe the types of accounts available in the policy; and

(b) identify those accounts that are separate accounts, including modified guaranteed accounts, and those that are general accounts.

(5) The actuarial memorandum must demonstrate nonforfeiture compliance:

(a) for separate accounts pursuant to Section 31A-22-411; and

(b) for fixed interest general accounts pursuant to Section 31A-22-408.

(c) In addition, for fixed accounts, the actuarial memorandum must:

(i) identify the guaranteed minimum interest rate[;]; and

(ii) identify the maximum surrender charges.

(6) An actuarial certification of compliance with applicable Utah laws and rules must be included in the filing.

(7) A prospectus is not required to be filed.

#### **R590-226-10. Additional Procedures for Combination Policies, Riders or Endorsements Providing Life and Accident and Health Benefits.**

A filer submitting life and health combination policies, or health riders or endorsement to life policies, is advised to review Rule R590-220.

(1) A combination filing is a policy, rider, or endorsement which creates a product that provides both life and accident and health insurance benefits.

(a) The two types of acceptable combination filings are a rider or endorsement or an integrated policy.

(b) Combination filings take considerable time to process, and will be processed by both the Health Section[Insurance Division,]

and the Life Section of the Health and Life [~~Property and Casualty~~] Insurance Division.

(2) A combination filing must be submitted separately to both the Health [~~Insurance Division~~] Section and the Life Section of the Health and Life [~~Property and Casualty~~] Insurance Division.

(3)(a) For an integrated policy, the filing must be submitted to the appropriate division based on benefits provided in the base policy.

(b) For a rider or endorsement, the filing must be submitted to the appropriate [~~division~~] section based on benefits provided in the rider or endorsement.

(4) The Filing Description must identify the filing as having a combination of insurance types, such as:

(a) [~~term~~] whole policy with a long-term care benefit rider; or

(b) major medical health policy that includes a life insurance benefit.

#### **R590-226-11. Classification of Documents.**

(1) In accordance with Section 63G-2-305, the only information the commissioner may classify as protected is:

(a) information deemed to be a trade secret. Trade secret means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy; or

(b) commercial information and non-individual financial information obtained from a person if:

(i) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the commissioner to obtain necessary information in the future; and

(ii) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access.

(2) The person submitting the information under Subsection (1)(a) or (b) and claiming that such is or should be protected shall provide the commissioner with the information in Section 63G-2-309(1)(a)(i).

(a) The filer shall request which specific document the filer believes qualifies under Subsections 63G-2-305(1) or (2) when the filing is submitted; and

(b) the request shall include a written statement of reasons supporting the request that the information should be classified as protected.

(3) Once the filing has been received, the commissioner will review the documents the filer has requested to be classified as protected to determine if the request meets the requirements of Subsections 63G-2-305(1) or (2).

(a) If all the information in the document meets the requirements for being classified as protected and the required statement is included, the document will be classified as protected and the information will not be available to the public.

(b) If all the information in the document does not meet the requirements for being classified as protected, the commissioner will notify the filer of the denial, the reasons for the denial, and the filer's

right to appeal the denial. The filer has 30 days to appeal the denial as allowed by Section 63G-2-401.

(c)(i) Despite the denial of classifying the information as protected, the commissioner shall treat the information as if it had been classified as protected until:

(A) the 30 day time limit for an appeal to the commissioner has expired; or

(B) the filer has exhausted all appeals available under Title 63G, Chapter 2, Part 4 and the document has been found to be a public document.

(ii) During the 30 day time limit to appeal or the appeal process, the filer may withdraw:

(A) the filing; or

(B) the request for designation as protected.

(d) If the filer combines in a document, information it wishes to be classified as protected with information that is public, the document will be classified as public.

#### **R590-226-~~11~~12. Insurer Annual Reports.**

All licensee annual reports must be properly identified and must be filed separately from other filings. Each annual report must be submitted when requested.

#### **R590-226-~~12~~13. Correspondence and Status Checks.**

(1) Correspondence. When corresponding with the department, provide sufficient information to identify the original filing:

(a) type of insurance;

(b) date of filing;

(c) form numbers;

(d) Submission method, SERFF, or email; and

~~(e)~~ (e) SERFF tracking number.

(2) Status Checks.

(a) A complete filing is usually processed within 45 days of receipt.

(b) A filer can request the status of its filing 60 days after the date of submission. A response will not be provided to a status request prior to 60 days.

#### **R590-226-~~13~~14. Responses.**

(1) Response to a Filing Objection Letter. When responding to a Filing Objection Letter a filer must:

(a) provide an explanation identifying all changes made;

(b) include an underline and strikeout version for each revised document;

(c) include a final version of revised documents that incorporates all changes; and

(d) for filing submitted in SERFF, attach the documents in Subsections R590-226-13 (1)(b)(c) to appropriate Form Schedule or Rate/Rule Schedule tab.

(2) Response to an Order to Prohibit Use.

(a) An Order to Prohibit Use becomes final 15 days after the date of the order.

(b) Use of the filing must be discontinued no later than the date specified in the order.

(c) To contest an Order to Prohibit Use, the commissioner must receive a written request for a hearing no later than 15 days after the date of the order.

(d) A new filing is required if the licensee chooses to make the requested changes addressed in the Filing Objection Letter. The new filing must reference the previously prohibited filing.

**R590-226-~~14~~15. Penalties.**

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

**R590-226-~~15~~16. Enforcement Date.**

The commissioner will begin enforcing the revised provisions of this rule 15 days from the effective date of this rule.

**R590-226-~~16~~17. Severability.**

If any provision of this rule or its application to any person or situation is held to be invalid, that 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: life insurance filings**

**Date of Enactment or Last Substantive Amendment:** [~~November 19, 2009~~2013

**Notice of Continuation:** March 26, 2009

**Authorizing, and Implemented or Interpreted Law:** 31A-2-201; 31A-2-201.1; 31A-2-202

**Insurance, Administration**  
**R590-227**  
**Submission of Annuity Filings**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37862

FILED: 07/18/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The changes to this rule are being made to come into compliance with the Government Records Access and Management Act (GRAMA).

**SUMMARY OF THE RULE OR CHANGE:** A new Section R590-227-10 has been added to the rule. It adds GRAMA requirements that allow insurance companies who file documents with the department to designate when they are protected from public access. This can be done as the company files their documents electronically. Documents can only be considered protected if they are a trade secret or commercial information, as defined in the law. Due to a new Section R590-227-10, the numbering of subsequent sections has been updated.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 31A-2-201.1 and Subsection 31A-2-201(3) and Subsection 31A-2-202(2)

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** Until now the department has determined which company-filed documents are to be protected, as per the code. That responsibility is being turned over to the insurance company. They will mark the files to be protected when they file them electronically with the department. No programming changes will be needed or additional work required of the department in order to make this change.

♦ **LOCAL GOVERNMENTS:** This rule has no effect on local governments since it deals solely with the relationship between the department and its licensees.

♦ **SMALL BUSINESSES:** No small businesses will be affected by this rule. The rule only affects insurance companies, which are large businesses.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This rule affects all licensed annuity companies. It will have no fiscal impact on them since the changes simply allow them to determine which of the filed documents they send to the department are to be protected. It will have no fiscal impact on individual insureds.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** This rule affects all licensed annuity companies. It will have no fiscal impact on them since the changes simply allow them to determine which of the filed documents they send to the department are to be protected. It will have no fiscal impact on individual insureds.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** The changes to this rule merely make the annuity company responsible for marking their own documents as protected when they file them with the department instead of having the department do it for them. This will have no fiscal impact on insurers.

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

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

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

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

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013**

**THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013**

**AUTHORIZED BY: Todd Kiser, Commissioner**



**R590. Insurance, Administration.****R590-227. Submission of Annuity Filings.****R590-227-5. Filing Submission Requirements.**

(1) All filings must be submitted as an electronic filing.  
 (a) All filers must use SERFF to submit a filing.  
 (b) All filings must comply with The "NAIC Uniform Life, Accident and Health, Annuity, and Credit Coding Matrix," dated January 1, 20[09]12, and incorporated by reference. This form is available on the department's website, www.insurance.utah.gov.

(2) A filings must be submitted by market type and type of insurance.

(3) A filing may not include more than one type of insurance, or request filing for more than one licensee.

(4) SERFF Filings.

(a) Filing Description. Do not submit a cover letter. On the General Information tab, complete the Filing Description section with the following information, presented in the order shown below.

(i) Certification.

A. The filer must certify that a filing has been properly completed AND is in compliance with Utah laws and rules.

B. The following statement must be included in the filing description: "BY SUBMITTING THIS FILING I CERTIFY THAT THE ATTACHED FILING HAS BEEN COMPLETED IN ACCORANCE WITH UTAH ADMINISTRATIVE RULE R590-266 AND IS IN COMPLIANCE WITH APPLICABLE UTAH LAWS AND RULES".

C. The "Utah Life Insurance Filing Certification for Individual" or the "Utah Life Insurance Filing Certification for Group" must be properly completed, signed, and attached to the Supporting Documentation tab.

D. A filing will be rejected if the certification is false, missing, or incomplete.

E. A false certification may subject the licensee to administrative action.

(+)(ii) Provide a description of the filing including:

- (A) the intent of the filing; and
- (B) the purpose of each document within the filing.

(+)(iii) Indicate if the filing:

- (A) is new;
- (B) has been submitted with the Interstate Insurance

Product Regulation Commission (IIPRC);

(+)(C) is replacing or modifying a previous submission; if so, describe the changes made, if previously rejected or withdrawn, the reasons for rejection or withdrawal, and the previous Utah Filed Date or the IIPRC Date;

(+)(D) includes documents for informational purposes; if so, provide the Utah Filed Date; or

(+)(E) does not include the base policy; if so, provide the Utah Filed Date of the base policy and describe the effect on the base policy.

(+)(iv) Identify if any of the provisions are unusual, controversial, or have been previously objected to, or prohibited, and explain why the provision is included in the filing.

(+)(v) Explain any change in benefits or premiums that may occur while the contract is in force.

(+)(vi) List the issue ages, which means the range of minimum and maximum ages for which a policy will be issued.

(+)(vii) List the minimum initial premium.

~~(+)(viii) Identify the intended market for the filing, such as senior citizens, nonprofit organizations, association members, corporate owned, bank owned, etc.~~

~~[(+)(b) Certification. The filer must certify that a filing has been properly completed AND is in compliance with Utah laws and rules. The "Utah Annuity Filing Certification" must be properly completed, signed, and attached to the Supporting Documentation tab. A false certification may subject the licensee to administrative action.~~

~~[(+)(b) Domiciliary Approval and Filing Status Information. All filings for a foreign licensee must include on the Supporting Documentation tab:~~

- ~~(i) copy of domicile approval for the exact same filing; or~~
- ~~(ii) filing status information which includes:~~
  - ~~(A) a list of the states to which the filing was submitted;~~
  - ~~(B) the date submitted; and~~
  - ~~(C) summary of the states' actions and their responses; or~~
- ~~(iii) if the filing is specific to Utah and only filed in Utah,~~

~~then state, "UTAH SPECIFIC - NOT SUBMITTED TO ANY OTHER STATE."~~

~~[(+)(c) Group Questionnaire or Discretionary Group Authorization Letter. A group filing must attach to the Supporting Documentation tab either a:~~

~~(i) signed and fully completed "Utah Life and Annuity Group Questionnaire"; or~~

~~(ii) copy of the Utah Life and Annuity Discretionary Group Authorization letter.~~

~~[(+)(d) Letter of Authorization.~~

~~(i) When the filer is not the licensee, a letter of authorization from the licensee must be attached to the Supporting Documentation tab.~~

~~(ii) The licensee remains responsible for the filing being in compliance with Utah laws and rules.~~

~~[(+)(e) Statement of Variability.~~

~~(i) A statement of variability must be attached to the Supporting Documentation tab and certify:~~

~~(A) the final form will not contain brackets denoting variable data;~~

~~(B) the use of variable data will be administered in a uniform and non-discriminatory manner and will not result in unfair discrimination;~~

~~(C) the variable data included in this statement will be used on the referenced forms;~~

~~(D) any changes to variable data will be submitted prior to implementation.~~

~~(ii) Variable data are denoted in brackets and are defined, either by imbedding in the form, or by a separate form identified by its own form number and edition date. Variable data submitted as a separate form must be in a manner that follows the construction of the form, by page and paragraph, or page and footnote.~~

~~(iii) Variable data must be reasonable, appropriate and compliant.~~

~~(iv) Use of unauthorized variable data is prohibited.~~

~~[(+)(f) Annuity Report. All annuity filings must include a sample annuity annual report.~~

~~[(+)(g) Items being submitted for filing.~~

~~(i) All forms must be attached to the Form Schedule tab.~~

~~(ii) All rating documentation, including actuarial memorandums and rate schedules, must be attached to the Rate/Rule Schedule tab.~~

(iii) Actuarial Memorandum, Demonstration, and Certification of Compliance. An actuarial memorandum, demonstration of compliance, and a certification of compliance with Utah law are required in individual and group life insurance filings. The memorandum must be currently dated and signed by the actuary. The memorandum must include:

- (A) description of the coverage in detail;
  - (B) demonstration of compliance with applicable nonforfeiture and valuation laws; and
  - (C) a certification of compliance with Utah law.
- (5) Refer to each applicable Section of this rule for additional procedures on how to submit forms and reports.

**R590-227-8. Additional Procedures for Group Annuity Filings.**

(1) A filer submitting group annuity filings are advised to review the following code sections and rules prior to submitting a filing:

- (a) Section 31A-21 Part III, "Specific Clauses in Contracts;"
- (b) Section 31A-22 Part IV, "Life Insurance and Annuities;"
- (c) Section 31A-22 Part V, "Group Life Insurance;" and
- (d) R590-191, "Unfair Life Insurance Claims Settlement Practice."

(2) A group contract must be included with each certificate filing along with the master application and enrollment form.

(3) Actuarial Memorandum. An actuarial memorandum must be included in all group annuity filing describing the features of the contract and certifying compliance with applicable laws and rules.

(4) Eligible Groups. A filing for an eligible group must include a completed "Utah Life and Annuity Group Questionnaire."

(a) A questionnaire must be completed for each eligible group under Sections 31A-22-502 through 508.

(b) When a filing applies to multiple employer-employee groups under Section 31A-22-502, only one questionnaire is required to be completed.

(5) Discretionary Group. If a group is not an eligible group, then specific discretionary group authorization must be obtained prior to submitting the filing. If a filing is submitted without discretionary group authorization, the filing will be rejected.

(a) To obtain discretionary group authorization a "Utah Life and Annuity Request For Discretionary Group Authorization" must be submitted and include all required information.

(b) Evidence or proof of the following items ~~is~~<sup>are some factors</sup> considered in determining acceptability of a discretionary group:

- (i) existence of a verifiable group;
- (ii) that granting permission is not contrary to public policy;
- (iii) the proposed group would be actuarially sound;
- (iv) the group would result in economies of acquisition and administration which justify a group rate; and
- (v) the group would not present hazards of adverse selection.

(c) Discretionary group filings that do not provide authorization documentation will be rejected.

(d) Any changes to an authorized discretionary group must be submitted to the department, such as; change of name, trustee, domicile state, within 30 days of the change.

(e) The commissioner may periodically re-evaluate the group's authorization.

**R590-226-10. Classification of Documents.**

(1) In accordance with Section 63G-2-305, the only information the commissioner may classify as protected is:

(a) information deemed to be a trade secret. Trade secret means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy; or

(b) commercial information and non-individual financial information obtained from a person if:

(i) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the commissioner to obtain necessary information in the future; and

(ii) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access.

(2) The person submitting the information under Subsection (1)(a) or (b) and claiming that such is or should be protected shall provide the commissioner with the information in Section 63G-2-309(1)(a)(i).

(a) The filer shall request which specific document the filer believes qualifies under Subsections 63G-2-305(1) or (2) when the filing is submitted; and

(b) the request shall include a written statement of reasons supporting the request that the information should be classified as protected.

(3) Once the filing has been received, the commissioner will review the documents the filer has requested to be classified as protected to determine if the request meets the requirements of Subsections 63G-2-305(1) or (2).

(a) If all the information in the document meets the requirements for being classified as protected and the required statement is included, the document will be classified as protected and the information will not be available to the public.

(b) If all the information in the document does not meet the requirements for being classified as protected, the commissioner will notify the filer of the denial, the reasons for the denial, and the filer's right to appeal the denial. The filer has 30 days to appeal the denial as allowed by Section 63G-2-401.

(c)(i) Despite the denial of classifying the information as protected, the commissioner shall treat the information as if it had been classified as protected until:

(A) the 30 day time limit for an appeal to the commissioner has expired; or

(B) the filer has exhausted all appeals available under Title 63G, Chapter 2, Part 4 and the document has been found to be a public document.

(ii) During the 30 day time limit to appeal or the appeal process, the filer may withdraw:

(A) the filing; or

(B) the request for designation as protected.

(d) If the filer combines in a document, information it wishes to be classified as protected with information that is public, the document will be classified as public.

**R590-227-~~[10]~~11. Correspondence and Status Checks.**

(1) Correspondence. When corresponding with the department, provide sufficient information to identify the original filing:

- (a) type of insurance;
- (b) date of filing;
- (c) form numbers; and
- (d) SERFF tracking number[-]

(2) Status Checks.

(a) A complete filing is usually processed within 45 days of receipt.

(b) A filer can request the status of its filing 60 days after the date of submission. A response will not be provided to a status request prior to 60 days.

**R590-227-~~[11]~~12. Responses.**

(1) Response to a Filing Objection Letter. When responding to a Filing Objection Letter a filer must:

- (a) provide an explanation identifying all changes made;
- (b) include an underline and strikeout version for each revised document;

(c) a final version of revised documents that incorporate all changes; and

(d) for filing submitted in SERFF, attached the documents in Subsections R590-227-11(1)(b)(c) to appropriate Form Schedule or Rate/Rule Schedule tab.

(2) Response to an Order to Prohibit Use.

(a) An Order to Prohibit Use becomes final 15 days after the date of the Order.

(b) Use of the filing must be discontinued no later than the date specified in the Order.

(c) To contest an Order to Prohibit Use, the commissioner must receive a written request for a hearing no later than 15 days after the date of the Order.

(d) A new filing is required if the licensee chooses to make the requested changes addressed in the Filing Objection Letter. The new filing must reference the previously prohibited filing.

**R590-227-~~[12]~~13. Penalties.**

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

**R590-227-~~[13]~~14. Enforcement Date.**

The commissioner will begin enforcing the revised provisions of this rule 15 days from the effective date of this rule.

**R590-227-~~[14]~~15. Severability.**

If any provision of this rule or its application to any person or situation is held to be invalid, that 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: annuity insurance filings**

**Date of Enactment or Last Substantive Amendment:** [~~November 19, 2009~~]**2013**

**Notice of Continuation:** **March 26, 2009**

**Authorizing, and Implemented or Interpreted Law:** **31A-2-201; 31A-2-201.1; 31A-2-202**

Insurance, Administration  
**R590-244**  
 Individual and Agency Licensing  
 Requirements

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37883

FILED: 08/01/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** Due to the passage H.B. 160 in the 2013 General Legislative Session, a new Chapter 23b has been added to the Insurance Code. Chapter 23b is the Navigator License Act. This rule is being amended to satisfy requirements of the Navigator Act. Other changes to the rule have also been made to clarify and update code references.

**SUMMARY OF THE RULE OR CHANGE:** Code references have been updated in Section R590-244-1, and throughout the rule, to reference the new Chapter 23b. A few other code references have been added that should have been noted previously. The new Section R590-244-6 outlines the requirements for an active licensee to act as a Navigator. A new Section R590-224-8 outlines the examination and training required for a Navigator and individual licensees. Section R590-244-9 specifies some renewal requirements for a Navigator license and specifies the licensing period for a Navigator license. Section R590-244-10 now requires an exam to reinstate a Navigator license.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 31A-35-104 and Subsection 31A-2-201(3) and Subsection 31A-23a-104(2) and Subsection 31A-23a-108(1) and Subsection 31A-23a-110(1) and Subsection 31A-23a-111(10) and Subsection 31A-23a-115(1) and Subsection 31A-23a-203.5(3) and Subsection 31A-23a-302(2) and Subsection 31A-23b-205(2) and Subsection 31A-23b-205(3) and Subsection 31A-23b-207(1) and Subsection 31A-23b-208(1) and Subsection 31A-23b-209(3) and Subsection 31A-23b-401(9) and Subsection 31A-25-201(1) and Subsection 31A-25-208(9) and Subsection 31A-26-202(1) and Subsection 31A-26-207(1) and Subsection 31A-26-213(10) and Subsection 31A-35-301(1) and Subsection 31A-35-401(2) and Subsection 31A-35-406(1) and Subsection 31AL-23b-203(2)

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** Licensing requirements for Navigators will be handled in part electronically but department employees will still need to review them individually. As with other licensees, Navigators will need to be licensed and pay the normal licensing fees.

♦ LOCAL GOVERNMENTS: This rule does not impact local governments since it deals solely with the relationship between the department and their licensees.

♦ SMALL BUSINESSES: There is a \$50,000 surety bond that a Navigator is required to obtain or have an errors and omissions (E&O) policy. The cost of the bond or policy will differ according to the purchaser and insurer or bonding company. If a new Navigator is already a producer and is covered by E&O, that producer will not be required to obtain another one. A new Navigator not already licensed will need to obtain an E&O policy or bond. An individual license is \$75 and \$85 for an agency.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is a \$50,000 surety bond that a Navigator is required to obtain or have an E&O policy. The cost of the bond or policy will differ according to the purchaser and the insurer or bonding company. If a new Navigator is already a producer and is covered by E&O, that producer will not be required to obtain another one. A new Navigator not already licensed will need to obtain an E&O policy or bond. An individual license is \$75 and \$85 for an agency. Individuals will also have a fingerprinting fee that they will have to pay the contract provider. The fingerprinting fees do not go to the General Fund. There is also an exam fee that is administered through Health and Human Services. These exams have not yet been developed so cost is unknown and would have no impact on the department.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is a \$50,000 surety bond that a Navigator is required to obtain or have an E&O policy. The cost of the bond or policy will differ according to the purchaser and the insurer or bonding company. If a new Navigator is already a producer and is covered by E&O, that producer will not be required to obtain another one. A new Navigator not already licensed will need to obtain an E&O policy or bond. An individual license is \$75 and \$85 for an agency. Individuals will also have a fingerprinting fee that they will have to pay the contract provider. The fingerprinting fees do not go to the General Fund. There is also an exam fee that is administered through Health and Human Services. These exams have not yet been developed so cost is unknown and would have no impact on the department.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Costs to businesses to become Navigator agencies will be similar to those of other insurance agency licensees.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

♦ 09/09/2013 01:00 PM, State Office Building, 450 N State Street, Room 3112, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Todd Kiser, Commissioner

#### **R590. Insurance, Administration.**

#### **R590-244. Individual and Agency Licensing Requirements.**

#### **R590-244-1. Authority.**

This rule is promulgated pursuant to:

(1) Subsection 31A-2-201(3) that authorizes the commissioner to adopt rules to implement the provisions of the Utah Insurance Code;

(2) Subsections 31A-23a-104(2), 31A-23a-110(1), 31A-25-201(1), 31A-26-202(1), 31A-23b-203(2), 31A-23b-208(1), 31A-35-104, 301(1) and 401(2) that authorize the commissioner to prescribe the forms and manner in which an initial or renewal individual or agency license application under Chapters 23a, 23b, 25, 26 and 35 is to be made to the commissioner;

(3) Subsections 31A-23a-111(10), 31A-23b-401(9), 31A-25-208(9), 31A-26-213(10), and 31A-35-406(1) that authorize the commissioner to adopt a rule prescribing license renewal and reinstatement requirements for individual and agency licensees under Chapters 23a, 23b, 25, 26, and 35;

(4) Subsections 31A-23a-108(1), 31A-23b-205(2) and (3), and 31A-26-207(1), that authorize the commissioner to adopt a rule prescribing how examination and training requirements may administered to licensees under Chapters 23a, 23b, and 26;

[(4)](5) Subsection 31A-23a-115(1) that authorizes the commissioner to adopt a rule prescribing reporting requirements to be utilized by an insurer for the initial appointment or the termination of appointment of a person authorized to act on behalf of the insurer under Chapter 23a;

[(5)](6) Subsection 31A-23a-203.5(3) that authorizes the commissioner to adopt a rule prescribing the terms and conditions of any required legal liability insurance coverage to be maintained by or on behalf of a licensed resident individual producer; ~~and~~

(7) Subsection 31A-23b-207(1) that authorizes the commissioner to adopt a rule prescribing the amount of any surety bond required to be maintained by a licensed navigator to cover the legal liability of a navigator as the result of an erroneous act or failure to act in the navigator's capacity as a navigator; and

[(6)](8) Subsections 31A-23a-302(2), 31A-23b-209(3), and 31A-26-210(1) that authorize the commissioner to adopt a rule prescribing reporting requirements to be utilized by an agency for the initial designation or the termination of designation of a person

authorized to act on behalf of the agency under Chapters 23a, 23b, and 26.

**R590-244-2. Purpose and Scope.**

- (1) The purpose of this rule is to provide standards for:
- (a) an individual or agency licensee for:
    - (i) obtaining, renewing or reinstating a license; ~~and~~
    - (ii) ~~maintaining any legal liability coverage or surety bond requirements; and~~
    - (~~ii~~)(iii) making other miscellaneous license amendments;
  - (b) an insurer for the initial appointment or the termination of an appointment of an individual or agency licensee; and
  - (c) an agency for the initial designation or the termination of a designation of an individual licensee to the agency's license.
- (2) Scope.
- (a) This rule applies to all individuals and agencies licensed under Chapters 23a, 23b, 25, 26 and 35.
  - (b) This rule applies to all admitted insurers doing business in Utah.

**R590-244-3. Definitions.**

For the purpose of this rule the commissioner adopts the definitions as set forth in Subsections 31A-1-301, 31A-23a-102, 31A-23b-102, 31A-26-102, and 31A-35-102 and the following:

- (1) "Active license" means a license under which a licensee has been granted authority by the commissioner to engage in some activity that is part of or related to the insurance business.
- (2) "Inactive license" means a formerly active license where a licensee is no longer authorized by the commissioner to engage in some activity that is part of or related to the insurance business.
- (3) "Lapse" means the inactivation of an active license by expiration of the period for which the license was issued or by operation of law.
- (4) "License application" means information submitted by a license applicant to provide information about the license applicant that is used by the commissioner to evaluate the applicant's qualifications and decide whether to:
  - (a) issue or decline to issue a license;
  - (b) add or decline to add an additional line of authority to an active license;
  - (c) renew or decline to renew an active license; or
  - (d) reinstate or decline to reinstate an inactive license.
- (5) "Line of authority" means a line of insurance of a particular subject matter area within a license type for which the commissioner may grant authority to do business.
- (6) "License type" means a category of license identifying a specific functional area of insurance activity for which the commissioner may grant authority to do business.
- (7) "NIPR" means an electronic application software provided by the National Insurance Producer Registry (NIPR).
- (8) "Reinstate" means the activation of an inactive license within 365 days of the inactivation date.
- (9) "Renewal" means the continuation of an active license from one two-year licensing period to another, except that the licensing period for a bail bond agency is one year.
- (10) "SIRCON" means an electronic application software provided by Sircon Corporation or its acquiring parent company, Vertafore, Inc.
- (11) "Termination for cause" means

(a) an insurer or an agency has ended its relationship with a licensee or has cancelled the licensee's authority to act on behalf of the insurer or agency for one of the reasons identified in 31A-23a-111(5); or

(b) a licensee has been found to have engaged in any of the activities identified in 31A-23a-111(5), 31A-23b-401(4), 31A-26-213(5), by a court, government body, or self-regulatory organization authorized by law.

**R590-244-4. Requirement to Electronically Submit License Applications, Appointments, Designations, and License Amendments.**

(1) Except as otherwise provided in this rule the following shall be submitted electronically to the department using SIRCON or NIPR:

(a) all individual and agency license applications under chapters 23a, 23b, 25, 26, and 35 as prescribed in R590-244-6, 7, and 8 for:

- (i) a new license;
- (ii) an additional license type or line of authority;
- (iii) a license renewal; or
- (iv) a license reinstatement;

(b) all appointments, termination of appointments, designations, and terminations of designations as prescribed in R590-244-9 and 10;

(c) all miscellaneous license amendments pertaining to individual and agency licenses under Chapters 23a, 23b, 25, 26 and 35 as prescribed in R590-244-11;

(d) all documents related to reporting to the commissioner of criminal prosecution or administrative action taken against a licensee as required under Chapters 23a, 23b, 25, 26 and 35; and

(e) any additional documentation required in connection with an application, except as shown in (iv) below, including but not limited to:

- (i) written explanation and documentation for positive responses to background questions on a license application;
- (ii) evidence of meeting specific experience, bonding, or other requirements for certain license types or lines of authority; or
- (iii) evidence of meeting continuing education requirements for a renewal or reinstatement application when there is a question regarding the number of course hours completed.

(iv) If an electronic attachment ~~[øf]~~function for attaching a document required in connection with an application is not available in the attachment utility from SIRCON or NIPR, the document shall be submitted electronically via a facsimile or as a PDF attachment to an email, until such time that an electronic attachment ~~[øf]~~function for submitting the document ~~[ø]~~in connection with the application becomes available from SIRCON or NIPR.

(2) Attestation. Submission of an electronic application or other form under this Rule constitutes the applicant's or submitter's attestation under penalties of perjury that the information contained in the application or form is true and correct.

(3) Any submission subject to this rule that does not comply with this rule, including an application that remains incomplete for a period of 30 days following the initial submission, may be rejected as incomplete and returned to the submitter without being processed, with any paid fees forfeited to the State.

**R590-244-5. Requirement of an Active License to Sell, Solicit, or Negotiate Insurance.**

(1) A person must have the following to sell, solicit, or negotiate insurance:

(a) an active license matching the type and line of insurance being sold, solicited, or negotiated; and

(b) if the person is an agency, an appointment from an insurer; or

(c) if the person is an individual:

(i) an appointment from an insurer or a designation from an agency; and

(ii) if the individual is a resident producer, legal liability errors and omissions insurance coverage in an amount not less than \$250,000 per claim and \$500,000 annual aggregate limit, as applicable in accordance with Section 31A-23a-203.5.

(2) A licensee whose license is inactivated for any reason shall not sell, solicit, or negotiate insurance from the date the active license is inactivated until the date the inactive license is reactivated.

**R590-244-6. Requirement of an Active License to Act as a Navigator.**

(1) A person must have the following to act as a navigator:

(a)(i) an active navigator license issued under Chapter 31A-23b, or

(ii) an active producer license issued under Chapter 31A-23a with an accident and health line of authority; and

(b)(i) a surety bond in an amount not less than \$50,000 to cover the legal liability of the navigator as the result of an erroneous act or failure to act in the navigator's capacity as a navigator, as applicable in accordance with Section 31A-23b-207; or

(ii) legal liability errors and omissions insurance coverage in an amount not less than \$250,000 per claim and \$500,000 annual aggregate limit, as applicable in accordance with Section 31A-23b-207.

(2) A navigator whose license is inactivated for any reason shall not act as a navigator from the date the active license is inactivated until the date the inactive license is reactivated.

**R590-244-[6]7. New License Application.**

(1) A resident or non-resident license application for a new license, or for the addition of an additional license type or line of authority, shall be submitted using either SIRCON or NIPR, except as stated in (2) below.

(2) A non-resident license application for a license type or line of authority not offered in the person's home state shall be submitted to the commissioner via facsimile or as a PDF attachment to an email using a form available through the Department's website, until such time that an electronic application becomes available from SIRCON or NIPR.

**R590-244-8. Examination and Training.**

(1) Examination and training requirements may be administered by:

(a) the commissioner;

(b) a testing vendor approved and contracted by the commissioner; or

(c) navigator related examination and training administered through the United States Department of Health and Human Services.

(2) To act as a navigator in Utah, a person must successfully complete the federal navigator training and certification program requirements as established by federal regulation under PPACA and administered through the United States Department of Health and Human Services, including any applicable training, examination, certification or recertification requirements under that program.

(3) A person who has successfully completed the federal navigator training and certification program is considered to have successfully completed the required Utah training and examination requirements for a navigator license in accordance with Section 31A-23b-205.

**R590-244-[7]9. Renewal and Non-renewal of an Active License.**

(1) An active license shall be renewed on or before the license expiration date by submitting a resident or non-resident license renewal application online via SIRCON or NIPR.

(2) A new individual license shall expire on the last day of the licensee's birth month following the two-year anniversary of the license issue date, unless renewed, except as shown in (4) below.

(3) A renewed individual license shall expire on the last day of the licensee's birth month every two years, unless renewed, except as shown in (4) below.

(4) An individual navigator license shall expire annually on the last day of the month from the most recent license issue or renewal date, unless renewed.

~~[(4)](5)~~ An agency license shall expire on the last day of the month every two years from the most recent license issue or renewal date, unless renewed, except as shown in ~~[(5)](6)~~ below.

~~[(5)](6)~~ A bail bond agency license shall expire annually on August 14th, unless renewed.

~~[(6)](7)~~ Renewal Notice.

(a) Prior to the license expiration date, the commissioner may, as a courtesy, send a renewal notice to the licensee's business email address as shown on the records of the Department.

(b) A renewal notice sent by the commissioner to the business email address, as shown on the records of the department, shall be considered received by the licensee.

(c) A licensee who fails to properly submit to, and maintain with, the commissioner a valid business email address may be subject to administrative penalties.

~~[(7)](8)~~ A license shall non-renew effective the license expiration date if it is not renewed on or before the expiration date, and:

(a) the non-renewed license shall be inactivated;

(b) all agency designations and insurer appointments shall be terminated; and

(c) a lapse license notice will be sent to the affected licensee.

~~[(8)](9)~~ An active licensee who fails to renew a license shall not engage in the business of insurance during the period of time from the expiration date of the license until the date the inactive license is reinstated or a new license is issued.

**R590-244-[8]10. Reinstatement of Inactive License.**

(1) An inactive license that has been inactive for a period of one year or less following the license expiration date can be reinstated as stated in (3) through (7) below.

(2) An inactive license that has not been reinstated within one year following its expiration date shall not be reinstated and the inactive licensee shall apply as a new license applicant.

(3) A reinstatement applicant shall:

(a) comply with all requirements for renewal of a license, including any applicable continuing education or examination requirements if the reinstatement applicant is an individual; and

(b) pay a reinstatement fee as shown in R590-102.

(4) A resident or non-resident license application for reinstatement of an inactive license shall be submitted using either SIRCON or NIPR, except as stated in (5) below.

(5) The following license applications for reinstatement of an inactive license must be submitted to the department via facsimile or as a PDF attachment to an email using a form available through the department's website, until such time that an electronic application becomes available from SIRCON or NIPR:

(a) a non-resident reinstatement application for a person whose license has been inactivated for failure to maintain an active license in the person's home state;

(b) a resident or non-resident reinstatement application for a person whose license has been voluntarily surrendered; and

(c) a resident or non-resident reinstatement application for a person whose license has been inactivated due to an incomplete renewal application, except as stated in (i) below.

(i) If a resident license has been inactivated due to a renewal application that was incomplete solely for failure to meet the continuing education requirements, a resident reinstatement application must be submitted to the department:

(A) during the first 30 days after a license expiration date as a facsimile or as a PDF attachment to an email using a form available through the department's website; or

(B) 31 days to one year after a license expiration date through SIRCON or NIPR.

(7) A license that has been voluntarily surrendered:

(a) may be reinstated:

(i) during the license period in which the license was surrendered; and

(ii) no later than one year from the date the license was surrendered; and

(b) must comply with the reinstatement requirements stated in (3) above, except that no continuing education requirement will apply for an individual license applicant because the reinstatement is within the current license period.

(8) A reinstated license shall expire on the same date it would have expired had the license not become inactive.

(9) A person with a reinstated license must complete any required new contracts and appointments with insurers or new agency designations before the reinstated licensee can resume doing business.

**R590-244-[9]11. Appointments and Termination of Appointments by Insurers.**

(1) Initial Appointments.

(a) An insurer shall electronically appoint an individual or agency licensee with whom the insurer has a contract.

(b) Appointments are continuous until terminated by the insurer or canceled by the department.

(c) It is not necessary for an insurer to appoint an individual who is listed as a designee on an appointed agency's license.

(d) To appoint a person, an insurer shall:

(i) identify the date the appointment is to be effective; and

(ii) submit the electronic appointment to the commissioner no later than 15 days after the identified effective date of appointment or receipt of the first insurance application, using SIRCON or NIPR, except as stated in (iii) below.

(iii) A motor club insurer must submit the appointment to the commissioner via facsimile or as a PDF attachment to an email using a form available through the department's website, until such time that an electronic appointment becomes available from SIRCON or NIPR.

(2) Termination of Appointment.

(a) An insurer shall electronically terminate the appointment of any previously appointed individual or agency no longer authorized to conduct business on behalf of the insurer in this state.

(b) To terminate a person's appointment an insurer shall:

(i) identify the date the termination of appointment is to be effective; and

(ii) submit the termination of appointment to the department no later than 30 days after the identified effective date of termination, using SIRCON or NIPR, except as stated in (iii) below.

(iii) A motor club insurer must submit the termination of appointment as a facsimile or as a PDF attachment to an email using a form available through the department's website, until such time that an electronic termination of appointment becomes available from SIRCON or NIPR.

(3) Termination for Cause.

(a) In addition to electronically terminating the individual or agency licensee's appointment, an insurer that terminates an individual or agency licensee for cause must send the following information to the department via facsimile or as a PDF attachment to an email:

(a) the insurer must state that the termination was for cause; and

(b) provide the specific circumstances causing the termination for cause.

**R590-244-[10]12. Designations and Termination of Designations by Agencies.**

(1) Designations.

(a) An agency shall electronically designate a licensed individual to the agency license to do business on behalf of the agency in this state.

(b) Designations are continuous until terminated by the agency or canceled by the department.

(c) To designate an individual on its license, an agency shall:

(i) identify the date the designation is to be effective; and

(ii) submit the designation to the commissioner no later than 15 days after the identified effective date of designation using SIRCON or NIPR.

(2) Termination of designations.

(a) An agency shall electronically terminate the designation of any previously designated individual no longer authorized to conduct business on behalf of the agency in this state.

(b) To terminate an individual's designation an agency shall:

(i) identify the date the termination of designation is to be effective; and

(ii) submit the termination of designation to the department no later than 30 days after the identified effective date of termination using SIRCON or NIPR.

## (3) Termination for Cause.

(a) In addition to electronically terminating the individual licensee's designation, an agency that terminates an individual licensee for cause must send the following information to the department via facsimile or as a PDF attachment to an email:

- (a) the agency must state that the termination was for cause; and  
 (b) provide the specific circumstances causing the termination for cause.

**R590-244-[11]13. Miscellaneous License Amendments and Changes to an Agency's Employer Identification Number (EIN).**

(1) All miscellaneous license amendments shall be submitted electronically.

(2) The following four miscellaneous license amendments shall be submitted via SIRCON or NIPR:

- (a) a change of residence, business, or mailing address within the same state;  
 (b) a change of email address;  
 (c) a change of telephone number; or  
 (d) a change of an individual licensee's name.

(3) The following six miscellaneous license amendments shall be submitted electronically via facsimile or as a PDF attachment to an email, except that a license amendment identified in (d), (e) and (f) shall be submitted via SIRCON or NIPR once the amendment becomes available electronically from SIRCON or NIPR:

- (a) a voluntary surrender of a license or line or authority;  
 (b) a clearance letter request;  
 (c) a change of an agency name;  
 (d) a change of residence, business, or mailing address from one state to another state;  
 (e) a change of position or title of an owner, partner, officer, or director of an agency; or  
 (f) a change of the licensed individual designated as the person responsible for the regulatory compliance of the agency.

(4) A miscellaneous license amendment submitted in accordance with this section shall contain:

- (a) the name and title of the individual submitting the amendment;  
 (b) the relationship to the licensee of the individual submitting the amendment; and  
 (c) the following attestation made by the individual submitting the amendment: "I hereby attest that all of the information submitted is true and correct, and that I am the individual licensee for whom the requested change is being submitted, or an authorized responsible representative of the individual or agency licensee for whom the requested change is being submitted."

(5) A change of Employer Identification Number (EIN):

- (a) cannot be processed as a miscellaneous license amendment; and  
 (b) the entity must apply as a new license applicant.

**R590-244-[12]14. Penalties.**

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

**R590-244-[13]15. Enforcement Date.**

The commissioner will begin enforcing this rule 45 days from the rule's effective date.

**R590-244-[14]16. Severability.**

If any provision of this rule or its application to any person or situation is held to be invalid, that 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: insurance licensing requirements**

**Date of Enactment or Last Substantive Amendment:** [~~November 17, 2011~~]2013

**Authorizing, and Implemented or Interpreted Law:** 31A-2-201; 31A-23a-104; ~~31A-23a-108~~; 31A-23a-110; 31A-23a-111; 31A-23a-115; 31A-23a-302; ~~31A-23b-102~~; 31A-23b-203; 31A-23b-205; ~~31A-23b-207~~; 31A-23b-208; 31A-23b-209; 31A-23b-401; 31A-25-201; 31A-25-208; 31A-26-202; 31A-26-207; 31A-26-210; 31A-26-213; 31A-35-104; 31A-35-301; 31A-35-401; 31A-35-406

## Labor Commission, Administration R600-2 Operations

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37866

FILED: 07/26/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this proposed rule change is to establish when electronically-filed documents are deemed timely.

**SUMMARY OF THE RULE OR CHANGE:** This rule change establishes that electronically-filed documents will be deemed timely if they are filed prior to midnight on the date they are due.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 34A-1-104

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** There should be no cost or savings to the state budget as this rule only establishes a deadline for filing electronic documents.

◆ **LOCAL GOVERNMENTS:** There should be no cost or savings to local governments as this rule only establishes a deadline for filing electronic documents.

◆ **SMALL BUSINESSES:** There should be no cost or savings to the small businesses as this rule only establishes a deadline for filing electronic documents.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There should be no cost or savings to persons other than small businesses, businesses, or local government entities as this rule only establishes a deadline for filing electronic documents.



COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons as this rule change simply establishes that electronic documents can be filed up until midnight on the date they are due.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There should be no fiscal impact on businesses as this rule change simply establishes that electronic documents can be filed up until midnight on the date they are due.

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

LABOR COMMISSION  
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:

♦ Jaceson Maughan by phone at 801-530-6036, by FAX at 801-530-6390, or by Internet E-mail at jacesonmaughan@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Sherrie Hayashi, Commissioner

---

**R600. Labor Commission, Administration.**

**R600-2. Operations.**

**R600-2-1. Business Hours.**

A. The offices of the Commission shall be open for receipt of official documents between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday. The Labor Commission's Parowan office shall be open for receipt of official documents between the hours of 8:00 a.m. to 5:00 p.m. Monday through Thursday. Commission offices shall not be open for business Saturday or Sunday and on state-recognized holidays. [~~Any official document, including fax transmissions, received when the Commission is not open, including fax transmissions after 5:00 p.m. shall be considered received on the next working day.~~]

B. Notwithstanding the 5:00 p.m. filing deadline provided above, official documents filed with the Labor commission will be deemed timely if filed electronically (either by email or facsimile) before midnight on the day the document is due.

**KEY: labor commission, hours of business**

**Date of Enactment or Last Substantive Amendment: [~~October 11, 2011~~]**2013

**Notice of Continuation: June 19, 2012**

**Authorizing, and Implemented or Interpreted Law: 34A-1-104**

---

## Natural Resources; Oil, Gas and Mining Board R641-100-600 Electronic Meetings

### NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 37873

FILED: 07/31/2013

#### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this new section is to authorize the use of electronic meetings of the Board of Oil, Gas and Mining.

**SUMMARY OF THE RULE OR CHANGE:** This new section establishes procedures for the conduct of electronic meetings by the Board of Oil, Gas and Mining. One or more members of the Board or one or more witnesses may participate electronically in accordance with the procedures.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 52-4-207

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** The Board of Oil, Gas and Mining and the Administrative section of the Division of Oil, Gas and Mining will implement this rule. No additional staff or costs are anticipated from this rule.

♦ **LOCAL GOVERNMENTS:** Local governments are normally not a witness on Board hearing matters, so no direct cost or savings are anticipated for local government.

♦ **SMALL BUSINESSES:** Small businesses will not encounter a cost to participate if they already own an electronic device such as an iPad with a camera and microphone, and they should encounter savings if they do not need to travel to the hearing location for circumstances that prevent attendance. Also, electronic participation is an option and not a requirement for the small business.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** Persons other than small businesses, businesses, or local government entities are not affected by the implementation cost as the rule is implemented by the Board and the Division. Also, electronic participation is an option and not a requirement of persons.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** Board members are not expected to encounter additional costs to implement this rule. Parties with a witness who may participate electronically will not encounter a cost if they already own an electronic device such as an iPad with a camera and microphone, and should encounter savings if they do not need to travel to the hearing location for

circumstances that prevent attendance. Also, electronic participation is an option and not a requirement for witnesses.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Oil and gas operators or mining operators are the types of businesses that are normally witnesses in a Board hearing. Since electronic participation by witnesses is an option and not a requirement, no additional costs are required. Business should see a reduction in travel expense when they are able to participate in a hearing electronically.

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

NATURAL RESOURCES  
OIL, GAS AND MINING BOARD  
ROOM 1210  
1594 W NORTH TEMPLE  
SALT LAKE CITY, UT 84116-3154  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Steve Schneider by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

♦ 08/28/2013 09:00 AM, DNR, 1594 W North Temple, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/25/2013

AUTHORIZED BY: John Baza, Director

**R641. Natural Resources; Oil, Gas and Mining Board.**

**R641-100. General Provisions.**

**R641-100-600. Electronic Meetings.**

610. This section establishes procedures for conducting Board meetings by electronic means as authorized by Section 52-4-207.

611. Electronic participation under this section shall require both video and audio communication, unless the video component is waived by the Board.

620. The following provisions govern any meeting at which one or more Board members appear electronically:

621. If one or more members of the Board may participate electronically, public notice of the meeting shall so indicate. The notice shall specify the anchor location where the members of the Board not participating electronically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

622. Notice of the meeting and the agenda shall be posted at the anchor location and the Utah Public Notice Website.

623. Notice of the possibility of an electronic meeting shall be given to the Board members at least 24 hours before the meeting.

624. When notice is given of the possibility of a Board member appearing electronically, any Board member may do so and shall be counted as present for the purposes of a quorum and may fully participate and vote on any matter coming before the Board.

625. At the commencement of the meeting, or at such a time as any Board member initially appears electronically, the chair shall identify for the record all those who are appearing electronically. Votes by members of the Board who are not at the physical location of the meeting shall be confirmed by the chair.

626. The anchor location, unless otherwise designated in the notice, shall be at the offices of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah. The anchor location is the physical location from which the electronic meeting originates or from where the participants are connected. The anchor location shall have space and facilities so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

630. The following provisions govern any Board meeting at which one or more witnesses or a party appears electronically:

631. The Board may for good cause allow a party or its witnesses in a formal proceeding to appear electronically if circumstances prevent attendance of the person at the noticed location, provided a party seeking permission shall provide the Board with a written request at least 48 hours prior to the meeting stating the reasons personal attendance is not possible, and providing evidence that written electronic notice has been provided to the Division, all petitioners, and all parties who have filed a response under R641-105-200.

632. The Board may for good cause allow a party or its witnesses in a formal proceeding, on an exceptional basis, to appear electronically with less than 48 hours notice to the Board and parties, if unforeseen circumstances, including weather, prevent attendance in person at the noticed location.

633. Any party participating electronically shall have an attorney present at the noticed location.

**KEY: administrative procedures**

**Date of Enactment or Last Substantive Amendment: [1988]2013**

**Notice of Continuation: September 18, 2012**

**Authorizing, and Implemented or Interpreted Law: [40-6-1-et seq.]52-4-207**

**Transportation, Motor Carrier  
R909-75  
Safety Regulations for Motor Carriers  
Transporting Hazardous Materials  
and/or Hazardous Wastes**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37875

FILED: 08/01/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this proposed amendment is to incorporate by reference and adopt final rule changes from federal regulations. This proposed rule amendment adopts the safety regulations for Motor Carriers Transporting Hazardous Material and/or Hazardous Wastes Title 49, Sub-Chapter C, Parts 107, 171, 172, 173, 177, 178, 179 and 180, as of 10/01/2012 and the Federal Register as of 04/17/2013, and adds enforcement provisions authorized by statute.

**SUMMARY OF THE RULE OR CHANGE:** The proposed rule amendment incorporates requirements that are applicable to the offering, acceptance and transportation of hazardous materials. It includes clarification of previous regulations and new implementation dates, minor changes which enhance accuracy, miscellaneous amendments to regulatory requirements and nonsubstantive changes that do not impose new requirements. The following final federal rules are included in the adoption of the Code of Federal Regulations as of 10/01/2012: 06/07/2011 - New standards established for safe havens; 06/27/2011 - Saccharin and its salts are removed from the list of hazardous substances and reportable quantities; 07/20/2011 - A change allows smaller placards which are used for international shipments that are now authorized for domestic shipments. The amendment allows top double bulkheads vents to be plugged on cargo tanks and also establishes vent pressure test pressure limits for cylinders; 07/26/2011 - The procedures for obtaining special permits through PHMSA have been revised to have an applicant provide additional information about their operation; 09/13/2011 - This final rule adopts corrections to addresses, pamphlets and telephone numbers while deleting date references which have already passed; 12/02/2011 - This final rule adopts the restriction of the use of hand-held mobile telephones by drivers of commercial motor vehicles (CMVs); 12/28/2011 - Shipping papers need to show non-odorized or not odorized when transporting liquefied petroleum gas without odor. Old infectious substance labels can be used until 2014; 12/30/2011 - The 2011 exemptions for ORM-D packages were removed with an implementation date of 2013, but this date has been extended to 2015. After 01/19/2014, materials cannot be classified as ORM-D; 04/16/2012 - Hazardous materials regulations require closures of inner packagings containing liquids within a combination packaging to be secured by a secondary means; and 06/25/2012 - The incorporation of special permits to reduce paperwork burdens and facilitate commerce while maintaining an appropriate level of safety. The following final federal rules are adopted from the Federal Register from 10/05/2012 to 04/17/2013: 10/05/2012 - The final rule corrects editorial errors, makes minor regulatory changes and, in response to request for clarification, improves the clarity of certain provisions in the hazardous materials regulations; 01/07/2013 - The final rule will maintain alignment with international standards by incorporating various changes to hazard classes, proper shipping names, packing groups, special provisions and packaging authorizations; 01/07/2013 - In this final rule PHMSA amends

the HMR as a result of administrative appeals submitted in response to various amendments adopted in the 01/19/2011 final rule; 03/07/2013 - The final rule is to update, clarify, or provide relief from miscellaneous regulatory requirements; 03/11/2013 - The final rule promotes safer transportation practices, eliminates unnecessary regulatory requirements and updates various entries in the Hazardous Materials Table; and 04/17/2013 - PHMSA is revising references in its regulations to maximum and minimum civil penalties for a knowing violation of the federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law. This adoption of the Federal Register final rules pertains to all private, common, and contract carriers by highway in commerce.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 72-9-103 and Section 72-9-104 and Section 72-9-301

**MATERIALS INCORPORATED BY REFERENCES:**

- ◆ Updates 23.503 Federal Register / Vol. 78, No. 76, published by Government Printing Office, April 19, 2013
- ◆ Updates 60935 Federal Register / Vol. 77, No. 194, published by Government Printing Office, October 5, 2012
- ◆ Updates 49 CFR, Sub-Chapter C, Parts 107, 171, 172, 173, 177, 178, 179 and 180., published by Government Printing Office, October 1, 2012
- ◆ Updates 1101 Federal Register / Vol. 78, No. 4, published by Government Printing Office, January 7, 2013
- ◆ Updates 14702 Federal Register / Vol. 78, No. 45, published by Government Printing Office, March 7, 2013
- ◆ Updates 15303 Federal Register / Vol. 78, No. 47, published by Government Printing Office, March 11, 2013
- ◆ Updates 22798 Federal Register / Vol. 78, No. 74, published by Government Printing Office, April 17, 2013

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** There is no anticipated cost or savings to the state budget because the amendment only incorporates federal regulations already in effect.
- ◆ **LOCAL GOVERNMENTS:** There is no anticipated cost or savings to local government because the amendment only incorporates federal regulations already in effect.
- ◆ **SMALL BUSINESSES:** There is no anticipated cost or savings to small businesses because the amendment only incorporates federal regulations already in effect.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no anticipated cost or savings to persons other than small business, businesses, or local government entities because the amendment only incorporates federal regulations already in effect.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are no anticipated compliance costs for affected persons because the amendment only incorporates federal regulations already in effect.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** There is no anticipated fiscal impact on businesses because the amendment only incorporates federal regulations already in effect.

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

TRANSPORTATION  
MOTOR CARRIER  
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:**

♦ Christine Newman by phone at 801-965-4026, by FAX at 801-965-4338, or by Internet E-mail at [cwnewman@utah.gov](mailto:cwnewman@utah.gov)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Carlos Braceras, Executive Director

**R909. Transportation, Motor Carrier.**

**R909-75. Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes.**

**R909-75-1. Purpose and Authority.**

The purpose of this rule is to adopt regulations that are applicable to the offering, acceptance and transportation of hazardous materials related to the operation of a motor carrier within the State of Utah. This rule is authorized by Sections 72-9-103, 72-9-104 and 72-9-301.

**R909-75-2. Adoption of Federal Regulations.**

Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes, 49 CFR, Sub-Chapter C, Parts 107, 171, 172, ~~173~~, 177, 178, 179, and 180 (October 1, 2011<sup>[0]</sup><sup>2</sup>), as amended by the Federal Register through ~~[February 28, 2011]~~ April 17, 2013 are incorporated by reference. These changes apply to all private, common, and contract carriers by highway in commerce.

**KEY:** hazardous materials transportation, hazardous substances, hazardous waste, safety regulations

**Date of Enactment or Last Substantive Amendment:** ~~[January 10, 2012]~~ **2013**

**Notice of Continuation:** November 1, 2011

**Authorizing, and Implemented or Interpreted Law:** 72-9-103; 72-9-104; 72-9-301

## Workforce Services, Employment Development

### R986-600

## Workforce Investment Act

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 37878

FILED: 08/01/2013

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to ensure the rule complies with federal law and regulation and to remove duplications.

**SUMMARY OF THE RULE OR CHANGE:** This is a rewrite of the rules pertaining to the Workforce Investment Act to more closely mirror federal standards and regulations. The agency has also moved some of the sections dealing with basic education from another rule to this rule where they more properly belong. There are no substantive changes in these rules or the way our program is administered. It is anticipated with these changes it will ensure fewer errors.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 35A-1-104 and Subsection 35A-1-104(4) and Title 35A, Chapter 5

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** This applies to federally-funded programs so there are no costs or savings to the state budget.

♦ **LOCAL GOVERNMENTS:** This is a federally-funded program so there are no costs or savings to local government.

♦ **SMALL BUSINESSES:** There will be no costs to small businesses to comply with these changes because this is a federally-funded program.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses or local government entities to comply with these changes because there are no costs or fees associated with these proposed changes.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There will be no costs to affected persons because there are no costs or fees associated with these proposed changes.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** There are no compliance costs associated with this change. There are no fees associated with this change. There will be

no cost to anyone to comply with these changes. There will be no fiscal impact on any business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 WORKFORCE SERVICES  
 EMPLOYMENT DEVELOPMENT  
 140 E 300 S  
 SALT LAKE CITY, UT 84111-2333  
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Suzan Pixton by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Jon Pierpont, Executive Director

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

**R986-600. Workforce Investment Act.**

**R986-600-602. Workforce Investment Act (WIA).**

(1) The goal of WIA is to increase a ~~customer's~~client's occupational skills, employment, retention and earnings; to decrease welfare dependency; and to improve the quality of the workforce and national productivity.

(2) WIA is for ~~individuals~~clients who need assistance finding employment to achieve self-sufficiency.

(3) Services are available for the following groups: adults, dislocated workers, and youth.

**R986-600-603. Youth Services.**

(1) The goals of WIA youth services are to provide options for improving educational and skill competencies; to provide effective connections to employers; to ensure access to mentoring, training opportunities and support services; to provide incentives for achievement; and to provide opportunities for leadership, citizenship and community service.

(2) WIA youth services are available to low-income youth who are between the ages of 14 and 21 years old and who have one or more barriers including those which interfere with the ability to complete an educational program or to secure and hold employment.

~~(a)3~~ Services to youth[s] include eligibility determination, assessment, employment planning ~~and referral to community resources delivering youth services~~. The Department may provide youth services or the services may be provided under contract as determined by competitive bid.

~~(b)4~~ Youth may be referred to appropriate community resources based on need.

~~(5)~~ Services include educational achievement services, employment services, supportive services, and follow-up services.

~~(e)6~~ An incentive ~~[bonus/incentive/stipend]~~ may be paid to provide recognition of achievement to eligible youth.

**R986-600-604. Adults, Youth, and Dislocated Workers.**

The Department offers three levels of service for adults, youth and dislocated workers:

- (1) core services~~;~~;
- (2) intensive services~~;~~ and
- (3) training services.

**R986-600-605. Core Services.**

~~(1) There are no eligibility requirements for core services offered by the Department.~~

~~(2) Core services include~~;~~;~~

~~(a)1~~ registration for services;

~~(2) providing the following informational resources:~~

~~(i)a~~ outreach, intake, and orientation to, and information about, available services, including resource and referral services;

~~(i)b~~ local, regional and national labor market information including job vacancy listings and occupations in demand and the skills necessary to obtain those jobs and occupations.

~~(iii)c~~ ~~the performance of and program costs for all eligible providers of training and education services.~~

~~(iv)~~ performance measures with respect to the one-stop delivery system;

~~(3) job development;~~

~~(4) rapid response services;~~

~~(5) bonding;~~

~~(b)6~~ assessment of skill levels, aptitudes, abilities, and supportive service needs;

~~(e)7~~ job search and placement assistance, and where appropriate, career counseling and workshops;

~~(d)8~~ follow-up services which will be provided for a minimum of~~period of not less than~~ 12 months after active participation ends for all youth. If requested, follow-up services will also be provided for a minimum of 12 months after the first day of unsubsidized employment to adults and dislocated workers who have been placed in unsubsidized employment and,

~~(e)9~~ determining if a client is eligible for, and assistance in, applying for: WIA funded programs, unemployment insurance benefits, financial aid assistance available for training and educational programs not funded under WIA, food stamps, other supportive services such as child care, medical services, and transportation.

**R986-600-606. Intensive Services.**

~~(1) Intensive services are available to adults and dislocated workers:~~

~~(a) who are unemployed, registered for services with the Department, and who desire employment; or~~

~~(b) who are employed, registered for services with the Department, meet the self-sufficiency definition, and need to improve or change their current employment status. Self-sufficiency for WIA is defined as:~~

~~(i) declared income from the customer's primary job is less than the WIA income eligibility standards as found in R986-600-617(4) for a family of eight; or~~

~~(ii) the customer is at risk of losing his or her current level of income as evidenced by;~~

~~(A) a notice of lay-off or closure;~~

~~(B) the inability to retain his or her current job due to changes such as the requirement for increased skills;~~

~~(C) technological or industry changes, or~~

~~(D) the potential future income from the customer's primary job will be less than the WIA income eligibility standards for a family of eight.~~

~~(2) Intensive services are available to youth who:~~

~~(a) require additional assistance to complete an educational program or to secure and hold employment, and~~

~~(b) meet the regional service priority level.~~

] ~~(3)1) Intensive services for adults, dislocated workers and youth consist of:~~

~~(a) an assessment as provided in R986-600-620[;];~~

~~(b) development of an employment plan as provided in R986-600-621[;];~~

~~[(c) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;~~

~~[(d)c) case management, career counseling and career planning[; and];~~

~~[(e)d) basic education;~~

~~(e) in depth testing and formal assessment;~~

~~(f) supportive services[;];~~

~~(g) unpaid internships;~~

~~(h) employment internship opportunities; and~~

~~(i) follow up services.~~

~~(4)2) Additional intensive services available to youth include:~~

~~(a) leadership development[;];~~

~~(b) mentoring[;];~~

~~(c) comprehensive guidance and counseling[; and]~~

~~(d) alternative school; and~~

~~[(d)e) [-follow-up services]summer youth employment internship opportunities.~~

#### **R986-600-607. Training Services.**

~~[(1) If the client establishes appropriateness, training services are available to adults and dislocated workers:~~

~~(a) who are unable to achieve self-sufficiency through intensive services.~~

~~(2) Training services include employment related education and work site learning.~~

~~(3) Training services are available to youth who:~~

~~(a) require additional assistance to complete an educational program or to secure and hold employment, and~~

~~(b) meet the regional service priority level.~~

~~(4) Training services for youth consist of;~~

~~(a) tutoring;~~

~~(b) alternative school;~~

~~(c) occupational skills training;~~

~~(d) paid and unpaid internships, and/or~~

~~(e) summer youth employment opportunities.]Training services include employment related education and work site learning.~~

#### **R986-600-608. Eligibility Requirements, General Definition.**

~~(1) Core services are available to all [customers]clients. There are no eligibility requirements for core services offered by the Department.~~

~~(2) [There are different eligibility criteria for low-income youth services (ages 14-21), and adult (18 and over) and dislocated workers.]Eligibility requirements for intensive and training services must be determined before an adult, youth, or dislocated worker can receive [those]services. There are different eligibility criteria for low-income youth services (ages 14-21), adults (18 and over) and dislocated workers. If a client is eligible for services in more than one category, the Department or youth contract provider will determine the most appropriate program or programs[placement] for the client.~~[-The Department may choose to contract out these services for youth.]~~~~

~~(3) A client is required to sign and date the training program agreement for the program in which he or she is enrolled.~~

#### **R986-600-609. Citizenship[, Alienage and Residency]and Employment Authorization Requirements.**

~~A[n-individual] client seeking intensive or training services must be a citizen of the United States or be employment eligible in the United States. Employment eligible is defined by the WIA Act, section 188 (a)(5) as citizens and nationals of the US, lawfully admitted permanent resident aliens, refugees, asylees, [and] parolees and other immigrants authorized by the U.S. Attorney General to work in the US.~~

#### **R986-600-610. Selective Service Registration Requirements.**

~~Male applicants and recipients who are 18 and older must be in compliance with Selective Service registration requirements to receive intensive or training services[; which includes youth services].~~

#### **[R986-600-611. Income Eligibility Requirements.**

~~(1) Applicants for all youth and adult programs must meet the income eligibility requirements in this rule.~~

~~(2) Dislocated workers do not need to meet income eligibility requirements.~~

~~(3) Up to 5% of the youth clients served do not need to meet the income eligibility requirements but must have barriers as determined by the Department. A list of current, eligible barriers is available at the Department.~~

#### **[R986-600-612]1. [Prioritization—]Factors Used for Determining Priority.[Eligibility.]**

~~(1) [For adults and dislocated workers, in addition to meeting the eligibility requirements found in rules R996-600-608 through R996-600-611, the Department will prioritize clients' eligibility based on prioritization factors developed by the Department. Current prioritization factors are available at the Department.]In the event WIA Adult funds are limited, priority will be given to recipients of public assistance and other low income clients for intensive and training services. Other criteria may be applied if funding dictates as determined by the State Workforce Investment Board (SWIB) or the Department.~~

~~(2) [When a client is approved for intensive or training services, the Department will estimate the anticipated cost to the Department associated with that services and "obligate" and reserve that amount for accounting purposes. The total amount of money obligated and reserved will determine which prioritization factors are operational at any given time.] In the event WIA Youth funds are limited, priority will be given to clients who have two or more barriers as determined by the SWIB.~~

~~(3) [WIA Youth Councils set regional priority levels for services for youth based on the needs of youth in specific regions or sub-region areas.~~

~~(4) Because the funding is separate and distinct for each program, the prioritization factors operate independently for each of the two affected programs (adult and youth).~~

~~(5) [Veterans and covered persons, as determined by federal law, will receive priority over non-veterans.~~

**R986-600-612. Eligibility for Intensive Services.**

~~(1) Intensive services are available to adults who meet self sufficiency requirements. Those services are available to adults who:~~

~~(a) are unemployed, receive at least one core service, and are determined by the Department to be in need of more intensive services to obtain employment; or~~

~~(b) are employed, receive at least one core service, and are determined by the Department to be in need of more intensive services to obtain employment that leads to self-sufficiency. Self-sufficiency for WIA Adult is defined as 100% of the Lower Living Standard Income Level (LLSIL) for the specified family size.~~

~~(2) Intensive services are available to dislocated workers who are:~~

~~(a ) unemployed, received at least one core service, and are determined by the Department to be in need of more intensive services to obtain employment; or~~

~~(b) employed, received at least one core service, and are determined by the Department to be in need of more intensive services to obtain employment that leads to self-sufficiency. Self-sufficiency for WIA Dislocated Worker is defined as 80% of the client's layoff wage.~~

**R986-600-613. [Categorical] Income Eligibility.**

~~(1) Dislocated workers do not need to meet income eligibility requirements.~~

~~(2) Applicants for youth and adult programs must meet income eligibility requirements.~~

~~(3) A client is deemed to have met the income eligibility requirements for youth services, and adult services, if the client; [is receiving or is a member of a household that has been determined to be eligible for food stamps within the last six months or is currently receiving financial assistance from the Department or is homeless. Categorical income eligibility does not apply to expedited food stamps.]~~

~~(a) is receiving, has received, or has been determined eligible to receive food stamps at any time during the six months prior to the application date. This does not apply if the client only received expedited food stamps;~~

~~(b) is currently receiving financial assistance from the Department or TANF funds from another state;~~

~~(c) is homeless;~~

~~(d) is currently receiving SSI; or~~

~~(e) is in foster care.~~

~~[(2) In addition, a client is deemed to have met the income eligibility requirements for youth services if the youth is a runaway or a foster child.~~

~~[(3)4] If a client is not eligible under paragraphs (1) [and] or (2) above, the client must meet the low income eligibility guidelines in this rule [except as provided in rule R986-600-611(3)].~~

~~(5) Up to 5% of the youth clients served do not need to meet the income eligibility requirements but must have barriers as determined by the Department. A list of current, eligible barriers is available at the Department.~~

**R986-600-614. How to Determine Who Is Included in the Family.**

~~(1) Family size must be determined to establish income eligibility for adult and youth services. Family size is determined by counting the maximum number of family members in the residence during the six months prior to the date of application, not including the current month. Family members included in the income determination:~~

~~(a) a husband and wife and dependent children age 21 and under;~~

~~(b) parent(s) or legal guardian(s) and dependent children age 21 and under;~~

~~(c) a husband and wife, if there are no dependent children, and~~

~~(d) two people living in a single residence who are not married but have children in common.~~

~~(2) A "family" is generally described as two or more persons related by blood, marriage or decree of court, living in a single residence. "Living in a single residence" includes family members residing elsewhere on a voluntary, temporary basis, such as attending school or visiting relatives. It does not include involuntary temporary residence elsewhere, such as incarceration, or court-ordered placement outside the home.~~

~~(3) A client can be considered a "family" of one, if the client is living alone or with a family member and has a disability that substantially limits one or more major life activities.~~

~~(4) The income of the parent or guardian is not counted for a client:~~

~~(a) who is between 18 and 21 years of age who states he or she has not been reliant on his or her parent or guardian's income for the six months prior to the date of application not including the current month, or~~

~~(b) who is age 22 or older living with his or her parents and applying on his or her own behalf.~~

~~Family size must be determined to establish income eligibility for adult and youth services. Family size is determined by counting the maximum number of family members in the residence during the previous six months, not including the current month. Family size must be verified only if the Department is using family income to determine low income eligibility for adult or youth services:~~

~~(1) A customer can be considered a "family" of one, if the customer is:~~

~~(a) age 18 or older and has been living on his or her own for the last six months, not including the current month;~~

~~(b) emancipated by marriage or court order;~~

~~(c) an adult child, age 22 or older, living with his or her parents and applying on his or her own behalf;~~

~~(d) in the custody of the state at the time eligibility is determined, or~~

~~(e) living alone or with a family and has a verifiable disability that is a substantial barrier to employment.~~

~~(2) A 'family' is generally described as two or more persons related by blood, marriage, or decree of court, living in a single residence. A dependent child is a child the parent or guardian claimed as a dependent of the parent or guardian's tax return.~~

~~(a) Family members included in the income determination:~~

~~(i) A husband and wife and dependent children age 21 and under;~~

~~(ii) A parent or legal guardian and dependent children age 21 and under; or~~

~~(iii) A husband and wife, if there are no dependent children.~~

~~(b) "Living in a single residence" includes family members residing elsewhere on a voluntary, temporary basis, such as attending school or visiting relatives. It does not include involuntary temporary residence elsewhere, such as incarceration, or court-ordered placement outside the home.~~

~~(c) Two people living in a single residence but who are not married are not members of the same 'family'. If they have children together, for WIA reporting purposes, each is considered a single parent and the children are considered part of each persons family.~~

]

#### **R986-600-615. Assets.**

Assets are not counted when determining eligibility for WIA services but will be considered in determining whether the [customer]client has a need for WIA funding.

#### **R986-600-616. Countable Income.**

~~(1) Countable income is total gross income from all sources with the exceptions listed below under "Excludable Income". If income is not specifically excluded, it is counted. Countable income, for WIA purposes includes:~~

~~(a) gross wages and salaries including severance pay and payment of accrued vacation leave;~~

~~(b) net receipts from self-employment, including farming;~~

~~(c) pensions and retirement income including railroad and military retirement;~~

~~(d) strike benefits from union funds;~~

~~(e) workers' compensation benefits;~~

~~(f) alimony;~~

~~(g) any insurance, annuity, or disability payments other than SSI or veterans disability;~~

~~(h) merit-based scholarships, fellowships, and assistantships;~~

~~(i) dividends;~~

~~(j) interest;~~

~~(k) net rental income;~~

~~(l) net royalties, including tribal payments from casino royalties;~~

~~(m) periodic receipts from estates or trusts;~~

~~(n) net gambling or lottery winnings;~~

~~(o) tribal payments;~~

~~(p) disaster relief employment wages;~~

~~(q) on the job training wages reimbursed by the Department;~~

~~(r) Social Security Retirement Benefits and Social Security Disability Income which does not include old-age retirement or SSI; and~~

~~(s) all training stipends not listed in R986-600-616(2) as excludable income.~~

~~(2) Excludable Income. Income that is not counted in determining eligibility:~~

~~(a) cash payments under a Federal, state or local public assistance program, including FEP, FEPTP, GA, RRP payment, or EA,~~

~~(b) SSI, Old-Age Retirement Benefits, and Survivor's Benefits paid by the Social Security Administration;~~

~~(c) payments received from any governmental entity for adoption assistance,~~

~~(d) child support;~~

~~(e) unemployment compensation;~~

~~(f) capital gains;~~

~~(g) veterans disability payments other than retirement;~~

~~(h) educational financial assistance including Pell grants, work-study and needs-based scholarship assistance;~~

~~(i) foster care payments,~~

~~(j) tax refunds,~~

~~(k) gifts,~~

~~(l) loans,~~

~~(m) lump-sum inheritances,~~

~~(n) one-time insurance payments or compensation for injury,~~

~~(o) earned income credit from the IRS,~~

~~(p) military service member income, including military pay, military allowances and stipends and military reserve pay;~~

~~(q) reparation payments, including German reparation payments, Radiation Exposure Compensation Act payments, and Black Lung Compensation payments;~~

~~(r) guardianship subsidies as paid by a governmental entity;~~

~~(s) employment internship opportunity wages reimbursed to the employer by the Department;~~

~~(t) stipends received from VISTA, Peace Corps, Foster Grandparents Program, Retired Senior Volunteer Program, Youth Works, Americorps, and Job Corp;~~

~~(u) non-cash benefits such as employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, federal noncash benefits programs such as Medicare, Medicaid, food stamps, school lunches and housing assistance; and~~

~~(v) other amounts specifically excluded by federal statute.~~

~~(1) Countable income is total annual cash receipts before taxes are deducted, from all sources with the exceptions listed below under "Excludable Income". If income is not specifically excluded, it is counted. Countable income, for WIA purposes includes:~~

~~(a) money, wages, and salaries before any deductions;~~

~~(b) net receipts from self-employment, including farming;~~

~~(c) Job Corps payments to participants;~~

~~(d) railroad retirement;~~

~~(e) strike benefits from union funds;~~



- ~~(f) workers' compensation benefits;~~
- ~~(g) veterans' payments, except disability payments;~~
- ~~(h) training stipends;~~
- ~~(i) alimony;~~
- ~~(j) military family allotments or other regular support from an absent family member or someone not living in the household;~~
- ~~(k) private pensions or government employee pensions, including military retirement pay, except Social Security payments are excluded;~~
- ~~(l) any insurance, annuity, regular disability, and social security payments, other than social security disability (SSI or SSDI) or veterans disability;~~
- ~~(m) college or university scholarships, grants, fellowships, and assistantship (excluding Pell Grants);~~
- ~~(n) dividends;~~
- ~~(o) interest;~~
- ~~(p) net rental income;~~
- ~~(q) net royalties, including tribal payments from casino royalties;~~
- ~~(r) periodic receipts from estates or trusts, and~~
- ~~(s) net gambling or lottery winnings.~~
- ~~(2) Excludable income, which is income that is not counted, is:~~
  - ~~(a) cash payments under a Federal, state or local public assistance program, including FEP, FEPTP, GA, WTE, SSI, RRP, or Emergency Assistance;~~
  - ~~(b) payments received from any governmental unit for adoption assistance;~~
  - ~~(c) child support;~~
  - ~~(d) unemployment compensation;~~
  - ~~(e) capital gains and assets drawn down as withdrawals from a bank, the sale of property, a house or car;~~
  - ~~(f) SSDI, and veterans disability payments;~~
  - ~~(g) educational financial assistance received under title IV of the Higher Education Act as amended by section 479(B) 1992 and other needs-based scholarship assistance and Pell grants. This includes some work study programs;~~
  - ~~(h) foster care payments;~~
  - ~~(i) tax refunds;~~
  - ~~(j) gifts;~~
  - ~~(k) loans;~~
  - ~~(l) lump sum inheritances;~~
  - ~~(m) one-time insurance payments or compensation for injury;~~
  - ~~(n) Earned Income Credit from the IRS;~~
  - ~~(o) income received by a veteran while on active military duty in the Armed Forces if the veteran applies for WIA services within six months of discharge;~~
  - ~~(p) benefit payments to veterans under 38 U.S.C 4212, part 3;~~
  - ~~(q) non-cash benefits such as employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the value of rent from owner-occupied non farm or farm housing, federal non-cash benefits programs such as Medicare, Medicaid, food stamps, school lunches and housing assistance, and~~

- ~~(r) other amounts specifically excluded by federal statute.~~

**R986-600-617. How to Calculate Income.**

(1) To determine if a client meets the income eligibility standards, all income from all sources of all family members during the [previous]six months prior to the application date is counted. [That amount is multiplied by two to arrive at an annual income and compared to the income guidelines, which are updated annually.] If necessary, the Department can make a [best estimate or] year-to-date estimate based on available records.

(2) [Income averaging can be used if complete income records are not available for the six month period.

~~(3) Allowable business expenses are deducted from self-employment but no other deductions from income are allowed.~~

~~(4) ]The [client-]family is income eligible if the annual income meets the higher of:~~

(a) the poverty line as determined by the U. S. Department of Human Services, or

(b) 70% of the LLSIL [~~lower living standard income level~~]as determined by the U. S. Department of Labor and available at the Department of Workforce Services.

**R986-600-618. Dislocated Worker.**

(1) A dislocated worker is a [~~n individual~~] client who meets[~~, or has met within the past 24 months;~~] one of the following criteria:

(a)(i) has been[~~terminated or~~] laid off, [~~or has received a notice of termination or layoff from employment, including military service;~~]and

[(ii)(1)](A) is eligible for or has exhausted unemployment compensation entitlement, or

[(ii)(2)](B) has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under unemployment compensation law, and

(ii)(i) is unlikely to return to the [~~individual's~~]client's previous industry or occupation. 'Unlikely to return' means [~~that labor market information shows a lack of jobs in either that industry OR occupation, or~~]the [~~customer-~~]client lacks the skills to re-enter the industry or occupation, or [~~the client-~~]declares that [~~they~~]he or she will not return to that industry or occupation.

(b)(i) [~~Has been terminated or laid off, or~~]has received a notice of [~~termination or~~]layoff[~~, from employment as a result of any permanent closure of, or any major layoff at, a plant, facility, or enterprise, or~~

(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or

~~(iii) for purposes of eligibility to receive available services other than training, intensive, or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close. Rapid response services are defined by WIA].~~

(c) Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the [~~individual~~]client resides or because of natural disasters[~~;~~];

(d) Is a displaced homemaker. A WIA displaced homemaker is a ~~n individual~~ client who has been providing unpaid services to family members in the home and who:

(i) has been dependent on the income of another family member but is no longer supported by that income; and

(ii) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment[-];

~~(e) was laid off from military service and~~

~~(i) is eligible for or has exhausted unemployment compensation entitlement.~~

~~(ii) is unlikely to return to the previous industry or occupation, and~~

~~(iii) was discharged from the military service under conditions other than dishonorable; or~~

~~(f) is defined by the Department of Veteran Affairs as a covered person who left employment in order to relocate because of an assignment change of the military service member, and~~

~~(i) is eligible for or has exhausted unemployment compensation entitlement, or~~

~~(ii) has been employed for a duration sufficient to demonstrate attachment to the workforce but is not eligible for unemployment compensation due to insufficient earnings or having performed services not covered for unemployment compensation, and~~

~~(iii) is unlikely to return to the client's previous industry or occupations.~~

(2) The ~~dislocation~~displacement must be no more than 24 months prior to the date of application ~~[- must have occurred within the prior two years].~~

(3) There are no income or asset ~~[guidelines]~~requirements for dislocated worker eligibility. ~~[- Training appropriateness and financial need must still be determined before training services can be provided.]~~

~~[- (4) The following documentation is acceptable to confirm dislocated worker status:~~

~~a. Unemployment Insurance records;~~

~~b. An individual layoff letter;~~

~~c. Rapid Response Unit analysis or review;~~

~~d. Public announcements of layoff;~~

~~e. If no other means of verification are available, the employer can provide verification; or~~

~~f. Worker self certification, although this is a last resort and requires documentation that other attempts to verify were unsuccessful.~~

] ~~[(5)4] If the Department is providing services under a National Reserve Discretionary Grant, additional [documentation may be needed.] eligibility requirements must be met.~~

#### **R986-600-620. Participation in Obtaining an Assessment.**

(1) When the Department or youth contract provider determines that a client has a need for intensive services, an employment counselor/case worker will be assigned to assess the needs of the client.

~~[- (2) The assessment evaluation is used to develop an employment plan.~~

~~(3) Completion of the assessment requires that the client provide information about:~~

~~(a) family circumstances including health, needs of the children, support systems, and relationships;~~

~~(b) personal needs or potential barriers to employment ;~~

~~(c) education;~~

~~(d) work history;~~

~~(e) skills;~~

~~(f) financial resources and needs; and~~

~~(g) any other information relevant to the client's ability to become self-sufficient.~~

] ~~[(4)2] The client may be required to participate in testing or completion of other assessment tools and may be referred to another person within the Department, another agency, or to a company or individual under contract with the Department to complete testing, assessment, and evaluation.~~

#### **R986-600-621. Requirements of an Employment Plan.**

(1) A client is required to sign and make a good faith effort to participate to the maximum extent possible in a negotiated employment plan. ~~[- The client will be provided with a copy of the employment plan.]~~

(2) The goal of the employment plan is obtaining ~~[marketable skills and]~~employment ~~[- and the plan must contain the soonest possible target date for entry into employment consistent with the needs of the client].~~

(3) An employment plan consists of activities designed to help a ~~n individual~~ client become employed.

(4) ~~[Each activity must be directed toward the goal of employment.~~

~~[- (5) -] The employment plan may require that the client:~~

~~(a) search for employment.~~

~~(b) participate in an educational program to obtain a high school diploma or its equivalent, if the client does not have a high school diploma;~~

~~(c) obtain education or training necessary to obtain employment;~~

~~(d) obtain medical, mental health, or substance abuse treatment;~~

~~(e) resolve transportation and child care needs;~~

~~(f) resolve any other barriers identified as preventing or limiting the ability of the client to obtain employment, and/or~~

~~(g) participate in rehabilitative services as prescribed by the state Office of Rehabilitation.~~

~~[(6)5] The client must meet the performance expectations of each activity in the employment plan in order to stay eligible for intensive or training services.~~

~~[(7)6] The client must cooperate with the Department's efforts to monitor and evaluate the client's activities and progress under the employment plan, which may include providing ongoing information and or documentation relative to their progress and providing the Department with a release of information, if necessary to facilitate the Department's monitoring of compliance.~~

~~[- (8) Where available and appropriate, supportive services may be provided as needed for each activity.~~

] ~~[(9)7] The client agrees, as part of the employment plan, to cooperate with other agencies, or with individuals or companies under contract with the Department, as outlined in the employment plan.~~

~~[(10)8] An employment plan may, at the discretion of the Department, be amended to reflect new information or changed circumstances.~~

**R986-600-622. Additional Requirements of an Employment Plan for Youth.**

(1) ~~[The focus of services for youth is for youth aged 14 to 21 years old.~~

~~(2)~~ Employment plans for all youth must reflect intentions to assist with preparing for post-secondary education and/or employment; finding effective connections to the job market and employers, and understanding the links between academic and occupational learning.

(3) The goal of ~~the youth program~~ is:

- (a) placement in employment or postsecondary education;
- (b) attainment of a degree or certificate; and/or
- (c) literacy and numeracy gains for out-of-school youth who are basic skill deficient.

**R986-600-623. [Education and Training and Support] Intensive and Training Services as Part of an Employment Plan.**

(1) A client's participation in ~~education or~~ training services beyond that required to obtain a high school diploma or its equivalent is limited per exposure to the lesser of:

(a) 24 months which need not be continuous and which can be waived by a Department supervisor based on individual circumstances, or

(b) the completion of the education and training goals of the employment plan.

(2) Education and training will only be supported ~~where:~~ when the client meets appropriateness as provided in R986-600-624.

~~(a) the client is unable to achieve self-sufficiency;~~

~~(b) the plan must show that the client has the ability to be successful in the education or training and in the market thereafter;~~

~~(c) the client is willing to complete the education or training as quickly as is reasonable;~~

~~(d) the mental and physical health of the client indicates the education or training could be completed successfully and the client could perform the job once the schooling is completed; and~~

~~(e) the specific employment goal that requires the education or training is marketable in the area where the client resides or the client has agreed to relocate for the purpose of employment once the education/training is completed.~~

(3) Additional payments and/or services are allowable under certain circumstances based on individual need provided they are necessary and appropriate to enable the client to participate in activities authorized under ~~[this title (WIA)] WIA.~~

**R986-600-624. Appropriateness for Training Services.**

(1) To be eligible for training services, the client must have:

(a) met the eligibility requirements for intensive services as detailed in this R986-600-12;

(b) met the funding priority requirements for intensive services as listed in R986-600-611;

(c) received at least one intensive service as listed in R986-600-606; and

(d) be deemed by the Department as appropriate for training services. To be deemed appropriate, the client must:

(i) have been determined by the Department to be in need of training services.

(ii) have the skills and qualifications to successfully complete the selected training program.

(iii) select a program of training that is directly linked to employment opportunities in the area in which they plan to work, and

(iv) be unable to obtain grant assistance from other sources to pay the costs of such training or the other grant assistance is pending. If the client's PELL grant is pending when training services are provided, and later the PELL grant is awarded, the client must reimburse the Department for those training costs.

(2) A client who does not meet the requirements listed in subsection (1) of this section will be denied training services by the Department.

**R986-600-625. Funding.**

(1) When a client is approved for intensive or training services, the Department will estimate the anticipated cost to the Department associated with those services and reserve that amount for accounting purposes. This amount may be revised and/or rescinded by the Department at any time without prior notice to the client.

(2) The Department issues an electronic benefit transfer card (card) to each eligible intensive and/or training service client to pay for training, supportive services, and incentives.

(3) The client must prove that all funds received from the Department were spent as intended. Proof may require receipts. If a client is found to have been ineligible for funds, made unauthorized use of Department funds, or cannot prove how those funds were spent, the client will be responsible for repayment of the overpayment.

(4) Amounts remaining on the card after 120 days of inactivity are subject to expungement.

**R986-600-624[4]6. The Right to Appeal a Denial of Services.**

If an applicant or a client who is currently receiving services is denied services the ~~[individual] client or applicant~~ can request a hearing as provided in Rules R986-100-123 through R986-100-135. ~~[If the client is currently receiving services under WIA and requests a hearing within 10 days of the denial, services will continue pending the hearing as provided in Rule R986-100-134.]~~

**R986-600-651. Definitions.**

(1) ~~["State Council" means the]~~ The State Council on Workforce Services is referred to in these rules as the State Workforce Investment Board (SWIB).

(2) "Eligible Provider" means an occupational skills training provider eligible to receive funds for training adults and dislocated workers authorized under WIA and approved by the ~~[State Council]~~ SWIB. Basic education providers that are eligible to receive funds are approved by the Department.

~~(3) "Regional Council" means any of the Regional Councils on Workforce Services.~~

**R986-600-652. Determining Eligibility for Training Providers.**

(1) Training providers are automatically eligible if they complete an application and are either:

- (a) a postsecondary educational institution that:

(i) is eligible to receive federal funds under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), and

(ii) provides a program that leads to an associate degree, baccalaureate degree, or certificate; or

(b) is an entity that provides programs under the "National Apprenticeship Act", 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.

(2) All other training providers must submit the following information:

(a) all names under which the provider operates or is known, the mailing address, physical address, federal tax identification number, telephone number, and email address (if available) of the training facility and the number of years the provider has been in business as a school;

(b) a copy of the provider's student grievance procedure;

(c) the name of each program for which approval is requested;

(d) the percentage of all participants who complete each program, if available;

(e) the percentage of all participants in each program who obtained unsubsidized employment, if available;

(f) average placement wage of all participants in each program, if available;

(g) if the purpose of an offered program of study is to prepare students for entry into fields of employment which require licensure by any licensing agency or to prepare students for entry into fields of employment for which it would be impracticable to have reasonable expectations of employment without accreditation and/or certification by any trade and/or industry association and/or accrediting and/or certifying body, the provider must provide to the Department:

(i) information regarding the type of license, accreditation and/or certification that students completing the program of study must obtain in order to have a reasonable expectation of employment;

(ii) the name of the agency, trade and/or industry association and/or accrediting and/or certifying body;

(iii) evidence that the curriculum for the offered program of study has been reviewed by the appropriate entity identified in subparagraph (2)(g)(ii) of this section; and

(iv) evidence that the instructors teaching students enrolled in the program of study are licensed by the appropriate agency identified in subparagraph (2)(g)(ii) of this section, or have earned the accreditation and/or certification from the appropriate entity from subparagraph (2)(g)(ii) of this section to teach and/or practice in the field for which the students are being prepared;

(h) program costs including tuition and fees; ~~and~~

(i) documentation showing the provider has registered with the Utah Division of Consumer Protection, if required by UCA Title 13 Chapter 34. Governmental agencies are exempt and do not need to provide additional documentation but all other providers ~~which~~ that are exempt from registration with the Utah Division of Consumer Protection must also submit ~~the following~~;

~~(i) documentation of exempt status with the Utah Division of Consumer Protection;~~

~~(ii) the self-administered Department facilities accessibility checklist; and~~

~~(iii) documentation of financial stability prepared by a Certified Public Accountant.~~

~~(j) a copy of the provider's refund policy; and~~

~~(j)k~~ any other information, documentation or verification requested by the Department.

(3) Applications from providers covered under subsection 2 of this section must be sent to the Department. The Department recommends approval decisions to the SWIB which ~~will forward the application to the Regional Council in the region in which the provider does business. The Regional Council recommendation to the State Council that the application be approved or denied. The State Council~~ takes the final action on each application.

~~(4) Providers contracting with individuals to conduct the training will only be approved if the individual conducting the training is under contract as an independent contractor of the provider and being paid by 1099.~~

~~(5)~~ All providers must be in business as a school for a minimum of one year before applying to become a training provider.

~~(6) All providers must agree to abide by the terms of the application filed with the Department.~~

~~(7)~~ The Department will notify a provider in writing or by email when a final decision has been made concerning the provider's eligibility.

~~(8)~~ A list of eligible providers, including the provider's program performance, if available, and cost information will be published on the Department's Internet site.

~~(9)~~ Once a provider has been approved, the Department may establish a review date for that provider and notify the provider by email of the review date. The Department will determine at the time of the review, if the provider is still eligible for approved provider status and notify the provider of that determination. At the time of review, the provider is required to provide any and all information requested by the Department which the Department has determined is necessary to allow the provider to continue to be an approved provider. This may include completing necessary forms, providing documentation and verification, and returning the Department's telephone calls. The requests for information must be completed within the time frame specified by the Department. If the Department determines as a result of the review that the provider is no longer eligible for approved provider status, the provider will be removed from the approved provider list.

~~(10)~~ Providers must retain participant program records for three years from the date the participant completes the program.

~~(11)~~ A provider who is not on the Department's approved provider list is not eligible for receipt of WIA funds. A provider will be removed from the eligible provider list if the provider:

(a) does not meet the performance levels established by the Department;

(b) has committed fraud or violated applicable state or federal law;

(c) intentionally supplies inaccurate student or program performance information;

~~(d) does not provide services in a professional and timely manner, as determined by the Department; or~~

~~(e) has lost approval, accreditation, licensing, or certification from any of the following:~~

~~(i) Utah Division of Consumer Protection,~~

~~(ii) USOE,~~

~~(iii) Northwest Association of Accredited Schools, or~~

~~(iv) any other required approval, accrediting, licensing, or certification body.~~

~~([d]f) fails to complete the review process.~~

~~([10]12) Some providers who have been removed from the eligible provider list may be eligible to be placed back on the list as follows:~~

~~(a) a provider who was removed for failure to meet performance levels may reapply for approval if the provider can prove it can meet performance levels;~~

~~(b) there is a lifetime ban for a provider who has committed fraud as a provider;~~

~~(c) providers removed for other violations of state or federal law will be suspended:~~

~~(i) until the provider can prove it is no longer in violation of the law for minor violations;~~

~~(ii) for a period of two years for serious violations;~~

~~(iii) for the lifetime of the provider for egregious violations. The seriousness of the violation will be determined by the Department; or~~

~~(iv) a provider removed for supplying inaccurate student or program performance information will be suspended for two years.~~

**R986-600-654. Basic Education Training Provider.**

~~(1) Basic education funds can only be provided to training providers approved by the Department.~~

~~(2) This section applies to basic education providers receiving funds from the Department including TANF funds under R986-200.~~

**R986-600-655. Types of Basic Education Training Providers and Approval Requirements.**

~~(1) Public schools governed by the Utah State Office of Education (USOE) must complete and submit Application "A" to the Department.~~

~~(2) Individuals offering youth tutoring personally, and not as an employee of another business or school, must be over 18 years of age, submit Application "B" and provide all of the following:~~

~~(a) a current BCI background check results for Utah, from the Utah Department of Public Safety, paid for by the individual. The BCI report cannot contain:~~

~~(i) any matters involving an alleged sexual offense;~~

~~(ii) any matters involving an alleged felony or class A misdemeanor drug offense; or~~

~~(iii) any matters involving an alleged offense against the person under Utah State Code Title 76 Chapter 5, Offenses Against the Person.~~

~~(b) a resume with tutoring-related work history or subject matter knowledge, and~~

~~(c) an approved grievance procedure for clients to use in making complaints.~~

~~(3) All other providers must submit Application "C" and:~~

~~(a) have been in business as a school in Utah for at least one year;~~

~~(b) meet all state and local licensing requirements;~~

~~(c) submit a current Utah Business License showing at least one year in business, and~~

~~(d) submit an approved grievance procedure for clients to use in making complaints.~~

~~(e) ESL training providers must also submit documentation of registration as a Postsecondary Proprietary School with the Utah Division of Consumer Protection or show an exemption from such registration, and~~

~~(f) Providers offering high school credit must also provide documentation of accreditation through Utah State Office of Education and Northwest Association of Accredited Schools.~~

~~(4) Training providers submitting Application "B" or "C" must provide the following information for each training program for which the provider is seeking approval:~~

~~(a) program completion rates for all individuals enrolled if available;~~

~~(b) the type of certification students completing the program will obtain if available;~~

~~(c) the percentage rate of certification attained by program graduates, if available; and~~

~~(d) program costs including tuition, fees and refund policy.~~

~~(5) A training provider approved under R986-600-652 can be approved for its basic education curriculum upon submission and approval of the information required in subsection (3) and (4) of this section. However, public schools governed by Title IV of the Higher Education Act of 1965 (20 USCA 1070 et seq.) or the Utah State Office of Education (USOE) approved as providers under R986-600-652 do not need to submit the information required in subsection (3) or (4) of this section.~~

**R986-600-65[5]6. The Right to a Hearing and How to Request a Hearing.**

~~(1) Training providers will be notified in writing, which may be by email of a decision to deny an application for approval as a basic education training provider or a decision to revoke prior approval. The notice will inform the provider of its right to file a written appeal, where the appeal should be sent, and the deadline for filing an appeal. [A provider may request a hearing to appeal a decision to deny eligibility or to remove the provider from the eligible provider list.]~~

~~(2) If the [Council]SWIB made the decision being appealed, the hearing request must be made in writing to the [Council]SWIB, which will conduct the hearing at the next regularly scheduled meeting. The [Council's]SWIB's decision on the provider's eligibility will be final.~~

~~(3) If the Department made the determination to deny eligibility or to remove the provider, the written hearing request must be made to the Department and a hearing will be held in accordance with rule R986-100-124 through R986-100-132. Any appeal of the decision of the ALJ must be made to the [Council]SWIB. The [Council's]SWIB's decision will be final.~~

**R986-600-65[6]7. Monitoring for Compliance of Equal Opportunity and Nondiscrimination.**

~~(1) The Department monitors service providers for compliance with the equal opportunity and nondiscrimination requirements of WIA. This includes compliance with all applicable laws, regulations, contract provisions, corrective actions, and remedial actions.~~

~~(2) Each service provider's compliance will be reviewed annually. The review can be either an on-site review or a data review.~~

**R986-600-65[7]8. Noncompliance.**

(1) In the event the Department identifies specific instances of noncompliance with federal discrimination laws, the Department will;

(a) notify the service provider in writing of the finding(s) of noncompliance and the corrective action required to ensure compliance;

(b) establish a corrective action plan;

(c) notify the provider of the time lines for the completion of the plan; and

(d) ensure compliance with the corrective action plan.

(2) For training providers, the corrective action plan will provide that the training provider agree to stop all prohibited practices in order to remain eligible for WIA funding.

**R986-600-65[8]9. Sanctions for Noncompliance and Right to Appeal.**

(1) The Department may impose sanctions against a provider for failure to comply with federal nondiscrimination laws or required corrective actions.

(2) If the Department finds that a provider has not taken the required corrective action in the specified time limits the Department will issue a notice of final action informing the service provider of the Department's intent to;

(a) discontinue referral of participants to the provider,

(b) cancel the contract with the provider,

(c) make other changes deemed necessary to secure compliance, and/or

(d) refer the matter to another governmental entity.

(3) The service provider may appeal the decision of the Department by filing an appeal in writing within 30 days of the date of the notice of final action to: The Director, Civil Rights Center, US Department of Labor, 200 Constitution Ave NW, Room N4123, Washington DC, 20210.

**KEY: Workforce Investment Act**

**Date of Enactment or Last Substantive Amendment: [~~January 26, 2011~~2013]**

**Notice of Continuation: September 8, 2010**

**Authorizing, and Implemented or Interpreted Law: 35A-5**

**Workforce Services, Unemployment  
Insurance  
R994-403-108b  
Deferral of Work Registration and Work  
Search**

**NOTICE OF PROPOSED RULE  
(Amendment)**

DAR FILE NO.: 37877

FILED: 08/01/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to clarify when work search deferrals will be granted.

**SUMMARY OF THE RULE OR CHANGE:** The current rule allows for a job attached work deferral with a date of recall within ten weeks. This change would allow a deferral, if requested by the employer, if the recall is more than ten weeks.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 35A-1-104 and Subsection 35A-1-104(4) and Subsection 35A-4-403(1) and Subsection 35A-4-502(1)(b)

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** This is a federally-funded program so there are no costs or savings to the state budget.

◆ **LOCAL GOVERNMENTS:** This is a federally-funded program so there are no costs of savings to local government.

◆ **SMALL BUSINESSES:** There are no costs or savings to any small businesses as there are no fees associated with this program and it is federally funded.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There are no costs or savings to any persons other than small businesses, businesses, or local government entities as there are no fees associated with this program and it is federally funded.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are no costs or savings to any affected persons as there are no fees associated with this program and it is federally funded. These changes will not impact any employer's contribution rate.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** There are no compliance costs associated with this change. There are no fees associated with this change. There will be no cost to anyone to comply with these changes. There will be no fiscal impact on any business. These changes will have no impact on any employer's contribution tax rate.

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

WORKFORCE SERVICES

UNEMPLOYMENT INSURANCE

140 E 300 S

SALT LAKE CITY, UT 84111-2333

or at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Suzan Pixton by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Jon Pierpont, Executive Director

**R994. Workforce Services, Unemployment Insurance.**

**R994-403. Claim for Benefits.**

**R994-403-108b. Deferral of Work Registration and Work Search.**

(1) The Department may elect to defer the work registration and work search requirements. A claimant placed in a deferred status is not required to actively seek work but must meet all other availability requirements of the act. Deferrals are generally limited to the following circumstances:

(a) Labor Disputes.

A claimant who is unemployed due to a labor dispute may be deferred while an eligibility determination under Subsection 35A-4-405(4) is pending. If benefits are allowed, the claimant must register for work immediately.

(b) Union Attachment.

(i) A claimant who is a union member in good standing, is on the out-of-work list, or is otherwise eligible for a job referral by the union, and has earned at least half of his or her base period earnings through the union, may be eligible for a deferral. If a deferral is granted to a union member, it shall not be extended beyond the mid-point of the claim unless the claimant can demonstrate a reasonable expectation of obtaining employment through the union.

(ii) If the claimant is not in deferred status because the claimant did not earn at least 50 percent of his or her base period wage credits in employment as a union member, or the deferral has ended, the claimant must meet the requirements of an active, good faith work search by contacting employers in addition to contacts with the union. This work search is required even though unions may have regulations and rules which penalize members for making independent contacts to try to find work or for accepting nonunion employment.

(c) Employer Attachment.

A claimant who has an attachment to a prior employer and ~~[a date of recall]~~ reasonable assurance of returning to full-time employment within ten weeks of filing or reopening a claim may have the work registration requirement deferred to the expected date of recall. [The deferral should not extend longer than ten weeks.] A claimant is presumed to have reasonable assurance of employment if he or she previously worked for the employer and there has been no change in the conditions of his or her employment which would indicate severance of the employment relationship. The deferral should generally not extend longer than ten weeks. To extend beyond ten weeks, the claimant must have earned at least half of his or her base period earnings with the employer in question and the employer must submit a request to the department.

(d) Three Week Deferral.

A claimant who accepts a definite offer of full-time work to begin within three weeks, shall be deferred for that period.

(e) Seasonal.

A claimant may be deferred when, due to seasonal factors, work is not available in the claimant's primary base period occupation and other suitable work is not available in the area.

(f) Department approval.

If Department approval is granted under the elements of R994-403-202, the claimant will be placed in deferred status once the training begins and will not be required to register for work or to seek and accept work. The deferral also applies to break periods between successive terms as long as the break period is four weeks or less. A claimant must make a work search prior to the onset of training, even if the claimant has been advised that the training has been approved.

(2) Deferrals cannot be granted if prohibited by state or federal law for certain benefit programs.

**KEY: filing deadlines, registration, student eligibility, unemployment compensation**

**Date of Enactment or Last Substantive Amendment: [October 1, 2012]2013**

**Notice of Continuation: May 16, 2013**

**Authorizing, and Implemented or Interpreted Law: 35A-4-403(1)**

**Workforce Services, Unemployment  
Insurance  
R994-508-307  
Withdrawal of Appeal to the Board**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 37876

FILED: 08/01/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to correct errors in dates.

**SUMMARY OF THE RULE OR CHANGE:** The rule currently allows 30 days to request reinstatement of an appeal after the party withdrew the appeal. The Department only allows 10 days to insure delays do not prejudice other parties. Additionally the current rule states that a request to reinstate made after ten days will be considered a late appeal. That should be 30 days as no decision becomes final until 30 days after issuance. It is believed the number of days got transposed at some point. This just corrects it to comply with law and practice.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 35A-1-104 and Section 35A-1-303 and Section 35A-4-508 and Subsection 35A-1-104(4) and Subsection 35A-4-502(1)(b)

## ANTICIPATED COST OR SAVINGS TO:

- ◆ THE STATE BUDGET: This is a federally-funded program so there are no costs or savings to the state budget.
- ◆ LOCAL GOVERNMENTS: This is a federally-funded program so there are no costs of savings to local government.
- ◆ SMALL BUSINESSES: There are no costs or savings to any small businesses as there are no fees associated with this program and it is federally funded.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There are no costs or savings to any persons other than small businesses, businesses, or local government entities as there are no fees associated with this program and it is federally funded.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no costs or savings to any affected persons as there are no fees associated with this program and it is federally funded. These changes will not impact any employer's contribution rate.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no compliance costs associated with this change. There are no fees associated with this change. There will be no cost to anyone to comply with these changes. There will be no fiscal impact on any business. These changes will have no impact on any employers contribution tax rate.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 WORKFORCE SERVICES  
 UNEMPLOYMENT INSURANCE  
 140 E 300 S  
 SALT LAKE CITY, UT 84111-2333  
 or at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Suzan Pixton by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Jon Pierpont, Executive Director

**R994. Workforce Services, Unemployment Insurance.****R994-508. Appeal Procedures.****R994-508-307. Withdrawal of Appeal to the Board.**

A party who has filed an appeal from a decision of an ALJ may request that the appeal be withdrawn. The request must explain the reasons for the withdrawal by making a written statement to the Board explaining the reasons for the withdrawal. The Board may deny such a request if the withdrawal of the appeal jeopardizes the due process rights of any party. If the Board grants the request, a decision dismissing the appeal will be issued and the underlying decision will remain in effect. The decision will inform the party of the right to reinstate the appeal and the procedure for reinstating the appeal. A request to reinstate an appeal under this subsection must be made within ~~[30]~~ten days of the decision dismissing the appeal, must be in writing, and must show cause for the request. A request to reinstate made more than ~~[ten]~~30 days after the dismissal will be treated as a late appeal.

**KEY: unemployment compensation, appellate procedures**

**Date of Enactment or Last Substantive Amendment:** ~~[February 1, 2012]~~**2013**

**Notice of Continuation:** May 16, 2013

**Authorizing, and Implemented or Interpreted Law:** 35A-4-508(2); 35A-4-508(5); 35A-4-508(6); 35A-4-406; 35A-4-103

**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.

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period, and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Bulletin* ends September 16, 2013.

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 between paragraphs (. . . . .) indicates that unaffected text, either whole sections or subsections, was removed to conserve space. If a **CHANGE IN PROPOSED RULE** is too long to print, the Division of Administrative Rules 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.

From the end of the 30-day waiting period through December 13, 2013, an agency may notify the Division of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Division of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses and the agency must start the process over.

**CHANGES IN PROPOSED RULES** are governed by Section 63G-3-303; 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**

**Alcoholic Beverage Control,  
Administration  
R81-5-1  
Licensing**

**NOTICE OF CHANGE IN PROPOSED RULE**

DAR FILE NO.: 37617  
FILED: 07/30/2013

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: H.B. 228, passed in the 2013 General Legislative Session, amended Section 32B-6-407 to allow fraternal clubs to be open to the general public in certain instances. This section is being amended to incorporate this change. This rule is being amended at the request of the ABC Commission to allow fraternal clubs to meet 60% food sales after they have notified the department of the intent, rather than making it be a qualification prior to classification.

SUMMARY OF THE RULE OR CHANGE: This section outlines the requirements for compliance with Section 32B-6-407 which now allows fraternal clubs to allow guests that are over 21 without a host as long as the practice is allowed in the bylaws of the fraternal club and the fraternal club maintains at least 60% of its total business from the sale of food pursuant. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the June 1, 2013, issue of the Utah State Bulletin, on page 8. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Section 32B-6-407

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ THE STATE BUDGET: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with state statute.
- ◆ LOCAL GOVERNMENTS: None--This rule filing simply makes DABC rules consistent with state statute.
- ◆ SMALL BUSINESSES: None--This rule filing simply makes DABC rules consistent with state statute.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply makes DABC rules consistent with state statute.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply makes DABC rules consistent with state statute.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply makes DABC rules consistent with state statute.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ALCOHOLIC BEVERAGE CONTROL  
ADMINISTRATION  
1625 S 900 W  
SALT LAKE CITY, UT 84104-1630  
or at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/16/2013

THIS RULE MAY BECOME EFFECTIVE ON: 09/23/2013

AUTHORIZED BY: Sal Petilos, Executive Director

**R81. Alcoholic Beverage Control, Administration.  
R81-5. Club Licenses.  
R81-5-1. Licensing.**

(1) Club liquor licenses are issued to persons as defined in Section 32B-1-102(74). Any contemplated action or transaction that may alter the organizational structure or ownership interest of the person to whom the license is issued must be submitted to the department for approval prior to consummation of any such action to ensure there is no violation of Sections 32B-5-310.

(2) (a) At the time the commission grants a club license the commission must designate whether the club qualifies to operate as an equity, fraternal, dining, or social club based on criteria in 32B-6-404.

(b) After any club license is granted, a club may request that the commission approve a change in the club's classification in writing supported by evidence to establish that the club qualifies to operate under the new class designation based on the criteria in 32B-6-404.

(c) The department shall conduct an investigation for the purpose of gathering information and making a recommendation to the commission as to whether or not the request should be granted. The information shall be forwarded to the commission to aid in its determination.

(d) If the commission determines that the club has provided credible evidence to establish that it meets the statutory criteria to operate under the new class designation, the commission shall approve the request.

(e)(i) Pursuant to 32B-6-409, a dining club licensee may convert its dining club license to a different type of retail license for which the dining club licensee qualifies. However, the conversion must occur between July 1, 2011 and June 30, 2013.

(ii) The dining club licensee shall request the conversion in writing supported by evidence to establish that the club qualifies to operate under the new retail license based on the statutory criteria for that type of license.

(iii) The department shall conduct an investigation for the purpose of gathering information and making a recommendation to the commission as to whether or not the request should be granted. The information shall be forwarded to the commission to aid in its determination.

(iv) If the commission determines that the club has provided credible evidence to establish that it meets the statutory criteria to operate under the new retail license, the commission shall approve the request.

(v) After the conversion, the licensee must then operate under the provisions relevant to the type of retail license to which the club converted. If the dining club is converted to a full-service restaurant, limited-service restaurant, or beer-only restaurant, the bar structure of the dining club is considered a seating grandfathered bar structure for purposes of a full-service restaurant or limited-service restaurant license, or a grandfathered bar structure for purposes of a beer-only restaurant license.

(vi) Such conversions will not be counted against any quota for the type of retail licensee to which the club converted.

(3)(a) A dining club must operate as described in 32B-6-404(3), and must maintain at least 60% of its total club business from the sale of food, not including mix for alcoholic beverages, and service charges.

(b) A dining club shall maintain records separately showing quarterly expenditures and sales for beer, heavy beer, liquor, wine, set-ups and food. These shall be available for inspection and audit by representatives of the department, and maintained for a period of three years.

(c) If any inspection or audit discloses that the sales of food are less than the required percentage for any quarterly period, the department shall immediately put the licensee on a probationary status and closely monitor the licensee's food sales during the next quarterly period to determine that the licensee is able to prove to the satisfaction of the department that the sales of food meet or exceed the required percentage. Failure of the licensee to provide satisfactory proof of the required food percentage within the probationary period shall result in issuance of an order to show cause by the department to determine why the license should not be revoked by the commission, or alternatively, to determine why the license should not be immediately reclassified by the commission as a social club. If the commission grants a reclassification to a social club, the reclassification shall remain in effect until the licensee files a request for and receives approval from the commission to be reclassified a dining club. The request shall provide credible evidence to prove to the satisfaction of the commission that in the future, the sales of food will meet or exceed the required percentage.

(1) Club licensees with a Fraternal Club classification as of July 1, 2013 may allow guests that are over 21 without a host as long as long as the practice is allowed in the bylaws of the Fraternal Club and the Fraternal Club maintains at least 60% of its total

business from the sale of food pursuant to Section 32B-6-407(10)(c) (i-iii).

(a) The Fraternal Club shall notify the department of the intent to allow guests without a host by providing a copy of the bylaws ~~and proof that the Fraternal Club meets the 60% food requirement~~.

(b) The Fraternal Club shall maintain records separately showing quarterly expenditures and sales for beer, heavy beer, liquor, wine, set-ups, and food. These shall be available for inspection and audit by representatives of the department, and maintained for a period of three years.

(c) If any inspection or audit discloses that the sales of food are less than 60% for any quarterly period, the department shall immediately put the licensee on a probationary status and closely monitor the licensee's food sales during the next quarterly period to determine that the licensee is able to prove to the satisfaction of the department that the sales of food meet or exceed 60%. Failure of the licensee to provide satisfactory proof of the required food percentage within the probationary period shall result in issuance of an order to show cause by the department to determine if the Fraternal Club may continue to allow guests without a host.

**KEY: alcoholic beverages**

**Date of Enactment or Last Substantive Amendment: 2013**

**Notice of Continuation: May 10, 2011**

**Authorizing, and Implemented or Interpreted Law: 32B-1-607; 32B-2-202; 32B-5; 32B-6-401 through 409**

**Public Service Commission,  
Administration  
R746-200**

**Residential Utility Service Rules for  
Electric, Gas, Water, and Sewer  
Utilities**

**NOTICE OF CHANGE IN PROPOSED RULE**

DAR FILE NO.: 37508

FILED: 07/30/2013

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The Public Service Commission of Utah ("Commission") provided notice of proposed amendment to Rule R746-200 in the May 1, 2013, issue of the Utah State Bulletin. In response, Questar Gas Company ("Questar"), the Utah Division of Public Utilities ("DPU"), and Rocky Mountain Power ("RMP") provided comments and suggested changes to the proposed amendments. The Commission appreciates the parties' comments and generally finds the suggested changes to be helpful in providing additional clarity to the proposed amendments. To that end, the Commission provides this notice of change in proposed rule ("CPR") incorporating many of the suggested changes as described in

more detail below. Please note that there is no formal comment period for this filing.

**SUMMARY OF THE RULE OR CHANGE:** DPU suggested the Commission add the word "written" to Subsection R746-200-7(D)(1)(b). The CPR incorporates this change. Questar suggested the inclusion of the words "the period of service, including throughout" in Subsection R746-200-7(D)(2)(h). The CPR incorporates this change. RMP suggested several changes to the proposed rule that are incorporated in this CPR, including: 1) the insertion of the word "immediate" in Subsection R746-200-7(A)(2)(b); and 2) revisions to Subsection R746-200-7(A)(3), requiring a written statement signed by a licensed medical provider, and including the required information previously identified in Subsections R746-200-7(A)(2), R746-200-7(A)(3) and R746-200-7(D)(2). The Commission, however, declines to adopt RMP's proposed changes to Subsection R746-200-7(G)(1), to allow customers selecting the paperless billing option to receive 10 calendar day notice of disconnection electronically rather the current requirement of notice by first class mail or delivery. The Commission recognizes that cost savings and efficiencies may be achieved by allowing for electronic notice. The Commission is concerned, however, that individuals facing potential termination of electric service for lack of payment may have already lost or be in jeopardy of losing internet service for lack of payment and therefore would not be able to receive electronic notice of termination of electric service via email. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the May 1, 2013, issue of the Utah State Bulletin, on page 18. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 54-4-1 and Section 54-4-7 and Section 54-7-25 and Section 54-7-9

**ANTICIPATED COST OR SAVINGS TO:**  
 ♦ **THE STATE BUDGET:** This rule filing clarifies and codifies current practice, and does not impact the state budget.  
 ♦ **LOCAL GOVERNMENTS:** This rule filing clarifies and codifies current practice, and does not impact the local government.  
 ♦ **SMALL BUSINESSES:** This rule filing clarifies and codifies current practice, and does not impact local businesses.  
 ♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This rule filing does not create any new procedures but instead codifies existing practice.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** None-- The substantive requirements of this rule filing were established in 1981 through an administrative order by the

Commission. This filing clarifies the practice that has developed and been followed by the related parties since then.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** Because this filing clarifies requirements and practices that have been in place since 1981, there are no estimated fiscal impacts. The clarity provided by this filing could decrease compliance costs to utilities or provide intangible benefits to utility customers with medical issues.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 PUBLIC SERVICE COMMISSION  
 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:**  
 ♦ Jordan White by phone at 801-530-6712, or by Internet E-mail at jordanwhite@utah.gov  
 ♦ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at sbintz@utah.gov

THIS RULE MAY BECOME EFFECTIVE ON: 09/16/2013

AUTHORIZED BY: Jordan White, Legal Counsel

**R746. Public Service Commission, Administration.**  
**R746-200. Residential Utility Service Rules for Electric, Gas, Water, and Sewer Utilities.**

.....

**R746-200-7. Termination of Service.**  
 A. Definitions. As used in this section (R746-200-7):  
 1. "Licensed medical provider" means a medical provider:  
     a. who holds a current and active medical license under Utah Code Title 58; and  
     b. whose scope of practice authorizes the medical provider to diagnose the condition described by the medical provider under this rule,  
 2. "Life-supporting equipment" means life-supporting medical equipment:  
     a. with normal operation that requires continuation of public utility service; and  
     b. used by an individual who would require immediate assistance from medical personnel to sustain life if the life supporting equipment ceased normal operations.  
 3. "Life-supporting equipment statement" means a written statement:  
     a. signed by the licensed medical provider for the account holder or resident who utilizes life-supporting equipment; and  
     b. including:

- i. a description of the medical need of the account holder or resident who utilizes life-supporting equipment;
- ii. the account holder's name and address;~~and~~
- iii. name of resident using life-supporting equipment and relationship to account holder, if different than account holder;
- iv. the health infirmity and expected duration;
- v. identification of the life-support equipment that requires the utility's service;
- vi. a determination by the licensed medical provider that immediate assistance from medical personnel to sustain life would be required if the life supporting equipment ceased normal operations;  
and

~~iii~~vii. the name and contact information of the licensed medical provider for the resident who utilizes life-supporting equipment,

4. "Serious illness or infirmity statement" means a written statement:

- a. signed by a licensed medical provider;
- b. written on:
  - i. a form obtained from the public utility; or
  - ii. the licensed medical provider's letterhead stationary;
- c. legibly describing:
  - i. a diagnosed medical condition under which termination of utility service will injure the person's health or aggravate the person's illness; and
  - ii. the anticipated duration of the diagnosed medical condition.

B. Delinquent Account --

1. A residential utility service bill which has remained unpaid beyond the statement due date is a delinquent account.

2. When an account is a delinquent account, a public utility, before termination of service, shall issue a written late notice to inform the account holder of the delinquent status. A late notice or reminder notice must include the following information:

- a. A statement that the account is a delinquent account and should be paid promptly;
- b. A statement that the account holder should communicate with the public utility's collection department, by calling the company, if he has a question concerning the account;
- c. A statement of the delinquent account balance, using a term such as "delinquent account balance."

3. When the account holder responds to a late notice or reminder notice the public utility's collections personnel shall investigate disputed issues and shall try to resolve the issues by negotiation. During this investigation and negotiation no other action shall be taken to disconnect the residential utility service if the account holder pays the undisputed portion of the account subject to the utility's right to terminate utility service pursuant to R746-200-7(F), Termination of Service Without Notice.

4. A copy of the "Statement of Customer Rights and Responsibilities" referred to in Subsection R746-200-1(G) of these rules shall be issued to the account holder with the first notice of impending service disconnection.

C. Reasons for Termination of Service --

1. Residential utility service may be terminated for the following reasons:

- a. Nonpayment of a delinquent account;
- b. Nonpayment of a deposit when required;

- c. Failure to comply with the terms of a deferred payment agreement or Commission order;
- d. Unauthorized use of, or diversion of, residential utility service or tampering with wires, pipes, meters, or other equipment;
- e. Subterfuge or deliberately furnishing false information; or
- f. Failure to provide access to meter during the regular route visit to the premises following proper notification and opportunity to make arrangements in accordance with R746-200-4(B), Estimated Billing, Subsection (2).

2. The following shall be insufficient grounds for termination of service:

a. A delinquent account, accrued before a divorce or separate maintenance action in the courts, in the name of a former spouse, cannot be the basis for termination of the current account holder's service;

b. Cohabitation of a current account holder with a delinquent account holder whose utility service was previously terminated for non-payment, unless the current and delinquent account holders also cohabited while the delinquent account holder received the utility's service, whether the service was received at the current account holder's present address or another address;

c. When the delinquent account balance is less than \$25.00, unless no payment has been made for two months;

d. Failure to pay an amount in bona fide dispute before the Commission;

e. Payment delinquency for third party services billed by the regulated utility company, unless prior approval is obtained from the Commission.

D. Restrictions upon Termination of Service ~~for~~ -- Medical Reasons --

1. Serious Illness or Infirmity. If a public utility receives a serious illness or infirmity statement :

a. the public utility shall continue or restore residential utility service for the period set forth in the statement or one month, whichever is less;

b. the Commission may, upon receipt of a written petition from the account holder of the residence, or the person whose health would be threatened or illness aggravated by termination of utility service, grant an extension that normally will not exceed one additional month; and

c. the account holder is liable for the cost of residential utility service during the period of continued service.

2. Life-Supporting Equipment.

~~Within two business days after receiving a life-supporting equipment statement, a public utility shall submit to the licensed medical provider identified in the life-supporting equipment statement a request for information indicating:~~

- ~~i. the health infirmity and expected duration;~~
- ~~ii. identification of the life-support equipment that requires the utility's service; and~~
- ~~iii. an explanation of how termination of utility service will injure the person's health or aggravate the person's illness.~~

~~]~~ [b]a. After receiving an life-supporting equipment statement~~[response from the licensed medical provider with the required information]~~, the public utility:

i. shall mark and identify applicable meter boxes where the life-supporting equipment is used;

ii. may not terminate service to the residence unless the public utility has obtained prior approval from the Commission; and

iii. may request annual verification from the licensed medical provider of the life-supporting equipment.

[e]b. A public utility may petition the Commission for authorization to terminate service on an account where the public utility has received a life-supporting equipment statement and the related medical provider verification:

- i. if the account is in default;
- ii. if the utility has:

AA. followed R746-200-5 on offering a deferred payment agreement; or

BB. if R746-200-5 does not apply, allowed the customer one month to enter into a deferred payment agreement that may last up to 12 months; and

iii. by filing its petition with the Commission and providing a copy to the Division.

[d]c. A petition for authorization to terminate service shall contain:

- i. the public utility's written request to the Commission to terminate service;
- ii. the life-supporting equipment statement;
- iii. the information provided to the public utility by the licensed medical provider;
- iv. a copy of a letter sent to the account holder and, if appropriate, to a third party, notifying the account holder of the account holder's right to file a protest with the Commission within 10 days; and
- v. an affidavit verifying the public utility provided the account holder and, if appropriate, a third party, the information required by this rule.

[e]d. Within two business days after receiving a petition for authorization to terminate service, the Division shall:

- i. notify the account holder by regular and certified mail that the utility is requesting authorization from the Commission to terminate service; and
- ii. instruct the account holder to contact the utility for further information.

[f]e. After receiving a petition for authorization to terminate service, the Commission may:

- i. schedule an expedited hearing if a protest is received within 10 days; or
- ii. issue an order authorizing termination of service if the requirements of this rule have been satisfied.

[g]f. If a public utility receives authorization to terminate service, the public utility shall provide a 48 hour notice of termination to the customer consistent with R746-200-7.G.2.

[h]g. The account holder is liable for the cost of residential utility service during the period of service, including throughout all proceedings related to life-supporting equipment.

E. Payments from the Home Energy Assistance Target (HEAT) Program -- Suppliers may not discontinue utility service to a low-income household for at least 30 days after receiving utility payment or verification of utility payment from the HEAT Program on behalf of the low-income household.

F. Termination of Service Without Notice -- Any provision contained in these rules notwithstanding, a public utility may terminate residential utility service without notice when, in its judgment, a clear emergency or serious health or safety hazard exists for so long as the conditions exist, or when there is unauthorized use or diversion of residential utility service or tampering with wires, pipes, meters, or

other equipment owned by the utility. The utility shall immediately try to notify the customer of the termination of service and the reasons therefore.

G. Notice of Proposed Termination of Service --

1. At least 10 calendar days before a proposed termination of residential utility service, a public utility shall give written notice of disconnection for nonpayment to the account holder. The 10-day time period is computed from the date the bill is postmarked. The notice shall be given by first class mail or delivery to the premises and shall contain a summary of the following information:

- a. a Statement of Customer Rights and Responsibilities under existing state law and Commission rules;
- b. the Commission-approved policy on termination of service for that utility;
- c. the availability of deferred payment agreements and sources of possible financial assistance including but not limited to state and federal energy assistance programs;
- d. informal and formal procedures to dispute bills and to appeal adverse decisions, including the Commission's address and telephone number;
- e. specific steps, printed in a conspicuous fashion, that may be taken by the consumer to avoid termination of service;
- f. the date on which payment arrangements must be made to avoid termination of service; and
- g. subject to the provision of Subsection R746-200-1(E), Customer Information, a conspicuous statement, in Spanish, that the notice is a termination of service notice and that the utility has a Spanish edition of its customer information pamphlet and whether it has personnel available during regular business hours to communicate with Spanish-speaking customers.

2. At least 48 hours before termination of service is scheduled, the utility shall make good faith efforts to notify the account holder or an adult member of the household, by mail, by telephone or by a personal visit to the residence. If personal notification has not been made either directly by the utility or by the customer in response to a mailed notice, the utility shall leave a written termination of service notice at the residence. Personal notification, such as a visit to the residence or telephone conversation with the customer, is required only during the winter months, October 1 through March 31. Other months of the year, the mailed 48-hour notice can be the final notice before the termination of service.

If termination of service is not accomplished within 15 business days following the 48-hour notice, the utility company will follow the same procedures for another 48-hour notice.

3. A public utility shall send duplicate copies of 10-day termination of service notices to a third party designated by the account holder and shall make reasonable efforts to personally contact the third party designated by the account holder before termination of service occurs, if the third party resides within its service area. A utility shall inform its account holders of the third-party notification procedure at the time of application for service and at least once each year.

4. In rental property situations where the tenant is not the account holder and that fact is known to the utility, the utility shall post a notice of proposed termination of service on the premises in a conspicuous place and shall make reasonable efforts to give actual notice to the occupants by personal visits or other appropriate means at least five calendar days before the proposed termination of service. The posted notice shall contain the information listed in Subsection

R746-200-7(G)(1). This notice provision applies to residential premises when the account holder has requested termination of service or the account holder has a delinquent bill. If nonpayment is the basis for the termination of service, the utility shall also advise the tenants that they may continue to receive utility service for an additional 30 days by paying the charges due for the 30-day period just past.

H. Termination of Service -- Upon expiration of the notice of proposed termination of service, the public utility may terminate residential utility service. Except for service diversion or for safety considerations, utility service shall not be disconnected between Thursday at 4:00 p.m. and Monday at 9:00 a.m. or on legal holidays recognized by Utah, or other times the utility's business offices are not open for business. Service may be disconnected only between the hours of 9:00 a.m. and 4:00 p.m.

I. Customer-Requested Termination of Service --

1. A customer shall advise a public utility at least three days in advance of the day on which he wants service disconnected to his residence. The public utility shall disconnect the service within four working days of the requested disconnect date. The customer shall not be liable for the services rendered to or at the address or location after the four days, unless access to the meter has been delayed by the customer.

2. A customer who is not an occupant at the residence for which termination of service is requested shall advise the public utility at least 10 days in advance of the day on which he wants service disconnected and sign an affidavit that he is not requesting termination of service as a means of evicting his tenants. Alternatively, the customer may sign an affidavit that there are no occupants at the residence for which termination of service is requested and thereupon the disconnection may occur within four days of the requested disconnection date.

J. Restrictions Upon Termination of Service Practices -- A public utility shall not use termination of service practices other than those set forth in these rules. A utility shall have the right to use or pursue legal methods to ensure collections of obligations due it.

K. Policy Statement Regarding Elderly and Handicapped -- The state recognizes that the elderly and handicapped may be seriously affected by termination of utility service. In addition, the risk of

inappropriate termination of service may be greater for the elderly and handicapped due to communication barriers which may exist by reason of age or infirmity. Therefore, this section is specifically intended to prevent inappropriate terminations of service which may be hazardous to these individuals. In particular, Subsection R746-200-7(G), requiring adequate notice of impending terminations of service, including notification to third parties upon the request of the account holder, Subsection R746-200-7(D)(1), restricting termination of service when the termination of service will cause or aggravate a serious illness or infirmity of a person living in the residence, and Subsection R746-200-7(D)(2), restricting terminations of service to residences when life-supporting equipment is in use, are intended to meet the special needs of elderly and handicapped persons, as well as those of the public in general.

L. Load Limiter as a Substitute for Termination of Service, Electric Utilities --

1. An electric utility may, but only with the customer's consent, install a load limiter as an alternative to terminating electric service for non-payment of a delinquent account or for failure to comply with the terms of a deferred payment agreement or Commission order. Conditions precedent to the termination of electric service must be met before the installation of a load limiter.

2. Disputes about the level of load limitation are subject to the informal review procedure of Subsection R746-200-8.

3. Electric utilities shall submit load limiter policies and procedures to the Commission for their review before the implementation and use of those policies.

.....

**KEY: public utilities, rules, utility service shutoff**  
**Date of Enactment or Last Substantive Amendment: 2013**  
**Notice of Continuation: November 28, 2012**  
**Authorizing, and Implemented or Interpreted Law: 54-4-1; 54-4-7; 54-7-9; 54-7-25**

**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 (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references. A 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. Comments may be made on the **PROPOSED RULE**. Emergency or **120-DAY RULES** are governed by Section 63G-3-304; and Section R15-4-8.

---

## Agriculture and Food, Horse Racing Commission (Utah) **R52-7** Horse Racing

**NOTICE OF 120-DAY (EMERGENCY) RULE**  
DAR FILE NO.: 37860  
FILED: 07/18/2013

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this emergency rule filing is to make practical the medication rules concerning horse racing in the State of Utah so that test of drug levels can be fairly and accurately measured and detected. Specifically, making the medication limits comparable to those of states where Utah race horses regularly compete.

**SUMMARY OF THE RULE OR CHANGE:** This rule adopts the drug threshold levels used by the California Horse Racing Board, making clear the authorized drugs that can be used and the allowable levels those drugs can be found in the horse's body. The exact rules that will be incorporated by reference are: California Horse Racing Board Rule (CHRB) No. 1844 (effective 02/14/12), Authorized Medication, with sections (h)(2), (e)(9) and (f) exempted; and (CHRB) Rule No. 1845 (effective 05/27/05), Authorized Bleeder Medication, sections (b) - (c) and (e). This emergency rule also adopts a new standard for clenbuterol that is not incorporated by reference.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 4-38-4(1)(e)

**EMERGENCY RULE REASON AND JUSTIFICATION:**  
**REGULAR RULEMAKING PROCEDURES WOULD** cause an imminent peril to the public health, safety, or welfare.  
**JUSTIFICATION:** This new emergency rule establishes drug threshold levels which are widely accepted in the horse racing industry. With the advances in drug testing and medication procedures in the horse racing industry, the need to update the current rule has arisen. An example of this is in urine analysis. A horse that was given a drug for training or medicinal purposes weeks prior to testing, still may produce metabolites of that drug in extremely small, nevertheless detectable amounts (due to the current sophistication of laboratory testing). Despite the fact that the physiological effects of that drug, as a potential performance enhancing compound, would have vanished in the weeks prior to testing, under current rule that horse would test positive for that drug if any trace are detected, thus resulting in a violation of the "Zero tolerance" rule. By implementing scientifically sound threshold levels that protect horse racing from cheating via performance enhancing drugs, but at the same time allow for acceptable use of some drugs for medical and training purposes the horse racing industry is better served.

**MATERIALS INCORPORATED BY REFERENCES:**  
♦ Adds California Horse Racing Board Rule, published by California Horse Racing Board, 01/14/2012

## ANTICIPATED COST OR SAVINGS TO:

- ◆ THE STATE BUDGET: No cost will be incurred to the state by implementation of this rule because the cost of blood test(s) is the responsibility of the horse owners and/or trainers.
- ◆ LOCAL GOVERNMENTS: No cost will be incurred to local government for implementation of this rule because the cost of blood test(s) is the responsibility of the horse owners and/or trainers.
- ◆ SMALL BUSINESSES: No cost will be incurred by the small business community by implementation of this rule because the cost of blood test(s) is the responsibility of the horse owners and/or trainer.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The implementation of this rule would require a larger drug assay test to be performed compared to what the current rule calls for. As a result, the cost of performing this test will increase by approximately \$20 per test, affecting the trainers and owners who are responsible for paying for the tests.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The implementation of this rule would require a larger drug assay test to be performed compared to what the current rule calls for. As a result, the cost of performing this test will increase by approximately \$20 per test. The price that is currently in place for Utah samples is \$80 for blood only samples, \$100 for paired blood and urine samples, and \$200 for re-analysis and confirmation of positive samples. That pricing is based on the submission of 10 or more samples at a time, and would remain the same, except for the blood only samples, which would increase to \$100. This is because the new rule would add additional testing to cover the new threshold drugs and associated levels. These costs will affect the trainers and owners because they are responsible for paying for the test.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The horse racing industry requested the agency to reconsider and propose this emergency rule to allow for standards to be established for certain drug testing as opposed to the current standard of zero tolerance. It has been represented by the horse industry and veterinarian professionals that this is a needed change in existing administrative rule. The implementation of this rule would require a larger drug assay test to be performed compared to what the current rule calls for. As a result, the cost of performing this test will increase by \$20 per test. This increase will affect the trainers and owners of the race horses as they are currently responsible for paying for the drug tests for their horses.

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

AGRICULTURE AND FOOD  
HORSE RACING COMMISSION (UTAH)  
350 N REDWOOD RD  
SALT LAKE CITY, UT 84114  
or at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Kathleen Mathews by phone at 801-538-7103, by FAX at 801-538-7126, or by Internet E-mail at kmathews@utah.gov
- ◆ Kyle Stephens by phone at 801-538-7102, by FAX at 801-538-7126, or by Internet E-mail at kylestephens@utah.gov

EFFECTIVE: 07/18/2013

AUTHORIZED BY: Leonard Blackham, Commissioner

**R52. Agriculture and Food, Horse Racing Commission (Utah).****R52-7. Horse Racing.****R52-7-8. Veterinarian Practices, Medication and Testing Procedures.**

1. Veterinary Practices - Treatment Restricted. Within the time period of 24 hours prior to the post time for the first race of the week until four hours after the last race of the week, no person other than Utah licensed veterinarians or animal technicians under direct supervision of a licensed veterinarian who have obtained a license from the Commission shall administer to any horse within the enclosure any veterinary treatment or any medicine, medication, or other substance recognized as a medication, except for recognized feed supplements or oral tonics or substances approved by the Official Veterinarian.

2. Veterinarians Under Supervision Of Official Veterinarian. Veterinarians licensed by the Commission and practicing at an authorized meeting are under the supervision of the Official Veterinarian and the Stewards. The Official Veterinarian shall recommend to the Stewards or the Commission the discipline to be imposed upon a veterinarian who violates the Rules, and he or she may sit with the Stewards in any hearing before the Stewards concerning such discipline or violation.

3. Veterinarian Report. Every veterinarian who treats any horse within the enclosure for any contagious or communicable disease shall immediately report to the official veterinarian in writing on a form approved by the Commission. The form shall include the name and location of the horse treated, the name of the trainer, the time of treatment, the probable diagnosis, and the medication administered. Each practicing veterinarian shall be responsible for maintaining treatment records on all horses to which they administer treatment during a given race meeting. These records shall be available to the Commission upon subpoena when required. Any such record and any report of treatment as described above is confidential; and its content shall not be disclosed except in a proceeding before the stewards or the Commission, or in the exercise of the Commission's jurisdiction.

4. Drugs Or Medication. Except as authorized by the provisions of this Article, no drug or medication shall be administered to any horse prior to or during any race. Presence of any drug or its metabolites or analogs, or any substance foreign to the natural horse found in the testing sample of a horse participating in a Commission-sanctioned race which are outside of the approved drug threshold levels set forth by California Horse Racing Board (CHRB) Rule No. 1844 (Effective 02/14/12), Authorized Medication, with sections (h) (2),(e)(9) and (f) exempted, hereby incorporated by reference. ~~of a horse participating in a Commission-sanctioned race~~ shall result in disqualification by the Stewards. Accordingly clenbuterol will be treated the same as all other drugs that are not specifically authorized.

If the testing laboratory detects clenbuterol or its metabolites or analogs under the laboratory's standard operating procedures, the finding will be reported as a violation. When a horse is disqualified because of an infraction of this Rule, the owner or owners of such horse shall not participate in any portion of the purse or stakes; and any trophy or other award shall be returned. (See Drugs and Medications Exceptions, Section R67-7-13.)

5. Racing Soundness Examination. Each horse entered to race may be subject to a veterinary examination by the official veterinarian or his authorized representative for racing soundness and health on race day.

6. Positive Lab Reports. A finding by a licensed laboratory that a test sample taken from a horse contains a drug or its metabolites or analog, or any substance foreign to the natural horse shall be prima facie evidence that such has been administered to the horse either internally or externally in violation of these rules. It is presumed that the sample of urine, saliva, blood or other acceptable specimen tested by the approved laboratory to which it is sent is taken from the horse in question; its integrity is preserved; that all procedures of same collection and preservation, transfer to the laboratory, and analyses of the sample are correct and accurate; and that the report received from the laboratory pertains to the sample taken from the horse in question and correctly reflects the condition of the horse during the race in which he was entered, with the burden on the trainer, assistant trainer or other responsible party to prove otherwise at any hearing in regard to the matter conducted by the stewards or the Commission.

7. Intent Of Medication Rules. It shall be the intent of these rules to protect the integrity of horse racing, to guard the health of the horse, and to safeguard the interests of the public and the racing participants through the prohibition or control of all drugs, medication, and substances foreign to the natural horse.

8. Power To Have Tested. As a safeguard against the use of drugs, medication, and substances foreign to the natural horse, a urine or other acceptable sample shall be taken under the direction of the official veterinarian from the winner of every race and from such other horses as the stewards or the Commission may designate.

9. Pre-Race Testing. The stewards may require any horse entered to race to submit to a blood or other pre-race test, and no horse is eligible to start in a race until the owner or trainer complies with the required testing procedure.

10. Equipment For Official Testing. Organizations shall provide the equipment, necessary supplies and services prescribed by the Commission and the official veterinarian for the taking of or administration of blood, urine, saliva or other tests.

11. Taking Of Samples. Blood, urine, saliva or other samples shall be taken under the direction of the official veterinarian or persons appointed or assigned by the official veterinarian for taking samples. All samples shall be taken in a detention area approved by the Commission, unless the Official Veterinarian approves otherwise. Each horse shall be cooled out for a minimum of 30 minutes after entry into the test barn before a sample is to be taken. The taking of any test samples shall be witnessed, confirmed or acknowledged by the trainer of the horse being tested or his authorized representative or employee, and may be witnessed by the owner, trainer, or other licensed person designated by them. Samples shall be sent to racing laboratories approved and designated by the Commission, in such manner as the Commission or its designee may direct. All required samples shall be in the custody of the official veterinarian, his/her assistants or other persons approved by the official veterinarian from

the time they are taken until they are delivered for shipment to the testing laboratory. No person shall tamper with, adulterate, add to, break the seal of, remove or otherwise attempt to so alter or violate any sample required to be taken by this Article, except for the addition of preservatives or substances necessarily added by the Commission-approved laboratory for preservation of the sample or in the process of analysis.

The Commission has the authority to direct the approved laboratory to retain and preserve samples for future analysis.

The fact that purse money has been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no chemical substance has been administered in violation of these Rules to the horse earning such purse money.

12. Laboratories Approved By The Commission. Only laboratories approved by the Commission may be used in obtaining analysis reports on urine, or other specimens, taken from the winners or other designated horses of each race meeting. The Commission and the Board of Stewards shall receive reports directly from the laboratory.

13. Split Samples. As determined by the official veterinarian, when sample quantity permits, each test sample shall be divided into two portions so that one portion shall be used for the initial testing for unknown substances. If the Trainer or owner so requests in writing to the stewards within 48 hours of notice of positive lab report on the test sample of his horse, the second sample shall be sent for further testing to a drug testing laboratory designated and approved by the commission. Nothing in this rule shall prevent the commission or executive director from ordering first use of both sample portions for testing purposes. The results of said split sampling may not prevent the disqualification of the horse as per R52-7-8-4 and R52-7-8-6. All costs for transportation and testing of the second sample portion shall be the responsibility of the requesting person. The official veterinarian shall have overall supervision and responsibility for the freezing, storage and safeguarding of the second sample portion.

14. Facilitating The Taking Of Urine Samples. When a horse has been in the test barn more than 1-1/2 hours, a diuretic may be administered by the Official Veterinarian for the purpose of facilitating the collection of a urine sample with permission of the stewards and the trainer or the trainer's authorized test barn representative. The cost of administration of the diuretic is the responsibility of the trainer. Prior to the administration of a diuretic, a blood sample may be taken from the horse.

15. Postmortem Examination. Every horse which dies or suffers a breakdown on the racetrack in training or in competition within any enclosure licensed by the Commission and is destroyed, may undergo, at a time and place acceptable to the official veterinarian, a postmortem examination to the extent reasonably necessary to determine the injury or sickness which resulted in euthanasia or natural death. Any other horse which expires within any enclosure may be required by the official veterinarian to undergo a postmortem examination.

A. The postmortem examination required under this rule will be conducted by a licensed veterinarian employed by the owner or his trainer in consultation with the official veterinarian, who may be present at such postmortem examination.

B. Test samples may be obtained from the carcass upon which the postmortem examination is conducted and shall be sent to a laboratory approved by the Commission for testing for foreign

substances or their metabolites and natural substances at abnormal levels. When practical, samples shall be procured prior to euthanasia.

C. The owner of the deceased horse shall make payment of any charges due the veterinarian employed by him to conduct the postmortem examination.

D. A record of such postmortem shall be filed with the official veterinarian by the owner's veterinarian within 72 hours of the death and shall be submitted on a form supplied by the Commission.

E. Each owner and trainer accepts the responsibility for the postmortem examination provided herein as a requisite for maintaining the occupation license issued by the Commission.

#### **R52-7-13. Drugs and Medication Exceptions and Illegal Practices.**

1. **Horses Tested.** The winner of every race and such other horses as the stewards or commission veterinarian may designate shall be escorted by the veterinarian assistant after the race to the testing enclosure for examination by the authorized representative of the Commission and the taking of specimens shall be by the commission veterinarian or his assistant.

2. **Trainer Present at Testing.** The trainer, or his authorized representative, must be present in the testing enclosure when a urine or other specimen is taken from a horse, the sample tag attached to the specimen shall be signed by the trainer or his representative, as witness of taking of the specimen. Willful failure to be present at or a refusal to allow the taking of the specimen, or any act or threat to impede or prevent or otherwise interfere therewith, shall subject the person or persons doing so to immediate suspension and fine by the stewards and the matter shall be referred to the Commission for such further penalty as may be determined.

3. **Specimens Delivered to Laboratory.** All specimens taken by or under the direction of the commission veterinarian, or other authorized representative of the Commission, shall be delivered to the laboratory approved by the Commission for official analysis. Each specimen shall be marked by number and date and may also bear such information as may be essential to its proper analysis; but the identity of the horse from the specimen was taken or the identity of its owner, trainer, jockey or stable shall not be revealed to the laboratory. The container of specimen shall be sealed as soon as the specimen is placed therein and shall bear the name of the Commission.

4. **Medication.** The commission veterinarian, the Commission or any member of the Board of Stewards may take samples of any medicines or other materials suspected of containing improper medication, drugs or chemicals which would affect the racing conditions of a horse in a race and which may be found in stables or elsewhere on race track grounds or in the possession of such tracks or any person connected with racing and the same shall be delivered to the laboratory designated by the Commission.

5. **The Only Non-Steroidal Anti-Inflammatory Drug Permitted.** Phenylbutazone shall be administered to the horse no later than 24 hours prior to the time the horse is scheduled to race.

6. **Phenylbutazone Levels Permitted and Penalty.** No urine sample taken from a horse shall exceed 165 micrograms of phenylbutazone or its metabolites per milliliter of urine or shall not exceed 5 micrograms per milliliter of blood plasma. On a first violation period at phenylbutazone concentrations above 5 ug/ml but below 10 ug/ml plasma or serum: a minimum fine of \$250.00; at concentrations above 10 ug/ml plasma: a fine of up to \$500.00.

On a second violation within a 12 month period at phenylbutazone concentrations above 5 ug/ml but below 10 ug/ml plasma or serum: a minimum fine of \$500.00; at concentrations above 10 ug/ml plasma: a fine of up to \$1,000.00.

On a third or subsequent violation within a 12-month period: a fine of \$1,000.00, a suspension of 30 days, and loss of purse.

7. **Administered under Direction of Commission Licensed Veterinarian.** Phenylbutazone must be administered under the direction of a commission licensed veterinarian.

8. **List Provided.** Horses which are on phenylbutazone shall not be indicated on the daily racing programs or any other publications except that a list of horses on phenylbutazone will be kept by the stewards.

9. **Lasix Treatment.** Any horse which exhibits symptoms of Epistaxis and/or respiratory tract hemorrhage is eligible for placement on the bleeder list and for treatment on race days with the approved medication to prevent or limit bleeding during racing.

10. **Bleeders Listing.** To be placed on the bleeders list, a horse must be found to have, during or immediately following a race or workout, shed free blood from one or both nostrils or bled internally in the respiratory tract. A Commission licensed veterinarian, following his or her personal examination of a horse, or after consulting with the horses' private veterinarian, shall be allowed to certify a horse as a bleeder. A universal bleeders certificate is required.

11. **License Required.** In any and all cases, private veterinarians must be licensed with the Utah Horse Racing Commission as a veterinarian in order to administer Lasix.

12. **Horse Removed From Bleeders List.** A Commission licensed veterinarian may remove a horse from the bleeders list, provided a request is made in writing and it is the recommendation of the veterinarian of the horse, or after an examination by the veterinarian, it is determined that the horse is not a bleeder or is no longer eligible for the bleeders list.

13. **Treatment Procedure.** Horses on the bleeders list must be treated at least four hours prior to post time with the bleeder medication furosemide, (i.e. Lasix). No other treatment is permitted for bleeder treatment. Bleeder medication must be administered by a Commission licensed veterinarian, ~~[such] using dosages [not to exceed 250 mg.] pursuant to CHRB Rule No. 1845, section (e), (Effective 5/27/05), Authorized Bleeder Medication, which is hereby incorporated by reference.~~ The bleeder medication is administered by the trainers veterinarian, and must be witnessed by the trainer or his designee upon their request. Administration of the bleeder medication must be reported in writing on a form designated by the Commission, to the track management no later than two hours prior to the scheduled post time of the last live race of the program.

14. **Lasix Levels Permitted and Penalty.** Any horse whose post race blood tests contains a level in excess of the levels set forth in CHRB Rule No. 1845, sections (b)-(c), (Effective 5/27/05), Authorized Bleeder Medication, hereby incorporated by reference. ~~[80 nanograms of furosemide per milliliter of plasma]~~ will be said to be positive for Lasix overage and in violation of Utah Horse Racing Rules and Regulations. ~~[-Any horse whose post-race urine creatinine is less than 40 milligrams creatinine per 100 milliliters of urine, and the ratio of urine furosemide to urine creatinine does not exceed 0.15, with urine furosemide being measured in micrograms per milliliter of urine will be said to be positive for Lasix overage and in violation of Utah Horse Racing rules.]~~

A. A finding of a chemist of furosemide (Lasix) exceeding the allowable test levels given above shall be considered prima facie evidence that the medication was administered to the horse and carried in the body of the horse while participating in the race.

B. In these cases, a fine and/or suspension will be levied to such horse trainer under the trainer responsibility rule and the horse will be disqualified from the race.

15. Horses Designated. The horses' trainer or designated agent is responsible to enter horses correctly indicating the prescribed medication for the horse. Horses approved for Lasix medication will be designated on the overnight and the daily program with a Lasix or "L". A list of horses approved for and using Lasix medication will be maintained by the stewards.

16. Bleeder Disqualification. Any horse that bleeds a second time in Utah shall not be able to race for a period of 30 days from the date of the second bleeding offense. Any horse that bleeds for a third time shall be suspended from racing for a period of one year from the date of the third offense. Any horse bleeding for the fourth time will be given a lifetime suspension from racing.

17. Disqualification of Owner or Trainer. A horse owner or trainer found to have committed illegal practices under this chapter or found to have administered any non-approved medication substances in violation of the rules in this chapter, shall be deemed disqualified and denied, or shall promptly return, any portion of the purse or sweepstakes or trophy awarded in the affected race, and shall be distributed as in the case of a disqualification. If the affected race is a qualifying race for a subsequent race and if a horse shall be so disqualified, the eligibility of the other horses which ran in the affected race, and which have started in the subsequent race before announcement of such disqualification shall not in any way be affected.

18. Hypodermic Instruments Prohibited. Except by specific written permission of the presiding steward, no person within the grounds of the racing association where the horses are lodged or kept shall have possession of, upon the premises which he occupies or has the right to occupy or in any of his personal property or effects, any hypodermic instrument, hypodermic syringes or hypodermic needle which may be used for injection into any horse of any medication

prohibited by this rule. Every racing association is required to use all reasonable efforts to prevent the violation of this rule.

19. Search Provisions. Every racing association, the Commission or the stewards shall have the right to enter, search and inspect the buildings, stables, rooms and other places where horses which are eligible to race are kept, or where property and effects of the licensee are kept within the grounds of the association. Any licensee accepting a license shall be deemed to have consented to such search and to the seizure of any non-approved or prohibited materials, chemicals, drugs or devices and anything apparently intended to be used in connection therewith.

20. Daily Medication Reports. All practicing veterinarians must submit daily to the commission veterinarian a medication report form furnished by the Commission containing the following:

- A. Name, age, sex and breed of the horse.
- B. The permitted drug used (Bute or Lasix).
- C. The time administered.
- D. The route of the administration.

E. The report must be dated and signed by the veterinarian so administering the medication. Any such report is confidential and its contents shall not be disclosed except in a proceeding before the stewards or the Commission or in the exercise of the Commission's jurisdiction.

21. Prima Facie Evidence. If the stewards find that any non-approved medication, for which the purpose of definition shall include any drug, chemical, narcotic, anesthetic, or analgesic has been administered to a horse in such a manner that it is present in a pre-race or post-race test sample, such presence shall constitute prima facie evidence that the horse has been illegally medicated.

22. Trainer Responsibility. Under all circumstances, the horse of record trainer shall be responsible for the horse he trains.

**KEY: horses**

**Date of Enactment or Last Substantive Amendment: July 18, 2013**

**Notice of Continuation: August 30, 2011**

**Authorizing, and Implemented or Interpreted Law: 4-38-4**

---

**End of the Notices of 120-Day (Emergency) Rules Section**



## FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

---

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to 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 upon filing.

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

---

### Public Service Commission, Administration **R746-344**

### Filing Requirements for Telephone Corporations with Less than 5,000 Access Line Subscribers

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

DAR FILE NO.: 37869  
FILED: 07/31/2013

#### 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 54-7-12 addresses rate changes of public utilities and the information and schedules they are to submit to justify and show the rate changes they propose. The rule provides direction on what type of information may be submitted by small telephone companies to simplify the provision of necessary information to support rate changes proposed and to be approved by the Commission.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been received since 2008.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule remains necessary to provide

necessary information for general rate case filings. The rule requires information to be filed on schedules with an application for a change in rates. Providing this information simplifies proceedings, eliminates expense, and enhances the effectiveness of the fact-finding process. Therefore, this rule should be continued.

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

PUBLIC SERVICE COMMISSION  
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:

- ◆ Jordan White by phone at 801-530-6712, or by Internet E-mail at [jordanwhite@utah.gov](mailto:jordanwhite@utah.gov)
- ◆ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at [sbintz@utah.gov](mailto:sbintz@utah.gov)

AUTHORIZED BY: Jordan White, Legal Counsel

EFFECTIVE: 07/31/2013

---

### Public Service Commission, Administration **R746-345** Pole Attachments

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

DAR FILE NO.: 37870  
FILED: 07/31/2013

**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 54-4-13 provides the Commission shall have the power to regulate the rates, terms, and conditions by which a public utility, as defined in Subsection 54-2-1(15) including telephone corporations as defined in Subsection 54-2-23, can permit attachments to its poles by an attaching entity.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been submitted since 2008.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The Commission must continue to ensure just and reasonable terms and conditions for pole attachments, and to ensure an attacher's use of a utility's facilities will not interfere with the primary utility function or render them unsafe. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 PUBLIC SERVICE COMMISSION  
 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:  
 ♦ Jordan White by phone at 801-530-6712, or by Internet E-mail at jordanwhite@utah.gov  
 ♦ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at sbintz@utah.gov

AUTHORIZED BY: Jordan White, Legal Counsel

EFFECTIVE: 07/31/2013

**Public Service Commission,  
 Administration  
 R746-404**

**Regulation of Promotional Programs of  
 Electric and Gas Public Utilities**

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

DAR FILE NO.: 37872  
 FILED: 07/31/2013

**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 54-4-1 provides the Commission authority and jurisdiction to supervise and regulate every public utility in this state, and to do all things necessary or convenient in the exercise of that power and 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 comments have been received in the last five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Electric and gas utility companies continue to request approval of promotional programs and the Commission must continue to monitor and regulate those programs to ensure such programs are in the public interest. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 PUBLIC SERVICE COMMISSION  
 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:  
 ♦ Jordan White by phone at 801-530-6712, or by Internet E-mail at jordanwhite@utah.gov  
 ♦ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at sbintz@utah.gov

AUTHORIZED BY: Jordan White, Legal Counsel

EFFECTIVE: 07/31/2013

**Public Service Commission,  
 Administration  
 R746-406**

**Advertising by Electric and Gas Utilities**



**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**DAR FILE NO.: 37871  
FILED: 07/31/2013**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 54-4-1 provides the Commission authority and jurisdiction to supervise and regulate every public utility in this state, and to do all things necessary or convenient in the exercise of that power and 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 comments have been received in the last five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule remains necessary to continue to monitor and regulate the direct or indirect advertising expenditures of utility companies and to ensure that they are in the public interest. Therefore, this rule should be continued.

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

- ◆ Jordan White by phone at 801-530-6712, or by Internet E-mail at [jordanwhite@utah.gov](mailto:jordanwhite@utah.gov)
- ◆ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at [sbintz@utah.gov](mailto:sbintz@utah.gov)

AUTHORIZED BY: Jordan White, Legal Counsel

EFFECTIVE: 07/31/2013

---

Public Service Commission,  
Administration  
**R746-500**  
Americans with Disabilities Act  
Complaint Procedure

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**DAR FILE NO.: 37868  
FILED: 07/31/2013**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is required and authorized by 42 USC 12201, Section 54-1-1, and Subsection 63G-3-201(2). It provides for prompt and equitable resolution of complaints filed in accordance with Title II of the Americans with Disabilities Act of 1990.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been submitted since the rule was reviewed in 2008.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary so that an individual with a disability may know the complaint process if they believe they have been excluded from participation in or been denied the benefits of the services, programs, or activities of the Commission or have been subjected to discrimination. Therefore, this rule should be continued.

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

- ◆ Jordan White by phone at 801-530-6712, or by Internet E-mail at [jordanwhite@utah.gov](mailto:jordanwhite@utah.gov)
- ◆ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at [sbintz@utah.gov](mailto:sbintz@utah.gov)

AUTHORIZED BY: Jordan White, Legal Counsel

EFFECTIVE: 07/31/2013

**Transportation, Operations,  
Maintenance  
R918-4**

**Using Volunteer Groups and Third  
Party Contractors for the Adopt-a-  
Highway and Sponsor-a-Highway Litter  
Pickup Programs**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 37874  
FILED: 08/01/2013

**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 72-1-201 directs that the Utah Department of Transportation shall, "in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make policy and rules for the administration of the department, state transportation systems, and programs". In this case, a rule is required by Section 63G-3-201 because guidelines are needed for the management of the Adopt-a-Highway and Sponsor-a-Highway programs, and those guidelines impact groups of people external to the Utah Department of Transportation.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR

OPPOSING THE RULE: This rule was substantially amended on 03/12/2012 at which time language governing Sponsor-a-Highway programs was added. No comments regarding the rule have been received, either subsequent to that date or in the four years prior.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Inasmuch as the Adopt-a-Highway and Sponsor-a-Highway programs need clear guidelines for their operation and management, and inasmuch as these programs involve the participation of persons and groups external to the Utah Department of Transportation, their governing guidelines need to take the form of an administrative rule, and not internal agency policy. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
TRANSPORTATION  
OPERATIONS, MAINTENANCE  
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:  
♦ Christine Newman by phone at 801-965-4026, by FAX at 801-965-4338, or by Internet E-mail at [cwnewman@utah.gov](mailto:cwnewman@utah.gov)

AUTHORIZED BY: Carlos Braceras, Executive Director

EFFECTIVE: 08/01/2013

**End of the Five-Year Notices of Review and Statements of Continuation Section**

## NOTICES OF RULE EFFECTIVE DATES

---

State law provides for agencies to make their rules effective and enforceable after publication in the Utah State Bulletin. In the case of Proposed Rules or Changes in Proposed Rules with a designated comment period, the law permits an agency to file a notice of effective date any time after the close of comment plus seven days. In the case of Changes in Proposed Rules with no designated comment period, the law permits an agency to file a notice of effective date on any date including or after the thirtieth day after the rule's publication date. If an agency fails to file a Notice of Effective Date within 120 days from the publication of a Proposed Rule or a related Change in Proposed Rule the rule lapses and the agency must start the rulemaking process over.

Notices of Effective Date are governed by Subsection 63G-3-301(12), 63G-3-303, and Sections R15-4-5a and 5b.

---

### Abbreviations

AMD = Amendment

CPR = Change in Proposed Rule

NEW = New Rule

R&R = Repeal & Reenact

REP = Repeal

### Alcoholic Beverage Control

#### Administration

No. 37615 (AMD): R81-4A-2. Application

Published: 06/01/2013

Effective: 07/30/2013

No. 37616 (AMD): R81-4C-2. Application

Published: 06/01/2013

Effective: 07/30/2013

No. 37618 (AMD): R81-5-5. Advertising

Published: 06/01/2013

Effective: 07/30/2013

### Career Service Review Office

#### Administration

No. 37607 (AMD): R137-1. Grievance Procedure Rules

Published: 06/01/2013

Effective: 07/22/2013

### Environmental Quality

#### Air Quality

No. 37275 (NEW): R307-342. Adhesives and Sealants

Published: 03/01/2013

Effective: 08/01/2013

No. 37275 (CPR): R307-342. Adhesives and Sealants

Published: 07/01/2013

Effective: 08/01/2013

No. 37276 (NEW): R307-357. Consumer Products

Published: 03/01/2013

Effective: 08/01/2013

No. 37276 (CPR): R307-357. Consumer Products

Published: 07/01/2013

Effective: 08/01/2013

### Health

Disease Control and Prevention, Environmental Services

No. 37589 (NEW): R392-103. Food Handler Training and Certificate

Published: 06/01/2013

Effective: 08/01/2013

Health Care Financing, Coverage and Reimbursement Policy

No. 37656 (AMD): R414-14A-26. Payment for Nursing Facility, ICF/ID, and Freestanding Inpatient Hospice Unit Room and Board

Published: 06/15/2013

Effective: 07/22/2013

### Human Services

Child and Family Services

No. 37645 (AMD): R512-41. Qualifying Adoptive Families and Adoption Placement

Published: 06/15/2013

Effective: 07/22/2013

No. 37646 (AMD): R512-302. Out-of-Home Services, Responsibilities Pertaining to an Out-of-Home Caregiver

Published: 06/15/2013

Effective: 07/22/2013

Recovery Services

No. 37668 (AMD): R527-5-3. Request for Release of Information

Published: 06/15/2013

Effective: 07/22/2013

### Natural Resources

Wildlife Resources

No. 37643 (AMD): R657-44. Big Game Depredation

Published: 06/15/2013

Effective: 07/22/2013

Workforce Services

Unemployment Insurance

No. 37671 (AMD): R994-403-115c. Period of Ineligibility

Published: 06/15/2013

Effective: 08/01/2013

No. 37670 (AMD): R994-508-102. Time Limits for Filing an  
Appeal from an Initial Department Determination

Published: 06/15/2013

Effective: 08/01/2013

**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, 2013 through August 01, 2013. The Rules Index is published in the Utah State Bulletin and in the annual Utah Administrative Rules Index of Changes. Nonsubstantive changes, while not published in the Bulletin, do become part of the Utah Administrative Code (Code) and are included in this Index, as well as 120-Day (Emergency) rules that do not become part of the Code. The rules are indexed by Agency (Code Number) and Keyword (Subject).

Questions regarding the index and the information it contains should be addressed to Nancy Lancaster (801-538-3218), Mike Broschinsky (801-538-3003), or Kenneth A. Hansen (801-538-3777).

A copy of the Rules Index is available for public inspection at the Division of Administrative Rules (5110 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (<http://www.rules.utah.gov/>).

---

## RULES INDEX - BY AGENCY (CODE NUMBER)

### ABBREVIATIONS

AMD = Amendment	NSC = Nonsubstantive rule change
CPR = Change in proposed rule	REP = Repeal
EMR = Emergency rule (120 day)	R&R = Repeal and reenact
NEW = New rule	5YR = Five-Year Review
EXD = Expired	

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<b>ADMINISTRATIVE SERVICES</b>					
<u>Administration</u>					
R13-1	Public Petitions for Declaratory Orders	37839	5YR	07/11/2013	2013-15/123
<u>Archives</u>					
R17-5	Definitions for Rules in Title R17	37653	5YR	05/17/2013	2013-12/49
R17-6	Records Storage and Disposal at the State Records Center	37654	5YR	05/17/2013	2013-12/49
R17-7	Archival Records Care and Access at the State Archives	37659	5YR	05/28/2013	2013-12/50
R17-8	Application of Microfilm Standards	37655	5YR	05/17/2013	2013-12/50
<u>Facilities Construction and Management</u>					
R23-13	State of Utah Parking Rules for Facilities Managed by the Division of Facilities and Construction and Management	37357	5YR	02/20/2013	2013-6/49
R23-22	General Procedures for Acquisition and Selling of Real Property	37358	5YR	02/20/2013	2013-6/49
R23-30	State Facility Energy Efficiency Fund	37845	5YR	07/15/2013	2013-15/123
<u>Finance</u>					
R25-5	Payment of Per Diem to Boards	37521	5YR	04/15/2013	2013-9/29
R25-5	Payment of Per Diem to Boards	37558	AMD	06/21/2013	2013-10/6
R25-6	Relocation Reimbursement	37522	5YR	04/15/2013	2013-9/29
R25-7	Travel-Related Reimbursements for State Employees	37523	5YR	04/15/2013	2013-9/30
R25-7	Travel-Related Reimbursements for State Employees	37556	AMD	06/21/2013	2013-10/7
R25-8	Overtime Meal Allowance	37524	5YR	04/15/2013	2013-9/30
R25-8	Overtime Meal Allowance	37557	AMD	06/21/2013	2013-10/12
<u>Fleet Operations</u>					
R27-3	Vehicle Use Standards	36949	AMD	03/07/2013	2012-22/11
R27-3-5	Personal Use Standards	37392	AMD	06/07/2013	2013-7/4
<u>Purchasing and General Services</u>					
R33-3-3	Small Purchases	37633	EMR	05/15/2013	2013-11/81
<b>AGRICULTURE AND FOOD</b>					
<u>Animal Industry</u>					
R58-6	Poultry	37248	R&R	03/25/2013	2013-4/6
R58-18	Elk Farming	37246	AMD	03/25/2013	2013-4/12
R58-19	Compliance Procedures	37247	AMD	03/25/2013	2013-4/13
R58-21	Trichomoniasis	36962	AMD	01/04/2013	2012-22/16

Conservation and Resource Management

R64-2 Utah Conservation Commission Proposed 37698 5YR 06/04/2013 2013-13/229  
Electronic Meetings

Horse Racing Commission (Utah)

R52-7 Horse Racing 37420 EMR 03/20/2013 2013-8/47  
R52-7 Horse Racing 37860 EMR 07/18/2013 Not Printed

Plant Industry

R68-1 Utah Bee Inspection Act Governing Inspection 37631 NSC 06/07/2013 Not Printed  
of Bees  
R68-2 Utah Commercial Feed Act Governing Feed. 37632 NSC 06/07/2013 Not Printed  
R68-5 Grain Inspection 37249 5YR 02/05/2013 2013-5/189  
R68-9 Utah Noxious Weed Act 37700 5YR 06/06/2013 2013-13/229  
R68-14 Quarantine Pertaining to Gypsy Moth - 37445 5YR 03/27/2013 2013-8/53  
Lymantria Dispar  
R68-16 Quarantine Pertaining to Pine Shoot Beetle, 37669 5YR 05/30/2013 2013-12/51  
Tomiscus piniperda

Regulatory Services

R70-310 Grade A Pasteurized Milk 37027 AMD 01/29/2013 2012-23/6  
R70-320-18 Transport Tanks, Operators 36915 AMD 01/29/2013 2012-21/8  
R70-330 Raw Milk for Retail 36914 AMD 01/29/2013 2012-21/9  
R70-330 Raw Milk for Retail 37620 EMR 05/14/2013 2013-11/84

ALCOHOLIC BEVERAGE CONTROL

Administration

R81-1-31 Duties of the Commission Subcommittees 37611 EMR 05/13/2013 2013-11/88  
R81-1-31 Duties of Commission Subcommittees 37363 AMD 06/25/2013 2013-6/4  
R81-1-31 Duties of Commission Subcommittees 37363 CPR 06/25/2013 2013-10/206  
R81-2-12 Store Site Selection 37365 AMD 04/30/2013 2013-6/5  
R81-4A-2 Application 37367 AMD 04/30/2013 2013-6/5  
R81-4A-2 Application 37615 AMD 07/30/2013 2013-11/6  
R81-4B-2 Application 37368 AMD 04/30/2013 2013-6/6  
R81-4C Limited Restaurant Licenses 37834 5YR 07/10/2013 2013-15/124  
R81-4C-2 Application 37369 AMD 04/30/2013 2013-6/7  
R81-4C-2 Application 37616 AMD 07/30/2013 2013-11/7  
R81-4D On-Premise Banquet License 37835 5YR 07/11/2013 2013-15/125  
R81-4D-2 Application 37370 AMD 04/30/2013 2013-6/8  
R81-4E-2 Application 37371 AMD 04/30/2013 2013-6/9  
R81-4F-2 Application 37372 AMD 04/30/2013 2013-6/10  
R81-5-2 Application 37373 AMD 04/30/2013 2013-6/11  
R81-5-5 Advertising 37618 AMD 07/30/2013 2013-11/9  
R81-5-18 Age Verification - Dining and Social Clubs 37619 NSC 06/07/2013 Not Printed  
R81-9-1 Application 37377 AMD 04/30/2013 2013-6/12  
R81-10 Off-Premise Beer Retailers 37673 5YR 05/31/2013 2013-12/51  
R81-10A-3 Application 37374 AMD 04/30/2013 2013-6/13  
R81-10B Temporary Beer Event Permits 37836 5YR 07/11/2013 2013-15/125  
R81-10C-2 Application 37375 AMD 04/30/2013 2013-6/14  
R81-10D-2 Application 37376 AMD 04/30/2013 2013-6/15  
R81-11-1 Application 37378 AMD 04/30/2013 2013-6/16

CAPITOL PRESERVATION BOARD (STATE)

Administration

R131-2 Capitol Hill Complex Facility Use 37064 AMD 01/07/2013 2012-23/9

CAREER SERVICE REVIEW OFFICE

Administration

R137-1 Grievance Procedure Rules 37607 AMD 07/22/2013 2013-11/10  
R137-2 Government Records Access and Management 37535 5YR 04/23/2013 2013-10/213  
Act

RULES INDEX

COMMERCE

Occupational and Professional Licensing

R156-1	General Rule of the Division of Occupational and Professional Licensing	37395	NSC	04/01/2013	Not Printed
R156-1-102	Definitions	37199	AMD	03/11/2013	2013-3/2
R156-3a-102	Definitions	37073	AMD	01/24/2013	2012-24/6
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rule	37074	AMD	01/24/2013	2012-24/7
R156-24b-503	Physical Therapist Supervisory Authority and Responsibility	37526	AMD	06/10/2013	2013-9/2
R156-31b	Nurse Practice Act Rule	37417	5YR	03/18/2013	2013-8/53
R156-37	Utah Controlled Substances Act Rule	37040	AMD	01/08/2013	2012-23/18
R156-37-502	Unprofessional Conduct	37175	NSC	01/30/2013	Not Printed
R156-37f	Controlled Substance Database Act Rule	37039	NEW	01/08/2013	2012-23/21
R156-44a	Nurse Midwife Practice Act Rules	37071	AMD	01/22/2013	2012-24/11
R156-49	Dietitian Certification Act Rule	37273	5YR	02/07/2013	2013-5/189
R156-53	Landscape Architects Licensing Act Rule	37274	5YR	02/07/2013	2013-5/190
R156-55a	Utah Construction Trades Licensing Act Rule	37364	AMD	04/22/2013	2013-6/17
R156-67-306	Exemptions from Licensure	37270	AMD	04/08/2013	2013-5/10
R156-68	Utah Osteopathic Medical Practice Act Rule	37272	5YR	02/07/2013	2013-5/191
R156-68-306	Exemptions from Licensure	37271	AMD	04/08/2013	2013-5/11
R156-75	Genetic Counselors Licensing Act Rule	37533	AMD	06/24/2013	2013-10/15
R156-82	Electronic Prescribing Act Rule	37202	NEW	03/11/2013	2013-3/5
R156-82	Electronic Prescribing Act Rule	37396	NSC	04/01/2013	Not Printed

Real Estate

R162-2f	Real Estate Licensing and Practices Rules	37393	AMD	05/08/2013	2013-7/8
R162-2f	Real Estate Licensing and Practices Rules	37530	AMD	06/21/2013	2013-10/17
R162-2f-403	Trust Accounts	37394	AMD	05/08/2013	2013-7/16
R162-2f-403a	Trust Accounts	37664	NSC	06/24/2013	Not Printed
R162-2g	Real Estate Appraiser Licensing and Certification Administrative Rules	36973	AMD	01/02/2013	2012-22/19
R162-57a	Timeshare and Camp Resort Rules	37076	AMD	04/02/2013	2012-24/14

Securities

R164-31	Administrative Fines	37660	5YR	05/28/2013	2013-12/52
R164-31-1	Guidelines for the Assessment of Administrative Fines	37042	AMD	01/08/2013	2012-23/26

CORRECTIONS

Administration

R251-111	Government Records Access and Management	37828	EXD	07/09/2013	2013-15/137
R251-114	Offender Long-Term Health Care - Notice	37389	5YR	03/07/2013	2013-7/61

CRIME VICTIM REPARATIONS

Administration

R270-1	Award and Reparation Standards	37061	AMD	01/07/2013	2012-23/27
R270-1	Award and Reparation Standards	37166	NSC	01/30/2013	Not Printed
R270-1	Award and Reparation Standards	37380	AMD	04/22/2013	2013-6/25
R270-2	Crime Victim Reparations Adjudicative Proceedings	37063	AMD	01/07/2013	2012-23/33
R270-2	Crime Victim Reparations Adjudicative Proceedings	37167	NSC	01/30/2013	Not Printed

EDUCATION

Administration

R277-101	Utah State Board of Education Procedures	37355	AMD	04/22/2013	2013-6/26
R277-104	ADA Complaint Procedure	37626	5YR	05/15/2013	2013-11/97
R277-113	LEA Fiscal Policies and Accountability	37356	NEW	04/22/2013	2013-6/28
R277-113-5	Required LEA Fiscal Policies	37538	NSC	05/17/2013	Not Printed
R277-403	Student Reading Proficiency and Notice to Parents	37708	5YR	06/10/2013	2013-13/230



R277-406	K-3 Reading Improvement Program and the State Reading Goal	37709	5YR	06/10/2013	2013-13/230
R277-407-2	Authority and Purpose	37755	NSC	07/19/2013	Not Printed
R277-411	School District Sponsored School Seminars on Youth Protection-Related Issues	37634	NEW	07/08/2013	2013-11/16
R277-436	Gang Prevention and Intervention Programs in the Schools	37627	5YR	05/15/2013	2013-11/97
R277-445-2	Authority and Purpose	37756	NSC	07/19/2013	Not Printed
R277-445-3	Standards	37278	AMD	04/08/2013	2013-5/13
R277-460	Distribution of Substance Abuse Prevention Account	37628	5YR	05/15/2013	2013-11/98
R277-460-6	Evaluation and Reports	37419	NSC	04/15/2013	Not Printed
R277-469	Instructional Materials Commission Operating Procedures	37494	5YR	04/08/2013	2013-9/31
R277-469	Instructional Materials Commission Operating Procedures	37509	AMD	06/07/2013	2013-9/3
R277-477	Distribution of Funds from the Interest and Dividend Account (School LAND Trust Funds) and Administration of the School LAND Trust Program	37710	5YR	06/10/2013	2013-13/231
R277-483	Persistently Dangerous Schools	37495	5YR	04/08/2013	2013-9/31
R277-484	Data Standards	37145	AMD	02/21/2013	2013-2/4
R277-485	Loss of Enrollment	37496	5YR	04/08/2013	2013-9/32
R277-487	Public School Student Confidentiality	37144	AMD	02/21/2013	2013-2/7
R277-490	Beverly Taylor Sorenson Elementary Arts Learning Program	37711	5YR	06/10/2013	2013-13/231
R277-491	School Community Councils	37629	5YR	05/15/2013	2013-11/98
R277-491	School Community Councils	37636	R&R	07/08/2013	2013-11/17
R277-498	Grant for Math Teaching Training	37279	NEW	04/08/2013	2013-5/14
R277-498-4	Criteria for Awarding Grants	37507	NSC	04/29/2013	Not Printed
R277-502	Educator Licensing and Data Retention	37058	AMD	01/07/2013	2012-23/34
R277-502	Educator Licensing and Data Retention	37146	AMD	02/21/2013	2013-2/10
R277-508	Employment of Substitute Teachers	37497	5YR	04/08/2013	2013-9/32
R277-508	Employment of Substitute Teachers	37510	AMD	06/07/2013	2013-9/8
R277-509	Licensure of Student Teachers and Interns	37059	AMD	01/07/2013	2012-23/39
R277-517	Board and UPPAC Disciplinary Definitions and Actions	37147	NEW	02/21/2013	2013-2/15
R277-517-5	Board Disciplinary Actions	37359	NSC	03/15/2013	Not Printed
R277-518	Career and Technical Education Licenses	37399	5YR	03/12/2013	2013-7/61
R277-525	Special Educator Stipends	37712	5YR	06/10/2013	2013-13/232
R277-531-3	Public Educator Evaluation Framework	37537	AMD	06/24/2013	2013-10/26
R277-532	Local Board Policies for Evaluation of Non-Licensed Public Education Employees (Classified Employees)	37280	NEW	04/08/2013	2013-5/16
R277-600	Student Transportation Standards and Procedures	37400	5YR	03/12/2013	2013-7/62
R277-600	Student Transportation Standards and Procedures	37413	AMD	05/16/2013	2013-7/20
R277-602	Special Needs Scholarships - Funding and Procedures	37713	5YR	06/10/2013	2013-13/232
R277-605	Coaching Standards and Athletic Clinics	37401	5YR	03/12/2013	2013-7/62
R277-610	Released-Time Classes	37402	5YR	03/12/2013	2013-7/63
R277-610	Released-Time Classes	37414	AMD	05/16/2013	2013-7/24
R277-614	Athletes and Students with Head Injuries	37630	5YR	05/15/2013	2013-11/99
R277-614	Athletes and Students with Head Injuries	37635	AMD	07/08/2013	2013-11/23
R277-617	Smart School Technology Program	37714	5YR	06/10/2013	2013-13/233
R277-700	The Elementary and Secondary School Core Curriculum	37403	5YR	03/12/2013	2013-7/63
R277-702	Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009)	37404	5YR	03/12/2013	2013-7/64
R277-702	Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009)	37415	AMD	05/16/2013	2013-7/26
R277-709	Education Programs Serving Youth in Custody	37405	5YR	03/12/2013	2013-7/64
R277-709-3	Student Evaluation, Education Plans, and LEA Programs	37244	NSC	02/15/2013	Not Printed
R277-719	Standards for Selling Foods Outside of the Reimbursable Meal in Schools	37406	5YR	03/12/2013	2013-7/65

RULES INDEX

R277-746	Driver Education Programs for Utah Schools	37498	5YR	04/08/2013	2013-9/33
R277-751	Special Education Extended School Year (ESY)	37499	5YR	04/08/2013	2013-9/33
R277-751	Special Education Extended School Year (ESY)	37511	AMD	06/07/2013	2013-9/10

Rehabilitation

R280-200	Rehabilitation	37500	5YR	04/08/2013	2013-9/34
R280-200	Rehabilitation	37512	AMD	06/07/2013	2013-9/12

ENVIRONMENTAL QUALITY

Administration

R305-2	Electronic Meeting	37360	5YR	02/25/2013	2013-6/50
R305-4	Clean Fuels and Vehicle Technology Fund Grant and Loan Program	37847	5YR	07/15/2013	2013-15/126
R305-6	Administrative Procedures	36554	REP	01/31/2013	2012-16/28
R305-6	Administrative Procedures	36554	CPR	01/31/2013	2013-1/32
R305-7	Administrative Procedures	36553	NEW	01/31/2013	2012-16/45
R305-7	Administrative Procedures	36553	CPR	01/31/2013	2013-1/32
R305-9	Recusal of a Board Member for Conflict of Interest	36776	NEW	02/22/2013	2012-19/28
R305-9	Recusal of a Board Member for Conflict of Interest	36776	CPR	02/22/2013	2013-2/94

Air Quality

R307-101-2	Definitions	36723	AMD	02/01/2013	2012-19/29
R307-101-2	Definitions	36723	CPR	02/01/2013	2013-1/38
R307-101-2	Definitions	37702	NSC	07/09/2013	Not Printed
R307-102	General Requirements: Broadly Applicable Requirements	37261	5YR	02/06/2013	2013-5/191
R307-115	General Conformity	37260	5YR	02/06/2013	2013-5/192
R307-170	Continuous Emission Monitoring Program	37259	5YR	02/06/2013	2013-5/192
R307-208	Outdoor Wood Boiler Prohibition	36481	NEW	04/10/2013	2012-15/12
R307-208	Outdoor Wood Boiler Prohibition	36481	CPR	04/10/2013	2012-23/56
R307-208	Outdoor Wood Boilers	36481	CPR	04/10/2013	2013-5/184
R307-220	Emission Standards: Plan for Designated Facilities	37258	5YR	02/06/2013	2013-5/193
R307-221	Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills	37257	5YR	02/06/2013	2013-5/194
R307-222	Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste	37256	5YR	02/06/2013	2013-5/194
R307-223	Emission Standards: Existing Small Municipal Waste Combustion Units	37255	5YR	02/06/2013	2013-5/195
R307-224	Mercury Emission Standards: Coal-Fired Electric Generating Units	37254	5YR	02/06/2013	2013-5/195
R307-250	Western Backstop Sulfur Dioxide Trading Program	37253	5YR	02/06/2013	2013-5/196
R307-303	Commercial Cooking	36480	NEW	04/10/2013	2012-15/13
R307-303	Commercial Cooking	36480	CPR	04/10/2013	2012-23/60
R307-303	Commercial Cooking	36480	CPR	04/10/2013	2013-5/186
R307-307	Davis, Salt Lake, and Utah Counties: Road Salting and Sanding	36741	AMD	02/01/2013	2012-19/42
R307-307	Davis, Salt Lake, and Utah Counties: Road Salting and Sanding	36741	CPR	02/01/2013	2013-1/45
R307-307	Road Salting and Sanding	37234	NSC	02/15/2013	Not Printed
R307-312	Aggregate Processing Operations for PM2.5 Nonattainment Areas	36740	NEW	02/01/2013	2012-19/45
R307-312	Aggregate Processing Operations for PM2.5 Nonattainment Areas	36740	CPR	02/01/2013	2013-1/47
R307-340	Ozone Nonattainment and Maintenance Areas: Surface Coating Processes	36725	REP	02/01/2013	2012-19/49
R307-340	Ozone Nonattainment and Maintenance Areas: Surface Coating Processes	36725	CPR	02/01/2013	2013-1/48
R307-342	Adhesives and Sealants	37275	NEW	08/01/2013	2013-5/17
R307-342	Adhesives and Sealants	37275	CPR	08/01/2013	2013-13/208

R307-343	Ozone Nonattainment and Maintenance Areas: 36738	AMD	05/01/2013	2012-19/56
	Emissions Standards for Wood Furniture Manufacturing Operations			
R307-343	Ozone Nonattainment and Maintenance Areas: 36738	CPR	05/01/2013	2013-1/49
	Emissions Standards for Wood Furniture Manufacturing Operations			
R307-343	Emissions Standards for Wood Furniture Manufacturing Operations 36738	CPR	05/01/2013	2013-7/44
R307-344	Paper, Film, and Foil Coatings 36726	NEW	02/01/2013	2012-19/65
R307-344	Paper, Film, and Foil Coatings 36726	CPR	02/01/2013	2013-1/52
R307-345	Fabric and Vinyl Coatings 36727	NEW	02/01/2013	2012-19/67
R307-345	Fabric and Vinyl Coatings 36727	CPR	02/01/2013	2013-1/54
R307-346	Metal Furniture Surface Coatings 36728	NEW	02/01/2013	2012-19/69
R307-346	Metal Furniture Surface Coatings 36728	CPR	02/01/2013	2013-1/57
R307-347	Large Appliance Surface Coatings 36729	NEW	02/01/2013	2012-19/71
R307-347	Large Appliance Surface Coatings 36729	CPR	02/01/2013	2013-1/59
R307-348	Magnet Wire Coatings 36730	NEW	02/01/2013	2012-19/73
R307-348	Magnet Wire Coatings 36730	CPR	02/01/2013	2013-1/61
R307-349	Flat Wood Panel Coatings 36731	NEW	02/01/2013	2012-19/74
R307-349	Flat Wood Panel Coatings 36731	CPR	02/01/2013	2013-1/63
R307-350	Miscellaneous Metal Parts and Products Coatings 36732	NEW	02/01/2013	2012-19/76
R307-350	Miscellaneous Metal Parts and Products Coatings 36732	CPR	02/01/2013	2013-1/65
R307-351	Graphic Arts 36733	NEW	02/01/2013	2012-19/80
R307-351	Graphic Arts 36733	CPR	02/01/2013	2013-1/69
R307-351-4	Standards for Rotogravure, Flexographic, and Specialty Printing Operations 37235	NSC	02/15/2013	Not Printed
R307-352	Metal Container, Closure, and Coil Coatings 36734	NEW	02/01/2013	2012-19/84
R307-352	Metal Container, Closure, and Coil Coatings 36734	CPR	02/01/2013	2013-1/73
R307-353	Plastic Part Coatings 36735	NEW	05/01/2013	2012-19/86
R307-353	Plastic Parts Coatings 36735	CPR	05/01/2013	2013-1/75
R307-353	Plastic Parts Coatings 36735	CPR	05/01/2013	2013-7/46
R307-354	Automotive Refinishing Coatings 36736	NEW	02/01/2013	2012-19/88
R307-354	Automotive Refinishing Coatings 36736	CPR	02/01/2013	2013-1/79
R307-355	Control of Emissions from Aerospace Manufacture and Rework Facilities 36737	NEW	02/01/2013	2012-19/91
R307-355	Control of Emissions from Aerospace Manufacture and Rework Facilities 36737	CPR	02/01/2013	2013-1/82
R307-355-5	Emission Standards 37237	NSC	02/15/2013	Not Printed
R307-357	Consumer Products 37276	NEW	08/01/2013	2013-5/22
R307-357	Consumer Products 37276	CPR	08/01/2013	2013-13/213
R307-401-15	Air Strippers and Soil Venting Projects 37037	AMD	02/07/2013	2012-23/40
R307-401-15	Air Strippers and Soil Venting Projects 37236	NSC	02/15/2013	Not Printed
R307-401-19	Analysis of Alternatives 37268	AMD	07/01/2013	2013-5/36
R307-401-19	Analysis of Alternatives 37268	CPR	07/01/2013	2013-11/72
R307-401-20	Relaxation of Limitations 37269	AMD	07/01/2013	2013-5/36
R307-401-20	Relaxation of Limitations 37269	CPR	07/01/2013	2013-11/72
R307-403-1	Definitions 37263	AMD	07/01/2013	2013-5/37
R307-403-1	Purpose and Definitions 37263	CPR	07/01/2013	2013-11/73
R307-403-2	Emission Limitations 37264	AMD	07/01/2013	2013-5/39
R307-403-2	Applicability 37264	CPR	07/01/2013	2013-11/74
R307-403-10	Analysis of Alternatives 37266	AMD	07/01/2013	2013-5/42
R307-403-10	Analysis of Alternatives 37266	CPR	07/01/2013	2013-11/77
R307-403-11	Actuals PALs 37267	AMD	07/01/2013	2013-5/43
R307-403-11	Actuals PALs 37267	CPR	07/01/2013	2013-11/77
R307-420	Permits: Ozone Offset Requirements in Davis and Salt Lake Counties 37265	AMD	07/01/2013	2013-5/43
R307-420	Permits: Ozone Offset Requirements in Davis and Salt Lake Counties 37265	CPR	07/01/2013	2013-11/78
R307-801	Utah Asbestos Rule 37252	5YR	02/06/2013	2013-5/197
<u>Drinking Water</u>				
R309-100	Administration: Drinking Water Program 37781	NSC	07/19/2013	Not Printed
R309-110	Administration: Definitions 37782	NSC	07/19/2013	Not Printed
R309-115	Administrative Procedures 37783	NSC	07/19/2013	Not Printed

RULES INDEX

R309-200	Monitoring and Water Quality: Drinking Water Standards	37789	NSC	07/19/2013	Not Printed
R309-205	Monitoring and Water Quality: Source Monitoring Requirements	37786	NSC	07/19/2013	Not Printed
R309-210	Monitoring and Water Quality: Distribution System Monitoring Requirements	37784	NSC	07/19/2013	Not Printed
R309-215	Monitoring and Water Quality: Treatment Plant Monitoring Requirements	37788	NSC	07/19/2013	Not Printed
R309-220	Monitoring and Water Quality: Public Notification Requirements	37785	NSC	07/19/2013	Not Printed
R309-225	Monitoring and Water Quality: Consumer Confidence Reports	37787	NSC	07/19/2013	Not Printed
R309-505	Facility Design and Operation: Minimum Treatment Requirements	37723	NSC	07/09/2013	Not Printed
R309-515-6	Ground Water - Wells	36562	AMD	01/16/2013	2012-16/66
R309-515-6	Ground Water - Wells	36562	CPR	01/16/2013	2012-23/70
R309-540	Facility Design and Operation: Pump Stations	37731	NSC	07/09/2013	Not Printed
R309-545	Facility Design and Operation: Drinking Water Storage Tanks	37732	NSC	07/09/2013	Not Printed
R309-550	Facility Design and Operation: Transmission and Distribution Pipelines	37733	NSC	07/09/2013	Not Printed
R309-600	Source Protection: Drinking Water Source Protection For Ground-Water Sources	37721	NSC	07/09/2013	Not Printed
R309-605	Source Protection: Drinking Water Source Protection for Surface Water Sources	37720	NSC	07/09/2013	Not Printed
R309-700	Financial Assistance: State Drinking Water State Revolving Fund (SRF) Loan Program	37748	NSC	07/09/2013	Not Printed
R309-705	Financial Assistance: Federal Drinking Water State Revolving Fund (SRF) Loan Program	37749	NSC	07/09/2013	Not Printed
R309-800	Capacity Development Program	37747	NSC	07/09/2013	Not Printed
<u>Environmental Response and Remediation</u>					
R311-200	Underground Storage Tanks: Definitions	37481	NSC	04/29/2013	Not Printed
R311-201	Underground Storage Tanks: Certification Programs and UST Operator Training	37482	NSC	04/29/2013	Not Printed
R311-203	Underground Storage Tanks: Technical Standards	37483	NSC	04/29/2013	Not Printed
R311-204	Underground Storage Tanks: Closure and Remediation	37484	NSC	04/29/2013	Not Printed
R311-205	Underground Storage Tanks: Site Assessment Protocol	37485	NSC	04/29/2013	Not Printed
R311-206	Underground Storage Tanks: Certificate of Compliance and Financial Assurance Mechanisms	37486	NSC	04/29/2013	Not Printed
R311-207	Accessing the Petroleum Storage Tank Trust Fund for Leaking Petroleum Storage Tanks	37579	NSC	05/17/2013	Not Printed
R311-208	Underground Storage Tank Penalty Guidance	37488	NSC	04/29/2013	Not Printed
R311-209	Petroleum Storage Tank Cleanup Fund and State Cleanup Appropriation	37489	NSC	04/29/2013	Not Printed
R311-211	Corrective Action Cleanup Standards Policy - UST and CERCLA Sites	37490	NSC	04/29/2013	Not Printed
R311-212	Administration of the Petroleum Storage Tank Loan Fund	37491	NSC	04/29/2013	Not Printed
R311-500	Illegal Drug Operations Site Reporting and Decontamination Act, Decontamination Specialist Certification Program	37513	NSC	04/29/2013	Not Printed
<u>Radiation Control</u>					
R313-12	General Provisions	37189	AMD	03/19/2013	2013-3/6
R313-12-3	Definitions	37597	NSC	06/07/2013	Not Printed
R313-14	Violations and Escalated Enforcement	37190	AMD	03/19/2013	2013-3/14
R313-15	Standards for Protection Against Radiation	37191	AMD	03/19/2013	2013-3/18
R313-16	General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines	37179	NSC	01/31/2013	Not Printed
R313-17	Administrative Procedures	37192	AMD	03/19/2013	2013-3/40

R313-18	Notices, Instructions and Reports to Workers by Licensees or Registrants--Inspections	37193	AMD	03/19/2013	2013-3/42
R313-19	Requirements of General Applicability to Licensing of Radioactive Material	37194	AMD	03/19/2013	2013-3/45
R313-21	General Licenses	37181	NSC	01/31/2013	Not Printed
R313-22	Specific Licenses	37195	AMD	03/19/2013	2013-3/56
R313-24	Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements	37196	AMD	03/19/2013	2013-3/74
R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	37180	NSC	01/31/2013	Not Printed
R313-26	Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities	37182	NSC	01/31/2013	Not Printed
R313-28	Use of X-Rays in the Healing Arts	37183	NSC	01/31/2013	Not Printed
R313-30	Therapeutic Radiation Machines	37197	AMD	03/19/2013	2013-3/76
R313-32	Medical Use of Radioactive Material	37184	NSC	01/31/2013	Not Printed
R313-34	Requirements for Irradiators	37185	NSC	01/31/2013	Not Printed
R313-35	Requirements for X-Ray Equipment Used for Non-Medical Applications	37198	AMD	03/19/2013	2013-3/91
R313-36	Special Requirements for Industrial Radiographic Operations	37186	NSC	01/31/2013	Not Printed
R313-38	Licenses and Radiation Safety Requirements for Well Logging	37187	NSC	01/31/2013	Not Printed
R313-70	Payments, Categories and Types of Fees	37188	NSC	01/31/2013	Not Printed
<u>Solid and Hazardous Waste</u>					
R315-1	Utah Hazardous Waste Definitions and References	37305	AMD	04/25/2013	2013-5/45
R315-2	General Requirements - Identification and Listing of Hazardous Waste	37306	AMD	04/25/2013	2013-5/48
R315-3	Application and Permit Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	37307	AMD	04/25/2013	2013-5/63
R315-4	Procedures for Decisionmaking	37308	AMD	04/25/2013	2013-5/64
R315-5	Hazardous Waste Generator Requirements	37309	AMD	04/25/2013	2013-5/69
R315-6	Hazardous Waste Transporter Requirements	37310	AMD	04/25/2013	2013-5/73
R315-7	Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	37311	AMD	04/25/2013	2013-5/76
R315-8	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	37312	AMD	04/25/2013	2013-5/99
R315-9	Emergency Controls	37313	AMD	04/25/2013	2013-5/100
R315-12	Administrative Procedures	37314	AMD	04/25/2013	2013-5/101
R315-13	Land Disposal Restrictions	37315	AMD	04/25/2013	2013-5/102
R315-16	Standards for Universal Waste Management	37317	AMD	04/25/2013	2013-5/103
R315-17	End of Life Automotive Mercury Switch Removal Standards	37318	AMD	04/25/2013	2013-5/107
R315-50-6	Representative Sampling Methods	37319	AMD	04/25/2013	2013-5/109
R315-101	Cleanup Action and Risk-Based Closure Standards	37320	AMD	04/25/2013	2013-5/110
R315-102	Penalty Policy	37321	AMD	04/25/2013	2013-5/113
R315-301	Solid Waste Authority, Definitions, and General Requirements	37282	5YR	02/13/2013	2013-5/198
R315-301	Solid Waste Authority, Definitions, and General Requirements	37322	AMD	04/25/2013	2013-5/116
R315-302	Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements	37283	5YR	02/13/2013	2013-5/198
R315-302	Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements	37323	AMD	04/25/2013	2013-5/122
R315-303	Landfilling Standards	37284	5YR	02/13/2013	2013-5/199
R315-303	Landfilling Standards	37324	AMD	04/25/2013	2013-5/127
R315-304	Industrial Solid Waste Landfill Requirements	37285	5YR	02/13/2013	2013-5/200
R315-304	Industrial Solid Waste Landfill Requirements	37325	AMD	04/25/2013	2013-5/132
R315-305	Class IV and VI Landfill Requirements	37286	5YR	02/13/2013	2013-5/200

RULES INDEX

R315-305	Class IV and VI Landfill Requirements	37326	AMD	04/25/2013	2013-5/134
R315-306	Incinerator Standards	37287	5YR	02/13/2013	2013-5/201
R315-306	Incinerator Standards	37327	AMD	04/25/2013	2013-5/136
R315-307	Landtreatment Disposal Standards	37288	5YR	02/13/2013	2013-5/201
R315-307-3	Standards for Maintenance and Operation	37328	AMD	04/25/2013	2013-5/138
R315-308	Ground Water Monitoring Requirements	37289	5YR	02/13/2013	2013-5/202
R315-308	Ground Water Monitoring Requirements	37329	AMD	04/25/2013	2013-5/139
R315-309	Financial Assurance	37290	5YR	02/13/2013	2013-5/202
R315-309	Financial Assurance	37330	AMD	04/25/2013	2013-5/144
R315-310	Permit Requirements for Solid Waste Facilities	37291	5YR	02/13/2013	2013-5/203
R315-310	Permit Requirements for Solid Waste Facilities	37331	AMD	04/25/2013	2013-5/151
R315-311	Permit Approval For Solid Waste Disposal, Waste Tire Storage, Energy Recovery and Incinerator Facilities	37292	5YR	02/13/2013	2013-5/204
R315-311	Permit Approval For Solid Waste Disposal, Waste Tire Storage, Energy Recovery, And Incinerator Facilities	37332	AMD	04/25/2013	2013-5/155
R315-312	Recycling and Composting Facility Standards	37293	5YR	02/13/2013	2013-5/204
R315-312	Recycling and Composting Facility Standards	37333	AMD	04/25/2013	2013-5/157
R315-313	Transfer Stations and Drop Box Facilities	37294	5YR	02/13/2013	2013-5/205
R315-313-2	Transfer Station Standards	37334	AMD	04/25/2013	2013-5/159
R315-314	Facility Standards for Piles Used for Storage and Treatment	37295	5YR	02/13/2013	2013-5/205
R315-314	Facility Standards for Piles Used for Storage and Treatment	37335	AMD	04/25/2013	2013-5/160
R315-315	Special Waste Requirements	37296	5YR	02/13/2013	2013-5/206
R315-315	Special Waste Requirements	37336	AMD	04/25/2013	2013-5/163
R315-316	Infectious Waste Requirements	37297	5YR	02/13/2013	2013-5/206
R315-316	Infectious Waste Requirements	37337	AMD	04/25/2013	2013-5/165
R315-317	Other Processes, Variances, Violations, and Petition for Rule Change	37298	5YR	02/13/2013	2013-5/207
R315-317	Other Processes, Variances, Violations, and Petition for Rule Change	37338	AMD	04/25/2013	2013-5/167
R315-317	Other Processes, Variances, Violations, and Petition for Rule Change	37480	NSC	04/29/2013	Not Printed
R315-318	Permit by Rule	37299	5YR	02/13/2013	2013-5/208
R315-318	Permit by Rule	37339	AMD	04/25/2013	2013-5/168
R315-320	Waste Tire Transporter and Recycler Requirements	37300	5YR	02/13/2013	2013-5/208
R315-320	Waste Tire Transporter and Recycler Requirements	37340	AMD	04/25/2013	2013-5/169
<u>Water Quality</u>					
R317-8	Utah Pollutant Discharge Elimination System (UPDES)	37581	AMD	07/01/2013	2013-10/59
R317-9	Administrative Procedures	37239	5YR	01/31/2013	2013-4/51
R317-13	Approvals and Permits for a Water Reuse Project	37240	5YR	01/31/2013	2013-4/51
R317-14	Approval in Change in Point of Discharge of POTW	37241	5YR	01/31/2013	2013-4/52
R317-101	Utah Wastewater Project Assistance Program	37448	5YR	03/28/2013	2013-8/54
GOVERNOR					
<u>Economic Development</u>					
R357-2	Rural Broadband Service Fund	37206	EXT	01/16/2013	2013-4/63
R357-2	Rural Broadband Service Fund	37204	REP	05/01/2013	2013-3/96
R357-3	Refundable Economic Development Tax Credit	37666	5YR	05/30/2013	2013-12/52
R357-6	Technology and Life Science Economic Development and Related Tax Credits	37208	AMD	05/01/2013	2013-4/15
R357-9	Alternative Energy Development Tax Incentives	37207	AMD	05/01/2013	2013-4/16
<u>Planning and Budget, Inspector General of Medicaid Services (Office of)</u>					
R367-1	Office of Inspector General of Medicaid Services	37536	R&R	06/21/2013	2013-10/135

HEALTH

Administration

R380-250 HIPAA Privacy Rule Implementation 37596 5YR 05/06/2013 2013-11/99

Center for Health Data, Vital Records and Statistics

R436-1 Duties of the Department of Health 37418 5YR 03/19/2013 2013-8/55  
 R436-2 Infants of Unknown Parentage; Foundling Registration 37423 5YR 03/21/2013 2013-8/56  
 R436-3 Amendment of Vital Records 37424 5YR 03/21/2013 2013-8/57  
 R436-4 Delayed Registration of Birth 37425 5YR 03/21/2013 2013-8/57  
 R436-7 Death Registration 37426 5YR 03/21/2013 2013-8/58  
 R436-8 Authorization for Final Disposition of Deceased Persons 37427 5YR 03/21/2013 2013-8/58  
 R436-9 Persons and Institutions Required to Keep Monthly Listings of Vital Statistics Events 37428 5YR 03/21/2013 2013-8/59  
 R436-10 Birth and Death Certificates 37429 5YR 03/21/2013 2013-8/60  
 R436-12 Certified Copies of Vital Statistics Records 37430 5YR 03/21/2013 2013-8/60  
 R436-13 Disclosure of Records 37431 5YR 03/21/2013 2013-8/61  
 R436-14 Copies of Data from Vital Records 37432 5YR 03/21/2013 2013-8/61  
 R436-15 Fees 37433 5YR 03/21/2013 2013-8/62  
 R436-16 Violation of Rules 37434 5YR 03/21/2013 2013-8/62  
 R436-17 Review and Approval of Research Requests 37435 5YR 03/21/2013 2013-8/63

Children's Health Insurance Program

R382-1 Benefits and Administration 37608 5YR 05/08/2013 2013-11/100  
 R382-10 Eligibility 37610 5YR 05/09/2013 2013-11/100

Disease Control and Prevention, Environmental Services

R392-103 Food Handler Training and Certificate 37589 NEW 08/01/2013 2013-11/28  
 R392-302-3 General Requirements 37072 AMD 02/28/2013 2012-24/26  
 R392-510-6 Requirements for Smoking Permitted Areas 37454 AMD 07/01/2013 2013-8/8  
 R392-700 Indoor Tanning Bed Sanitation 37251 5YR 02/06/2013 2013-5/209

Disease Control and Prevention, Epidemiology

R386-702 Communicable Disease Rule 37345 AMD 05/15/2013 2013-5/173

Disease Control and Prevention, Health Promotion

R384-201 School-Based Vision Screening for Students in Public Schools 37028 NEW 02/20/2013 2012-23/42  
 R384-201 School-Based Vision Screening for Students in Public Schools 37453 AMD 07/01/2013 2013-8/6

Disease Control and Prevention, Immunization

R396-100 Immunization Rule for Students 37806 5YR 06/28/2013 2013-14/105

Disease Control and Prevention, Laboratory Services

R438-13 Rules for the Certification of Institutions to Obtain Impounded Animals in the State of Utah 37842 5YR 07/12/2013 2013-15/126

Family Health and Preparedness, Child Care Licensing

R430-50 Residential Certificate Child Care 37661 5YR 05/29/2013 2013-12/53  
 R430-60 Hourly Child Care Centers 37662 5YR 05/29/2013 2013-12/54  
 R430-90 Licensed Family Child Care 37663 5YR 05/29/2013 2013-12/54

Family Health and Preparedness, Children with Special Health Care Needs

R398-1 Newborn Screening 37381 AMD 07/01/2013 2013-7/28  
 R398-2 Newborn Hearing Screening 37810 5YR 07/01/2013 2013-14/105  
 R398-20 Early Intervention 37827 EXT 07/09/2013 2013-15/135

Family Health and Preparedness, Emergency Medical Services

R426-2 Air Medical Service Rules 37397 EXD 02/24/2013 2013-7/71  
 R426-2 Air Medical Service Rules 37409 EMR 03/14/2013 2013-7/55  
 R426-2 Air Medical Service Rules 37411 NEW 05/30/2013 2013-7/32  
 R426-6 Emergency Medical Services Competitive Grants Program Rules 37398 EXD 03/01/2013 2013-7/71

RULES INDEX

R426-6	Emergency Medical Services Competitive Grants Program Rules	37408	EMR	03/14/2013	2013-7/59
R426-6	Emergency Medical Services Competitive Grants Program Rules	37410	NEW	05/30/2013	2013-7/36
<u>Family Health and Preparedness, Licensing</u>					
R432-3	General Health Care Facility Rules Inspection and Enforcement	37209	AMD	04/24/2013	2013-4/17
R432-16	Hospice Inpatient Facility Construction	37281	5YR	02/11/2013	2013-5/209
R432-31	Life with Dignity Order	37442	AMD	06/07/2013	2013-8/12
R432-35	Background Screening -- Health Facilities	37441	5YR	03/25/2013	2013-8/55
<u>Health Care Financing</u>					
R410-14	Administrative Hearing Procedures	37045	AMD	01/09/2013	2012-23/44
<u>Health Care Financing, Coverage and Reimbursement Policy</u>					
R414-1-5	Incorporations by Reference	37122	AMD	03/01/2013	2013-2/18
R414-1-5	Incorporations by Reference	37422	AMD	05/29/2013	2013-8/10
R414-1-30	Governing Hierarchy	37546	AMD	07/01/2013	2013-10/142
R414-6	Reduction in Certain Targeted Case Management Services	37391	5YR	03/08/2013	2013-7/65
R414-11	Podiatry Services	37578	AMD	07/01/2013	2013-10/143
R414-14A-26	Payment for Nursing Facility, ICF/ID, and Freestanding Inpatient Hospice Unit Room and Board	37656	AMD	07/22/2013	2013-12/23
R414-27	Medicaid Certification of Nursing Care Facilities	37177	5YR	01/09/2013	2013-3/109
R414-29	Client Review/Education and Restriction Policy	37085	AMD	05/16/2013	2012-24/28
R414-29	Client Review/Education and Restriction Policy	37085	CPR	05/16/2013	2013-7/49
R414-51	Dental, Orthodontia	37559	5YR	04/30/2013	2013-10/213
R414-52	Optometry Services	37580	5YR	05/01/2013	2013-10/214
R414-53	Eyeglasses Services	37591	5YR	05/03/2013	2013-11/101
R414-55	Medicaid Policy for Hospital Emergency Department Copayment Procedures	37807	5YR	06/28/2013	2013-14/106
R414-70	Medical Supplies, Durable Medical Equipment, and Prosthetic Devices	37528	AMD	07/01/2013	2013-10/144
R414-301	Medicaid General Provisions	37221	5YR	01/23/2013	2013-4/52
R414-302	Eligibility Requirements	37215	5YR	01/23/2013	2013-4/53
R414-303	Coverage Groups	37173	EMR	01/07/2013	2013-3/103
R414-303	Coverage Groups	37216	5YR	01/23/2013	2013-4/53
R414-303	Coverage Groups	37301	AMD	04/17/2013	2013-5/179
R414-304	Income and Budgeting	37217	5YR	01/23/2013	2013-4/54
R414-305	Resources	37222	5YR	01/23/2013	2013-4/54
R414-306	Program Benefits and Date of Eligibility	37174	EMR	01/07/2013	2013-3/105
R414-306	Program Benefits and Date of Eligibility	37218	5YR	01/23/2013	2013-4/55
R414-308	Application, Eligibility Determinations and Improper Medical Assistance	37223	5YR	01/23/2013	2013-4/55
R414-401-3	Assessment	37576	AMD	07/01/2013	2013-10/146
R414-506	Hospital Provider Assessments	37577	AMD	07/01/2013	2013-10/147
R414-508	Requirements for Transfer of Bed Licenses	37665	5YR	05/30/2013	2013-12/53
R414-509	Medicaid Autism Waiver Open Enrollment Process	37548	EMR	05/01/2013	2013-10/209
R414-509	Medicaid Autism Waiver Open Enrollment Process	37549	AMD	06/28/2013	2013-10/148
HERITAGE AND ARTS					
<u>Arts and Museums, Museum Services</u>					
R452-200	Office Grants Program	37846	EMR	07/15/2013	2013-15/121
HUMAN RESOURCE MANAGEMENT					
<u>Administration</u>					
R477-1-1	Definitions	37561	AMD	07/01/2013	2013-10/150
R477-2	Administration	37562	AMD	07/01/2013	2013-10/155
R477-4	Filling Positions	37563	AMD	07/01/2013	2013-10/157
R477-5	Employee Status and Probation	37564	AMD	07/01/2013	2013-10/159
R477-6	Compensation	37565	AMD	07/01/2013	2013-10/160



R477-7	Leave	37566	AMD	07/01/2013	2013-10/163
R477-8	Working Conditions	37567	AMD	07/01/2013	2013-10/167
R477-9	Employee Conduct	37568	AMD	07/01/2013	2013-10/170
R477-10-3	Employee Development and Training	37569	AMD	07/01/2013	2013-10/172
R477-11	Discipline	37570	AMD	07/01/2013	2013-10/173
R477-12	Separations	37571	AMD	07/01/2013	2013-10/175
R477-13	Volunteer Programs	37572	AMD	07/01/2013	2013-10/177
R477-14	Substance Abuse and Drug-Free Workplace	37573	AMD	07/01/2013	2013-10/178
R477-15	Workplace Harassment Prevention Policy and Procedure	37574	AMD	07/01/2013	2013-10/180

HUMAN SERVICES

Administration

R495-881	Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule Implementation	37525	5YR	04/15/2013	2013-9/34
----------	---	-------	-----	------------	-----------

Aging and Adult Services

R510-104-11	Liquid Meals	37228	AMD	04/15/2013	2013-4/18
R510-105	"Out and About" Homebound Transportation Assistance Fund Rules	37277	5YR	02/08/2013	2013-5/210

Child and Family Services

R512-41	Qualifying Adoptive Families and Adoption Placement	37645	AMD	07/22/2013	2013-12/24
R512-52	Drug Testing Copayment for Parents of Children in Child and Family Services Custody	37527	REP	06/21/2013	2013-10/182
R512-100	In-Home Services	37501	5YR	04/08/2013	2013-9/35
R512-200	Child Protective Services, Intake Services	37502	5YR	04/08/2013	2013-9/35
R512-201	Child Protective Services, Investigation Services	37503	5YR	04/08/2013	2013-9/36
R512-202	Child Protective Services, General Allegation Categories	37504	5YR	04/08/2013	2013-9/36
R512-300	Out-of-Home Services	37639	5YR	05/16/2013	2013-12/55
R512-301	Out-of-Home Services, Responsibilities Pertaining to a Parent or Guardian	37640	5YR	05/16/2013	2013-12/55
R512-302	Out-of-Home Services, Responsibilities Pertaining to an Out-of-Home Caregiver	37641	5YR	05/16/2013	2013-12/56
R512-302	Out-of-Home Services, Responsibilities Pertaining to an Out-of-Home Caregiver	37646	AMD	07/22/2013	2013-12/27
R512-305	Out-of-Home Services, Transition to Adult Services	37642	5YR	05/16/2013	2013-12/56
R512-500	Kinship Services, Placement and Background Screening	37505	5YR	04/08/2013	2013-9/37

Recovery Services

R527-5-3	Request for Release of Information	37668	AMD	07/22/2013	2013-12/30
R527-38	Unenforceable Cases	37229	AMD	03/25/2013	2013-4/20
R527-39	Applicant/Recipient Cooperation	37164	5YR	01/02/2013	2013-3/110
R527-56	In-kind Support	37165	5YR	01/02/2013	2013-3/110
R527-258	Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program	37113	AMD	02/22/2013	2013-2/20
R527-260	Driver License Suspension for Failure to Pay Support	37303	5YR	02/14/2013	2013-5/210
R527-301	Non-IV-D Income Withholding	37304	5YR	02/14/2013	2013-5/211
R527-302	Income Withholding Fees	37231	5YR	01/28/2013	2013-4/59
R527-305	High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases	37168	5YR	01/03/2013	2013-3/111
R527-430	Administrative Notice of Lien-Levy Procedures	37169	5YR	01/03/2013	2013-3/111
R527-475	State Tax Refund Intercept	37506	5YR	04/08/2013	2013-9/37
R527-920	Mandatory Disbursement to Oblige Through Electronic Funds Transfer	37550	5YR	04/29/2013	2013-10/214

Services for People with Disabilities

R539-1	Eligibility	37110	AMD	02/13/2013	2013-1/2
R539-1-3	Definitions	37245	AMD	04/18/2013	2013-4/21
R539-2	Service Coordination	37111	AMD	02/13/2013	2013-1/8

RULES INDEX

R539-3	Rights and Protections	37163	AMD	05/10/2013	2013-2/21
R539-3	Rights and Protections	37163	CPR	05/10/2013	2013-7/51
<u>Substance Abuse and Mental Health, State Hospital</u>					
R525-2	Patient Rights	37211	5YR	01/23/2013	2013-4/56
R525-3	Medication Treatment of Patients	37224	5YR	01/24/2013	2013-4/56
R525-4	Visitors	37210	5YR	01/23/2013	2013-4/57
R525-5	Background Checks	37214	5YR	01/23/2013	2013-4/57
R525-6	Prohibited Items and Devices	37212	5YR	01/23/2013	2013-4/58
R525-7	Complaints/Suggestions/Concerns	37213	5YR	01/23/2013	2013-4/58
INSURANCE					
<u>Administration</u>					
R590-93	Replacement of Life Insurance and Annuities	37515	AMD	06/11/2013	2013-9/12
R590-94	Rule Permitting Smoker/Nonsmoker Mortality Tables For Use In Determining Minimum Reserve Liabilities and Nonforfeiture Benefits	37412	5YR	03/15/2013	2013-7/66
R590-102	Insurance Department Fee Payment Rule	37018	AMD	01/18/2013	2012-22/131
R590-102-4	General Instructions	37220	NSC	02/15/2013	Not Printed
R590-102-17	Dedicated Fees	37379	AMD	05/14/2013	2013-6/47
R590-154	Unfair Marketing Practices Rule	37421	5YR	03/20/2013	2013-8/63
R590-157	Surplus Lines Insurance Premium Tax and Stamping Fee	37171	5YR	01/07/2013	2013-3/112
R590-164	Uniform Health Billing Rule	37118	AMD	02/25/2013	2013-2/24
R590-171	Surplus Lines Procedures Rule	36846	AMD	01/22/2013	2012-20/74
R590-171	Surplus Lines Procedures Rule	36846	CPR	01/22/2013	2012-24/32
R590-171-3	Definitions	37230	NSC	02/15/2013	Not Printed
R590-186	Bail Bond Surety Business	37840	5YR	07/12/2013	2013-15/127
R590-218	Permitted Language for Reservation of Discretion Clauses	37176	5YR	01/09/2013	2013-3/113
R590-219	Credit Scoring	37600	5YR	05/07/2013	2013-11/101
R590-222	Life Settlements	37598	5YR	05/07/2013	2013-11/102
R590-223	Rule to Recognize the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits	37599	5YR	05/07/2013	2013-11/103
R590-243	Commercial Motor Vehicle Insurance Coverage	37172	5YR	01/07/2013	2013-3/113
R590-247	Universal Health Insurance Application Rule	37768	5YR	06/26/2013	2013-14/107
<u>Title and Escrow Commission</u>					
R592-2-7	Imposition of Penalties	37588	LNR	05/01/2013	2013-11/107
R592-10	Title Insurance Regulation Assessment for Title Insurance Agencies and Title Insurers	37841	5YR	07/12/2013	2013-15/128
JUDICIAL PERFORMANCE EVALUATION COMMISSION					
<u>Administration</u>					
R597-1	General Provisions	37383	AMD	05/14/2013	2013-7/37
R597-3	Judicial Performance Evaluations	37382	AMD	05/14/2013	2013-7/38
LABOR COMMISSION					
<u>Administration</u>					
R600-1	Declaratory Orders	37492	5YR	04/05/2013	2013-9/38
R600-2	Operations	37621	AMD	07/08/2013	2013-11/33
<u>Boiler and Elevator Safety</u>					
R616-1	Coal, Gilsonite, or other Hydrocarbon Mining Certification	37493	5YR	04/05/2013	2013-9/38
R616-1	Coal, Gilsonite, or other Hydrocarbon Mining Certification	37520	NSC	04/29/2013	Not Printed
<u>Industrial Accidents</u>					
R612-1	Workers' Compensation Rules - Procedures	37129	REP	02/25/2013	2013-2/28
R612-2	Workers' Compensation Rules - Health Care Providers	37130	REP	02/25/2013	2013-2/35
R612-3	Workers' Compensation Rules - Self-Insurance	37131	REP	02/25/2013	2013-2/43

R612-4	Premium Rates	37132	REP	02/25/2013	2013-2/46
R612-5	Employee Leasing Company Workers' Compensation Insurance Policy Endorsements	37133	REP	02/25/2013	2013-2/46
R612-6	Notification of Workers' Compensation Insurance Coverage	37134	REP	02/25/2013	2013-2/48
R612-7	Impairment Ratings for Industrial Injuries and Diseases	37135	REP	02/25/2013	2013-2/49
R612-8	Procedural Guidelines for the Reemployment Act	37136	REP	02/25/2013	2013-2/50
R612-9	Designation of the Initial Assessment of Noncompliance Penalties as an "Informal" Proceeding	37137	REP	02/25/2013	2013-2/52
R612-10	HIV, Hepatitis B and C Testing and Reporting for Emergency Medical Services Providers	37138	REP	02/25/2013	2013-2/53
R612-11	Prohibition of Direct Payments by Insured Employer	37139	REP	02/25/2013	2013-2/54
R612-12	Workers' Compensation Coverage Waivers	37140	REP	02/25/2013	2013-2/55
R612-13	Proceedings to Impose Non-Reporting Penalties Against Employers	37141	REP	02/25/2013	2013-2/57
R612-100	Workers' Compensation Rules - General Provisions	37124	NEW	02/25/2013	2013-2/58
R612-200	Workers' Compensation Rules - Filing and Paying Claims	37125	NEW	02/25/2013	2013-2/62
R612-200-1	Acceptance / Denial of a Claim	37622	AMD	07/08/2013	2013-11/34
R612-300	Workers' Compensation Rules - Medical Care	37126	NEW	02/25/2013	2013-2/66
R612-400	Workers' Compensation Insurance, Self-Insurance and Waivers	37127	NEW	02/25/2013	2013-2/76
R612-500	Procedural Guidelines for the Reemployment Act	37128	NEW	02/25/2013	2013-2/79
<b>NATURAL RESOURCES</b>					
<u>Administration</u>					
R634-1	Americans With Disabilities Complaint Procedure	37219	5YR	01/23/2013	2013-4/59
<u>Forestry, Fire and State Lands</u>					
R652-7	Public Petitions for Declaratory Orders	37751	5YR	06/19/2013	2013-14/117
R652-70-2300	Management of Bear Lake Sovereign Lands	37623	AMD	07/08/2013	2013-11/46
R652-110	Off-Highway Vehicle Designations	37752	5YR	06/19/2013	2013-14/118
<u>Oil, Gas and Mining: Administration</u>					
R642-200	Applicability	37472	5YR	04/02/2013	2013-9/39
<u>Oil, Gas and Mining: Coal</u>					
R645-101	Restrictions on State Employees	37473	5YR	04/02/2013	2013-9/39
R645-102	Exemption for Coal Extraction Incident to Government-Financed Highway or Other Construction	37466	5YR	04/01/2013	2013-8/64
R645-104	Protection of Employees	37474	5YR	04/02/2013	2013-9/40
R645-401	Inspection and Enforcement: Civil Penalties	37475	5YR	04/02/2013	2013-9/40
<u>Oil, Gas and Mining: Non-Coal</u>					
R647-1	Minerals Regulatory Program	37467	5YR	04/01/2013	2013-8/65
R647-2	Exploration	37468	5YR	04/01/2013	2013-8/65
R647-3	Small Mining Operations	37469	5YR	04/01/2013	2013-8/66
R647-4	Large Mining Operations	37470	5YR	04/01/2013	2013-8/66
R647-5	Administrative Procedures	37471	5YR	04/01/2013	2013-8/67
R647-6	Inspection and Enforcement: Division Authority and Procedures	37476	5YR	04/02/2013	2013-9/41
R647-7	Inspection and Enforcement: Civil Penalties	37477	5YR	04/02/2013	2013-9/42
R647-8	Inspection and Enforcement: Individual Civil Penalties	37478	5YR	04/02/2013	2013-9/42
<u>Oil, Gas and Mining: Oil and Gas</u>					
R649-1-1	Definitions	37444	NSC	04/15/2013	Not Printed
R649-3-38	Surface Owner Protection Act Provisions	36992	AMD	01/23/2013	2012-22/140

RULES INDEX

R649-6	Gas Processing and Waste Crude Oil Treatment	37479	5YR	04/02/2013	2013-9/43
R649-9	Waste Management and Disposal	37545	R&R	07/01/2013	2013-10/183
R649-9-8	Bonding of Disposal Facilities	37826	NSC	07/26/2013	Not Printed
R649-9-10	Construction and Inspection Requirements for Disposal Facilities	37825	NSC	07/26/2013	Not Printed
<u>Parks and Recreation</u>					
R651-204	Regulating Waterway Markers	37601	AMD	07/08/2013	2013-11/36
R651-214	Temporary Registration	37602	AMD	07/08/2013	2013-11/37
R651-216-8	Use of Non-Navigational Lights	37603	AMD	07/08/2013	2013-11/39
R651-224	Towed Devices	37242	AMD	04/12/2013	2013-4/22
R651-407	Off-Highway Vehicle Advisory Council	37519	5YR	04/12/2013	2013-9/43
R651-408	Off-Highway Vehicle Education Curriculum Standards	36856	REP	01/15/2013	2012-20/77
R651-601	Definitions as Used in These Rules	37762	5YR	06/25/2013	2013-14/107
R651-602	Aircraft and Powerless Flight	37764	5YR	06/25/2013	2013-14/108
R651-603	Animals	37765	5YR	06/25/2013	2013-14/108
R651-604	Audio Devices	37766	5YR	06/25/2013	2013-14/109
R651-605	Begging and Soliciting	37767	5YR	06/25/2013	2013-14/109
R651-606	Camping	37771	5YR	06/27/2013	2013-14/110
R651-607	Disorderly Conduct	37772	5YR	06/27/2013	2013-14/110
R651-608	Events of Special Uses	37776	5YR	06/27/2013	2013-14/111
R651-609	Explosives and Fireworks	37790	5YR	06/27/2013	2013-14/111
R651-610	Expulsion	37791	5YR	06/27/2013	2013-14/112
R651-611	Fee Schedule	37625	AMD	07/08/2013	2013-11/40
R651-613	Fires	37792	5YR	06/27/2013	2013-14/112
R651-614	Fishing, Hunting and Trapping	37793	5YR	06/27/2013	2013-14/113
R651-614	Fishing, Hunting and Trapping	37585	AMD	07/08/2013	2013-11/45
R651-615	Motor Vehicle Use	37794	5YR	06/27/2013	2013-14/113
R651-616	Organized Sports	37798	5YR	06/27/2013	2013-14/114
R651-617	Permit Violation	37800	5YR	06/27/2013	2013-14/114
R651-618	Picnicking	37801	5YR	06/27/2013	2013-14/115
R651-619	Possession of Alcoholic Beverages or Controlled Substances	37802	5YR	06/27/2013	2013-14/115
R651-620	Protection of Resources Park System Property	37803	5YR	06/27/2013	2013-14/116
R651-621	Reports of Injury or Damage	37804	5YR	06/27/2013	2013-14/116
R651-622	Rock Climbing	37813	5YR	07/02/2013	2013-15/128
R651-623	Sale or Distribution of Printed Material	37814	5YR	07/05/2013	2013-15/129
R651-624	Sanitation	37815	5YR	07/05/2013	2013-15/129
R651-625	Shirts and Shoes	37816	5YR	07/05/2013	2013-15/130
R651-626	Skating, Skateboards and Motorized Transportation Devices	37817	5YR	07/05/2013	2013-15/130
R651-627	Swimming	37818	5YR	07/05/2013	2013-15/131
R651-628	Trails and Walks	37819	5YR	07/05/2013	2013-15/131
R651-629	Unattended Property	37820	5YR	07/05/2013	2013-15/132
R651-630	Unsupervised Children	37761	5YR	06/25/2013	2013-14/117
R651-631	Winter Sports	37821	5YR	07/05/2013	2013-15/132
R651-632	Enforcement	37822	5YR	07/05/2013	2013-15/133
R651-633	Special Closures or Restrictions	37205	AMD	03/14/2013	2013-3/100
R651-633	Special Closures or Restrictions	37823	5YR	07/05/2013	2013-15/133
<u>Water Rights</u>					
R655-5	Maps Submitted to the Division of Water Rights	37388	5YR	03/07/2013	2013-7/66
R655-7	Administrative Procedures for Notifying the State Engineer of Sewage Effluent Use or Change in the Point of Discharge for Sewage Effluent	37119	REP	03/07/2013	2013-2/81
<u>Wildlife Resources</u>					
R657-3	Collection, Importation, Transportation, and Possession of Animals	37384	5YR	03/05/2013	2013-7/67
R657-12	Hunting and Fishing Accommodations for People with Disabilities	37225	AMD	04/23/2013	2013-4/24
R657-13	Taking Fish and Crayfish	37069	AMD	01/22/2013	2012-24/29
R657-20	Falconry	37233	AMD	04/23/2013	2013-4/26
R657-20	Falconry	37534	NSC	05/17/2013	Not Printed

R657-34	Procedures for Confirmation of Ordinances on Hunting Closures	37592	5YR	05/06/2013	2013-11/103
R657-37	Cooperative Wildlife Management Units for Big Game or Turkey	37097	AMD	02/07/2013	2013-1/11
R657-37	Cooperative Wildlife Management Units for Big Game or Turkey	37593	5YR	05/06/2013	2013-11/104
R657-42	Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents	37594	5YR	05/06/2013	2013-11/104
R657-44	Big Game Depredation	37643	AMD	07/22/2013	2013-12/31
R657-45	Wildlife License, Permit, and Certificate of Registration Forms	37595	5YR	05/06/2013	2013-11/105
R657-53	Amphibian and Reptile Collection, Importation, Transportation and Possession	37667	5YR	05/30/2013	2013-12/57
R657-58	Fishing Contests and Clinics	37203	5YR	01/15/2013	2013-3/114
R657-64	Predator Control Incentives	37609	AMD	07/08/2013	2013-11/48

PARDONS (BOARD OF)

Administration

R671-312	Commutation Hearings for Death Penalty Cases	37341	5YR	02/15/2013	2013-5/212
R671-312	Commutation Hearings for Death Penalty Cases	37438	AMD	05/22/2013	2013-8/15
R671-312A	Commutation Procedures Applicable to Persons Sentenced to Death Before April 26, 1992	37439	NEW	05/22/2013	2013-8/18
R671-312B	Commutation Procedures Applicable to Persons Sentenced to Death After April 26, 1992	37440	NEW	05/22/2013	2013-8/20
R671-315	Pardons	37455	AMD	05/22/2013	2013-8/23
R671-509	Parole Progress / Violation Reports	37342	5YR	02/15/2013	2013-5/212
R671-509	Parole Progress / Violation Reports	37456	AMD	05/22/2013	2013-8/25
R671-510	Evidence for Issuance of Warrants	37343	5YR	02/15/2013	2013-5/212
R671-510	Evidence for Issuance of Warrants	37457	AMD	05/22/2013	2013-8/26
R671-512	Execution of the Warrant	37344	5YR	02/15/2013	2013-5/213
R671-512	Execution of the Warrant	37458	AMD	05/22/2013	2013-8/27
R671-513	Expedited Determination on Parolee Challenge to Probable Cause	37346	5YR	02/15/2013	2013-5/214
R671-513	Expedited Determination of Parolee Challenge to Probable Cause	37459	AMD	05/22/2013	2013-8/28
R671-514	Waiver and Pleas of Guilt	37347	5YR	02/15/2013	2013-5/214
R671-514	Waiver and Pleas of Guilt	37460	AMD	05/22/2013	2013-8/29
R671-515	Timeliness of Parole Revocation Hearings	37348	5YR	02/15/2013	2013-5/215
R671-515	Timeliness of Parole Revocation Hearings	37461	AMD	05/22/2013	2013-8/31
R671-516	Parole Revocation Hearings	37349	5YR	02/15/2013	2013-5/215
R671-516	Parole Revocation Hearings	37462	AMD	05/22/2013	2013-8/32
R671-517	Evidentiary Hearings and Proceedings	37350	5YR	02/15/2013	2013-5/216
R671-517	Evidentiary Hearings and Proceedings	37463	AMD	05/22/2013	2013-8/33
R671-518	Conduct of Proceedings When a Criminal Charge Results in Conviction	37351	5YR	02/15/2013	2013-5/216
R671-519	Proceedings When Criminal Charges Result in Acquittal	37352	5YR	02/15/2013	2013-5/217
R671-519	Proceedings When Criminal Charges Result in Acquittal	37464	AMD	05/22/2013	2013-8/35
R671-520	Treatment of Confidential Testimony	37353	5YR	02/15/2013	2013-5/217
R671-520	Treatment of Confidential Testimony	37465	AMD	05/22/2013	2013-8/36
R671-522	Continuances Due to Pending Criminal Charges	37354	5YR	02/15/2013	2013-5/218

PROFESSIONAL PRACTICES ADVISORY COMMISSION

Administration

R686-100	Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings	37243	5YR	02/01/2013	2013-4/60
R686-101	Alcohol Related Offenses	37637	5YR	05/16/2013	2013-12/57
R686-102	Drug Related Offenses	37638	5YR	05/16/2013	2013-12/58

RULES INDEX

---

PUBLIC SAFETY

Criminal Investigations and Technical Services, Criminal Identification

R722-300	Concealed Firearm Permit and Instructor Rule	37606	AMD	07/08/2013	2013-11/50
R722-310	Regulation of Bail Bond Recovery and Enforcement Agents	37605	AMD	07/08/2013	2013-11/55
R722-320	Undercover Identification	37226	5YR	01/24/2013	2013-4/61
R722-320	Undercover Identification	37227	NSC	02/15/2013	Not Printed
R722-330	Licensing of Private Investigators	37604	AMD	07/08/2013	2013-11/58
R722-340	Emergency Vehicles	37532	5YR	04/22/2013	2013-10/215
R722-340 (Changed to R698-7)	Emergency Vehicles	37590	NSC	05/31/2013	Not Printed
R722-360	Certificate of Removal from the Sex Offender and Kidnap Offender Registry	37232	NEW	03/25/2013	2013-4/46
R722-900	Review and Challenge of Criminal Record	37514	5YR	04/10/2013	2013-9/44

Driver License

R708-21	Third Party Testing	37614	EMR	05/14/2013	2013-11/89
R708-30	Motorcycle Rider Training Schools	37613	5YR	05/13/2013	2013-11/105
R708-32	Uninsured Motorist Database	37554	R&R	06/30/2013	2013-10/192
R708-33	Electric Assisted Bicycle Headgear	37612	REP	07/08/2013	2013-11/49
R708-45	Renewal or Duplicate License for a Utah Resident Temporarily Residing Out of State	37657	EMR	05/23/2013	2013-12/45
R708-49	Temporary Identification Card	37555	NEW	06/30/2013	2013-10/194

Fire Marshal

R710-5	Automatic Fire Sprinkler System Inspecting and Testing	37443	5YR	03/25/2013	2013-8/67
R710-12	Hazardous Materials Training and Certification	37390	5YR	03/08/2013	2013-7/67

Homeland Security

R704-2	Statewide Mutual Aid Act Activation	37117	NEW	02/25/2013	2013-2/83
--------	-------------------------------------	-------	-----	------------	-----------

Peace Officer Standards and Training

R728-501	Career Development Courses	37805	5YR	06/28/2013	2013-14/118
----------	----------------------------	-------	-----	------------	-------------

PUBLIC SERVICE COMMISSION

Administration

R746-110	Uncontested Matters to be Adjudicated Informally	37757	5YR	06/24/2013	2013-14/119
R746-210	Utility Service Rules Applicable Only to Electric Utilities	37759	5YR	06/24/2013	2013-14/119
R746-240	Telecommunication Service Rules	37760	5YR	06/24/2013	2013-14/120
R746-313	Electric Service Reliability	37116	AMD	02/21/2013	2013-2/87
R746-320	Uniform Rules Governing Natural Gas Service	37041	AMD	01/07/2013	2012-23/48
R746-330	Rules for Water and Sewer Utilities Operating in Utah	37385	5YR	03/05/2013	2013-7/68
R746-332	Depreciation Rates for Water Utilities	37451	5YR	03/28/2013	2013-8/68
R746-340	Service Quality for Telecommunications Corporations	37758	5YR	06/24/2013	2013-14/120
R746-343-15	Surcharge	37449	AMD	07/01/2013	2013-8/37
R746-344	Filing Requirements for Telephone Corporations with Less than 5,000 Access Line Subscribers	37869	5YR	07/31/2013	Not Printed
R746-345	Pole Attachments	37870	5YR	07/31/2013	Not Printed
R746-347	Extended Area Service (EAS)	37386	5YR	03/05/2013	2013-7/68
R746-402	Rules Governing Reports of Accidents by Electric, Gas, Telephone, and Water Utilities	37452	5YR	03/28/2013	2013-8/68
R746-404	Regulation of Promotional Programs of Electric and Gas Public Utilities	37872	5YR	07/31/2013	Not Printed
R746-405	Filing of Tariffs for Gas, Electric, Telephone, and Water Utilities	37450	5YR	03/28/2013	2013-8/69
R746-405	Filing of Tariffs for Gas, Electric, Telephone, and Water Utilities	37447	AMD	06/20/2013	2013-8/38
R746-406	Advertising by Electric and Gas Utilities	37871	5YR	07/31/2013	Not Printed

R746-500	Americans with Disabilities Act Complaint Procedure	37868	5YR	07/31/2013	Not Printed
REGENTS (BOARD OF)					
<u>Administration</u>					
R765-136	Language Proficiency in the Utah System of Higher Education	37551	5YR	04/29/2013	2013-10/216
R765-254	Secure Area Hearing Rooms	37552	5YR	04/29/2013	2013-10/216
R765-555	Policy on Colleges and Universities Providing Facilities, Goods and Services in Competition with Private Enterprise	37553	5YR	04/29/2013	2013-10/217
R765-604	New Century Scholarship	37586	AMD	07/08/2013	2013-11/61
R765-605	Utah Centennial Opportunity Program for Education	37539	5YR	04/24/2013	2013-10/217
R765-605	Utah Centennial Opportunity Program for Education	37547	AMD	06/24/2013	2013-10/195
R765-606	Utah Leveraging Educational Assistance Partnership Program	37540	5YR	04/24/2013	2013-10/218
R765-609	Regents' Scholarship	37587	AMD	07/08/2013	2013-11/65
<u>University of Utah, Administration</u>					
R805-1	Operating Regulations for Bicycles, Skateboards and Scooters	37407	5YR	03/12/2013	2013-7/69
R805-2	Government Records Access and Management Act Procedures	37824	5YR	07/08/2013	2013-15/134
<u>University of Utah, Commuter Services</u>					
R810-1-8	University Vehicle Parking	37096	AMD	03/21/2013	2013-1/12
R810-1-14	Living In A Motor Vehicle On Campus	37098	AMD	03/21/2013	2013-1/13
R810-2-1	Parking Meters	37092	AMD	03/21/2013	2013-1/14
R810-12	Bicycles, Skateboards and Other Toy Vehicles	37387	EXD	03/07/2013	2013-7/71
TAX COMMISSION					
<u>Administration</u>					
R861-1A-12	Policies and Procedures Regarding Public Disclosure Pursuant to Utah Code Ann. Sections 41-3-209, 59-1-210, 59-1-403, and 59-1-405	36991	AMD	01/10/2013	2012-22/144
R861-1A-26	Procedures for Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501 and 63G-4-204 through 63G-4-209	37104	AMD	02/21/2013	2013-1/15
R861-1A-37	Provisions Relating to Disclosure of Commercial Information Pursuant to Utah Code Ann. Section 59-1-404	37106	AMD	02/21/2013	2013-1/17
R861-1A-46	Procedures for Purchaser Refund Requests Pursuant to Utah Code Ann. Sections 59-1-1410 and 59-12-110	37107	AMD	02/21/2013	2013-1/18
<u>Auditing</u>					
R865-9I-13	Pass-Through Entity Withholding Pursuant to Utah Code Ann. Sections 59-10-116, 59-10-117, 59-10-118, 59-10-1403.2, and 59-10-1405	37108	AMD	02/21/2013	2013-1/20
R865-9I-46	Medical Savings Account Administration Pursuant to Utah Code Ann. Sections 31A-32a-106, 59-10-114, and 59-10-1021	37178	NSC	01/31/2013	Not Printed
<u>Property Tax</u>					
R884-24P-67	Information Required for Valuation of Low-Income Housing Pursuant to Utah Code Ann. Sections 59-2-102 and 59-2-301.3	37109	AMD	02/21/2013	2013-1/22

RULES INDEX

---

TRANSPORTATION

Administration

R907-64	Longitudinal and Wireless Access to Interstate Highway Rights-of-Way for Installation of Telecommunications Facilities	37094	R&R	02/07/2013	2013-1/23
---------	--	-------	-----	------------	-----------

Motor Carrier

R909-19-7	Towing Notice Requirements	37624	EMR	05/14/2013	2013-11/93
-----------	----------------------------	-------	-----	------------	------------

Operations, Maintenance

R918-4	Using Volunteer Groups and Third Party Contractors for the Adopt-a-Highway and Sponsor-a-Highway Litter Pickup Programs	37874	5YR	08/01/2013	Not Printed
--------	---	-------	-----	------------	-------------

WORKFORCE SERVICES

Employment Development

R986-100-118a	Improper Access of Public Assistance Benefits	37541	AMD	06/27/2013	2013-10/200
R986-700-710	Income Limits for ES CC	37025	AMD	01/02/2013	2012-22/146
R986-900-902	Options and Waivers	37067	AMD	01/08/2013	2012-23/50

Housing and Community Development

R990-101	Qualified Emergency Food Agencies Fund (QEFAF)	37542	AMD	07/01/2013	2013-10/201
----------	--	-------	-----	------------	-------------

Unemployment Insurance

R994-201	Definition of Terms in Employment Security Act	37518	5YR	04/11/2013	2013-9/44
R994-202	Employing Units	37543	5YR	04/25/2013	2013-10/218
R994-208	Wages	37544	5YR	04/25/2013	2013-10/219
R994-305	Collection of Contributions	37066	AMD	01/08/2013	2012-23/52
R994-305-1201	Offer in Compromise	37023	AMD	01/02/2013	2012-22/147
R994-306	Charging Benefit Costs to Employers	37652	5YR	05/16/2013	2013-12/58
R994-307	Social Costs -- Relief of Charges	37651	5YR	05/16/2013	2013-12/59
R994-315	Centralized New Hire Registry Reporting	37650	5YR	05/16/2013	2013-12/59
R994-403	Claim for Benefits	37647	5YR	05/16/2013	2013-12/60
R994-403	Claim for Benefits	37517	AMD	06/12/2013	2013-9/23
R994-403-115c	Period of Ineligibility	37671	AMD	08/01/2013	2013-12/38
R994-405	Ineligibility for Benefits	37648	5YR	05/16/2013	2013-12/60
R994-406	Fraud, Fault and Nonfault Overpayments	37024	AMD	01/02/2013	2012-22/148
R994-406-301	Claimant Fault	37238	AMD	04/02/2013	2013-4/48
R994-406-403	Fraud Disqualification and Penalty	37516	AMD	06/12/2013	2013-9/26
R994-508	Appeal Procedures	37649	5YR	05/16/2013	2013-12/61
R994-508-102	Time Limits for Filing an Appeal from an Initial Department Determination	37670	AMD	08/01/2013	2013-12/39

**RULES INDEX - BY KEYWORD (SUBJECT)**

**ABBREVIATIONS**

AMD = Amendment	NSC = Nonsubstantive rule change
CPR = Change in proposed rule	REP = Repeal
EMR = Emergency rule (120 day)	R&R = Repeal and reenact
NEW = New rule	5YR = Five-Year Review
EXD = Expired	

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>access</u> Environmental Quality, Drinking Water	37732	R309-545	NSC	07/09/2013	Not Printed



<u>access to information</u>					
Administrative Services, Archives	37653	R17-5	5YR	05/17/2013	2013-12/49
	37654	R17-6	5YR	05/17/2013	2013-12/49
	37659	R17-7	5YR	05/28/2013	2013-12/50
	37655	R17-8	5YR	05/17/2013	2013-12/50
<u>accessing records</u>					
Human Services, Recovery Services	37668	R527-5-3	AMD	07/22/2013	2013-12/30
<u>acquit</u>					
Pardons (Board Of), Administration	37352	R671-519	5YR	02/15/2013	2013-5/217
	37464	R671-519	AMD	05/22/2013	2013-8/35
<u>adhesives</u>					
Environmental Quality, Air Quality	37275	R307-342	NEW	08/01/2013	2013-5/17
	37275	R307-342	CPR	08/01/2013	2013-13/208
<u>adjudicative procedures</u>					
Environmental Quality, Administration	36554	R305-6	REP	01/31/2013	2012-16/28
	36554	R305-6	CPR	01/31/2013	2013-1/32
	36553	R305-7	NEW	01/31/2013	2012-16/45
	36553	R305-7	CPR	01/31/2013	2013-1/32
<u>adjudicative proceedings</u>					
Environmental Quality, Drinking Water	37783	R309-115	NSC	07/19/2013	Not Printed
Environmental Quality, Environmental Response and Remediation	37513	R311-500	NSC	04/29/2013	Not Printed
Environmental Quality, Radiation Control	37192	R313-17	AMD	03/19/2013	2013-3/40
Environmental Quality, Solid and Hazardous Waste	37314	R315-12	AMD	04/25/2013	2013-5/101
Environmental Quality, Water Quality	37239	R317-9	5YR	01/31/2013	2013-4/51
<u>administrative fines</u>					
Commerce, Securities	37660	R164-31	5YR	05/28/2013	2013-12/52
	37042	R164-31-1	AMD	01/08/2013	2012-23/26
<u>administrative law</u>					
Human Services, Recovery Services	37113	R527-258	AMD	02/22/2013	2013-2/20
<u>administrative poceedings</u>					
Environmental Quality, Drinking Water	37783	R309-115	NSC	07/19/2013	Not Printed
<u>administrative procedures</u>					
Administrative Services, Administration	37839	R13-1	5YR	07/11/2013	2013-15/123
Commerce, Real Estate	36973	R162-2g	AMD	01/02/2013	2012-22/19
Crime Victim Reparations, Administration	37063	R270-2	AMD	01/07/2013	2012-23/33
	37167	R270-2	NSC	01/30/2013	Not Printed
Environmental Quality, Administration	36554	R305-6	REP	01/31/2013	2012-16/28
	36554	R305-6	CPR	01/31/2013	2013-1/32
	36553	R305-7	NEW	01/31/2013	2012-16/45
	36553	R305-7	CPR	01/31/2013	2013-1/32
Environmental Quality, Drinking Water	37781	R309-100	NSC	07/19/2013	Not Printed
Environmental Quality, Radiation Control	37192	R313-17	AMD	03/19/2013	2013-3/40
Environmental Quality, Solid and Hazardous Waste	37306	R315-2	AMD	04/25/2013	2013-5/48
Human Resource Management, Administration	37571	R477-12	AMD	07/01/2013	2013-10/175
	37574	R477-15	AMD	07/01/2013	2013-10/180
Labor Commission, Industrial Accidents	37138	R612-10	REP	02/25/2013	2013-2/53
	37139	R612-11	REP	02/25/2013	2013-2/54
	37140	R612-12	REP	02/25/2013	2013-2/55
	37141	R612-13	REP	02/25/2013	2013-2/57
	37124	R612-100	NEW	02/25/2013	2013-2/58
Natural Resources; Forestry, Fire and State Lands	37751	R652-7	5YR	06/19/2013	2013-14/117
	37623	R652-70-2300	AMD	07/08/2013	2013-11/46
<u>administrative proceedings</u>					
Environmental Quality, Environmental Response and Remediation	37482	R311-201	NSC	04/29/2013	Not Printed

RULES INDEX

	37513	R311-500	NSC	04/29/2013	Not Printed
Environmental Quality, Solid and Hazardous Waste	37314	R315-12	AMD	04/25/2013	2013-5/101
Environmental Quality, Water Quality	37239	R317-9	5YR	01/31/2013	2013-4/51
Labor Commission, Industrial Accidents	37129	R612-1	REP	02/25/2013	2013-2/28
	37125	R612-200	NEW	02/25/2013	2013-2/62
	37622	R612-200-1	AMD	07/08/2013	2013-11/34
<u>administrative responsibility</u>					
Human Resource Management, Administration	37562	R477-2	AMD	07/01/2013	2013-10/155
<u>administrative rules</u>					
Human Resource Management, Administration	37572	R477-13	AMD	07/01/2013	2013-10/177
<u>adopt-a-highway</u>					
Transportation, Operations, Maintenance	37874	R918-4	5YR	08/01/2013	Not Printed
<u>adoption</u>					
Human Services, Child and Family Services	37645	R512-41	AMD	07/22/2013	2013-12/24
<u>adult education</u>					
Education, Administration	37404	R277-702	5YR	03/12/2013	2013-7/64
	37415	R277-702	AMD	05/16/2013	2013-7/26
<u>advertising</u>					
Public Service Commission, Administration	37871	R746-406	5YR	07/31/2013	Not Printed
<u>aerospace</u>					
Environmental Quality, Air Quality	36737	R307-355	NEW	02/01/2013	2012-19/91
	36737	R307-355	CPR	02/01/2013	2013-1/82
	37237	R307-355-5	NSC	02/15/2013	Not Printed
<u>agencies</u>					
Administrative Services, Facilities Construction and Management	37845	R23-30	5YR	07/15/2013	2013-15/123
<u>agent of the state</u>					
Public Safety, Homeland Security	37117	R704-2	NEW	02/25/2013	2013-2/83
<u>aggregate</u>					
Environmental Quality, Air Quality	36740	R307-312	NEW	02/01/2013	2012-19/45
	36740	R307-312	CPR	02/01/2013	2013-1/47
<u>agriculture law</u>					
Agriculture and Food, Animal Industry	37247	R58-19	AMD	03/25/2013	2013-4/13
<u>air medical services</u>					
Health, Family Health and Preparedness, Emergency Medical Services	37409	R426-2	EMR	03/14/2013	2013-7/55
	37411	R426-2	NEW	05/30/2013	2013-7/32
<u>air pollution</u>					
Environmental Quality, Administration	37847	R305-4	5YR	07/15/2013	2013-15/126
Environmental Quality, Air Quality	36723	R307-101-2	AMD	02/01/2013	2012-19/29
	36723	R307-101-2	CPR	02/01/2013	2013-1/38
	37702	R307-101-2	NSC	07/09/2013	Not Printed
	37261	R307-102	5YR	02/06/2013	2013-5/191
	37260	R307-115	5YR	02/06/2013	2013-5/192
	37259	R307-170	5YR	02/06/2013	2013-5/192
	36481	R307-208	NEW	04/10/2013	2012-15/12
	36481	R307-208	CPR	04/10/2013	2012-23/56
	36481	R307-208	CPR	04/10/2013	2013-5/184
	37258	R307-220	5YR	02/06/2013	2013-5/193
	37257	R307-221	5YR	02/06/2013	2013-5/194
	37256	R307-222	5YR	02/06/2013	2013-5/194
	37255	R307-223	5YR	02/06/2013	2013-5/195
	37254	R307-224	5YR	02/06/2013	2013-5/195
	37253	R307-250	5YR	02/06/2013	2013-5/196

36741	R307-307	AMD	02/01/2013	2012-19/42	
36741	R307-307	CPR	02/01/2013	2013-1/45	
37234	R307-307	NSC	02/15/2013	Not Printed	
36740	R307-312	NEW	02/01/2013	2012-19/45	
36740	R307-312	CPR	02/01/2013	2013-1/47	
36725	R307-340	REP	02/01/2013	2012-19/49	
36725	R307-340	CPR	02/01/2013	2013-1/48	
37275	R307-342	NEW	08/01/2013	2013-5/17	
37275	R307-342	CPR	08/01/2013	2013-13/208	
36738	R307-343	AMD	05/01/2013	2012-19/56	
36738	R307-343	CPR	05/01/2013	2013-1/49	
36738	R307-343	CPR	05/01/2013	2013-7/44	
36727	R307-345	NEW	02/01/2013	2012-19/67	
36727	R307-345	CPR	02/01/2013	2013-1/54	
36728	R307-346	NEW	02/01/2013	2012-19/69	
36728	R307-346	CPR	02/01/2013	2013-1/57	
36729	R307-347	NEW	02/01/2013	2012-19/71	
36729	R307-347	CPR	02/01/2013	2013-1/59	
36730	R307-348	NEW	02/01/2013	2012-19/73	
36730	R307-348	CPR	02/01/2013	2013-1/61	
36731	R307-349	NEW	02/01/2013	2012-19/74	
36731	R307-349	CPR	02/01/2013	2013-1/63	
36732	R307-350	NEW	02/01/2013	2012-19/76	
36732	R307-350	CPR	02/01/2013	2013-1/65	
36733	R307-351	NEW	02/01/2013	2012-19/80	
36733	R307-351	CPR	02/01/2013	2013-1/69	
37235	R307-351-4	NSC	02/15/2013	Not Printed	
36734	R307-352	NEW	02/01/2013	2012-19/84	
36734	R307-352	CPR	02/01/2013	2013-1/73	
36735	R307-353	NEW	05/01/2013	2012-19/86	
36735	R307-353	CPR	05/01/2013	2013-1/75	
36735	R307-353	CPR	05/01/2013	2013-7/46	
36736	R307-354	NEW	02/01/2013	2012-19/88	
36736	R307-354	CPR	02/01/2013	2013-1/79	
36737	R307-355	NEW	02/01/2013	2012-19/91	
36737	R307-355	CPR	02/01/2013	2013-1/82	
37237	R307-355-5	NSC	02/15/2013	Not Printed	
37276	R307-357	NEW	08/01/2013	2013-5/22	
37276	R307-357	CPR	08/01/2013	2013-13/213	
37037	R307-401-15	AMD	02/07/2013	2012-23/40	
37236	R307-401-15	NSC	02/15/2013	Not Printed	
37268	R307-401-19	AMD	07/01/2013	2013-5/36	
37268	R307-401-19	CPR	07/01/2013	2013-11/72	
37269	R307-401-20	AMD	07/01/2013	2013-5/36	
37269	R307-401-20	CPR	07/01/2013	2013-11/72	
37265	R307-420	AMD	07/01/2013	2013-5/43	
37265	R307-420	CPR	07/01/2013	2013-11/78	
37252	R307-801	5YR	02/06/2013	2013-5/197	
<u>air quality</u>					
Environmental Quality, Air Quality	37263	R307-403-1	AMD	07/01/2013	2013-5/37
	37263	R307-403-1	CPR	07/01/2013	2013-11/73
	37264	R307-403-2	AMD	07/01/2013	2013-5/39
	37264	R307-403-2	CPR	07/01/2013	2013-11/74
	37266	R307-403-10	AMD	07/01/2013	2013-5/42
	37266	R307-403-10	CPR	07/01/2013	2013-11/77
	37267	R307-403-11	AMD	07/01/2013	2013-5/43
	37267	R307-403-11	CPR	07/01/2013	2013-11/77
<u>air travel</u>					
Administrative Services, Finance	37523	R25-7	5YR	04/15/2013	2013-9/30
	37556	R25-7	AMD	06/21/2013	2013-10/7
<u>alcoholic beverages</u>					
Alcoholic Beverage Control, Administration	37611	R81-1-31	EMR	05/13/2013	2013-11/88
	37363	R81-1-31	AMD	06/25/2013	2013-6/4
	37363	R81-1-31	CPR	06/25/2013	2013-10/206

RULES INDEX

	37365	R81-2-12	AMD	04/30/2013	2013-6/5
	37367	R81-4A-2	AMD	04/30/2013	2013-6/5
	37615	R81-4A-2	AMD	07/30/2013	2013-11/6
	37368	R81-4B-2	AMD	04/30/2013	2013-6/6
	37834	R81-4C	5YR	07/10/2013	2013-15/124
	37369	R81-4C-2	AMD	04/30/2013	2013-6/7
	37616	R81-4C-2	AMD	07/30/2013	2013-11/7
	37835	R81-4D	5YR	07/11/2013	2013-15/125
	37370	R81-4D-2	AMD	04/30/2013	2013-6/8
	37371	R81-4E-2	AMD	04/30/2013	2013-6/9
	37372	R81-4F-2	AMD	04/30/2013	2013-6/10
	37373	R81-5-2	AMD	04/30/2013	2013-6/11
	37618	R81-5-5	AMD	07/30/2013	2013-11/9
	37619	R81-5-18	NSC	06/07/2013	Not Printed
	37377	R81-9-1	AMD	04/30/2013	2013-6/12
	37673	R81-10	5YR	05/31/2013	2013-12/51
	37374	R81-10A-3	AMD	04/30/2013	2013-6/13
	37836	R81-10B	5YR	07/11/2013	2013-15/125
	37375	R81-10C-2	AMD	04/30/2013	2013-6/14
	37376	R81-10D-2	AMD	04/30/2013	2013-6/15
	37378	R81-11-1	AMD	04/30/2013	2013-6/16
<u>allegations</u>					
Pardons (Board Of), Administration	37347	R671-514	5YR	02/15/2013	2013-5/214
	37460	R671-514	AMD	05/22/2013	2013-8/29
<u>allowance</u>					
Administrative Services, Finance	37524	R25-8	5YR	04/15/2013	2013-9/30
	37557	R25-8	AMD	06/21/2013	2013-10/12
<u>alternative energy</u>					
Governor, Economic Development	37207	R357-9	AMD	05/01/2013	2013-4/16
<u>alternative fuels</u>					
Environmental Quality, Administration	37847	R305-4	5YR	07/15/2013	2013-15/126
<u>amendments</u>					
Health, Center for Health Data, Vital Records and Statistics	37424	R436-3	5YR	03/21/2013	2013-8/57
<u>amphibians</u>					
Natural Resources, Wildlife Resources	37667	R657-53	5YR	05/30/2013	2013-12/57
<u>animal protection</u>					
Natural Resources, Wildlife Resources	37384	R657-3	5YR	03/05/2013	2013-7/67
<u>animals</u>					
Health, Disease Control and Prevention, Laboratory Services	37842	R438-13	5YR	07/12/2013	2013-15/126
<u>annuity replacement</u>					
Insurance, Administration	37515	R590-93	AMD	06/11/2013	2013-9/12
<u>antipoverty programs</u>					
Workforce Services, Housing and Community Development	37542	R990-101	AMD	07/01/2013	2013-10/201
<u>appellate procedures</u>					
Administrative Services, Administration	37839	R13-1	5YR	07/11/2013	2013-15/123
Crime Victim Reparations, Administration	37063	R270-2	AMD	01/07/2013	2012-23/33
	37167	R270-2	NSC	01/30/2013	Not Printed
Workforce Services, Unemployment Insurance	37649	R994-508	5YR	05/16/2013	2013-12/61
	37670	R994-508-102	AMD	08/01/2013	2013-12/39
<u>applications</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	37215	R414-302	5YR	01/23/2013	2013-4/53

Natural Resources, Water Rights	37223 37388	R414-308 R655-5	5YR 5YR	01/23/2013 03/07/2013	2013-4/55 2013-7/66
<u>appointment to office</u> Health, Center for Health Data, Vital Records and Statistics	37418	R436-1	5YR	03/19/2013	2013-8/55
<u>appraisals</u> Tax Commission, Property Tax	37109	R884-24P-67	AMD	02/21/2013	2013-1/22
<u>approval orders</u> Environmental Quality, Air Quality	37037 37236 37268 37268 37269 37269	R307-401-15 R307-401-15 R307-401-19 R307-401-19 R307-401-20 R307-401-20	AMD NSC AMD CPR AMD CPR	02/07/2013 02/15/2013 07/01/2013 07/01/2013 07/01/2013 07/01/2013	2012-23/40 Not Printed 2013-5/36 2013-11/72 2013-5/36 2013-11/72
<u>architects</u> Commerce, Occupational and Professional Licensing	37073	R156-3a-102	AMD	01/24/2013	2012-24/6
<u>arts program</u> Education, Administration	37711	R277-490	5YR	06/10/2013	2013-13/231
<u>asbestos</u> Environmental Quality, Air Quality	37252	R307-801	5YR	02/06/2013	2013-5/197
<u>asbestos hazard emergency response</u> Environmental Quality, Air Quality	37252	R307-801	5YR	02/06/2013	2013-5/197
<u>asphalt</u> Environmental Quality, Air Quality	36740 36740	R307-312 R307-312	NEW CPR	02/01/2013 02/01/2013	2012-19/45 2013-1/47
<u>athletes</u> Education, Administration	37630 37635	R277-614 R277-614	5YR AMD	05/15/2013 07/08/2013	2013-11/99 2013-11/23
<u>audit committee</u> Education, Administration	37356 37538	R277-113 R277-113-5	NEW NSC	04/22/2013 05/17/2013	2013-6/28 Not Printed
<u>automatic fire sprinklers</u> Public Safety, Fire Marshal	37443	R710-5	5YR	03/25/2013	2013-8/67
<u>automotive refinishing</u> Environmental Quality, Air Quality	36736 36736	R307-354 R307-354	NEW CPR	02/01/2013 02/01/2013	2012-19/88 2013-1/79
<u>background checks</u> Human Services, Substance Abuse and Mental Health, State Hospital	37214	R525-5	5YR	01/23/2013	2013-4/57
<u>background screening</u> Health, Family Health and Preparedness, Licensing	37441	R432-35	5YR	03/25/2013	2013-8/55
<u>bail bond enforcement agent</u> Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37605	R722-310	AMD	07/08/2013	2013-11/55
<u>bail bond recovery agent</u> Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37605	R722-310	AMD	07/08/2013	2013-11/55
<u>bail bond recovery apprentice</u> Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37605	R722-310	AMD	07/08/2013	2013-11/55

RULES INDEX

---

<u>beam limitation</u> Environmental Quality, Radiation Control	37183	R313-28	NSC	01/31/2013	Not Printed
<u>beekeeping</u> Agriculture and Food, Plant Industry	37631	R68-1	NSC	06/07/2013	Not Printed
<u>benefits</u> Labor Commission, Industrial Accidents	37131	R612-3	REP	02/25/2013	2013-2/43
<u>bicycles</u> Regents (Board Of), University of Utah, Administration	37407	R805-1	5YR	03/12/2013	2013-7/69
<u>big game</u> Natural Resources, Wildlife Resources	37643	R657-44	AMD	07/22/2013	2013-12/31
<u>birds</u> Natural Resources, Wildlife Resources	37233 37534	R657-20 R657-20	AMD NSC	04/23/2013 05/17/2013	2013-4/26 Not Printed
<u>board meetings</u> Environmental Quality, Administration	37360	R305-2	5YR	02/25/2013	2013-6/50
<u>board member recusal</u> Environmental Quality, Administration	36776 36776	R305-9 R305-9	NEW CPR	02/22/2013 02/22/2013	2012-19/28 2013-2/94
<u>boards</u> Administrative Services, Finance	37521 37558	R25-5 R25-5	5YR AMD	04/15/2013 06/21/2013	2013-9/29 2013-10/6
<u>boating</u> Natural Resources, Parks and Recreation	37601 37602 37603 37242	R651-204 R651-214 R651-216-8 R651-224	AMD AMD AMD AMD	07/08/2013 07/08/2013 07/08/2013 04/12/2013	2013-11/36 2013-11/37 2013-11/39 2013-4/22
<u>brachytherapy</u> Environmental Quality, Radiation Control	37184	R313-32	NSC	01/31/2013	Not Printed
<u>breaks</u> Human Resource Management, Administration	37567	R477-8	AMD	07/01/2013	2013-10/167
<u>broad scope</u> Environmental Quality, Radiation Control	37195	R313-22	AMD	03/19/2013	2013-3/56
<u>broadband</u> Governor, Economic Development	37206 37204	R357-2 R357-2	EXT REP	01/16/2013 05/01/2013	2013-4/63 2013-3/96
<u>budgeting</u> Health, Health Care Financing, Coverage and Reimbursement Policy	37217	R414-304	5YR	01/23/2013	2013-4/54
<u>bulls</u> Agriculture and Food, Animal Industry	36962	R58-21	AMD	01/04/2013	2012-22/16
<u>camp resort</u> Commerce, Real Estate	37076	R162-57a	AMD	04/02/2013	2012-24/14
<u>capacity development</u> Environmental Quality, Drinking Water	37747	R309-800	NSC	07/09/2013	Not Printed
<u>capital punishment</u> Pardons (Board Of), Administration	37341 37438	R671-312 R671-312	5YR AMD	02/15/2013 05/22/2013	2013-5/212 2013-8/15

	37439	R671-312A	NEW	05/22/2013	2013-8/18
	37440	R671-312B	NEW	05/22/2013	2013-8/20
<u>career and technical education</u>					
Education, Administration	37399	R277-518	5YR	03/12/2013	2013-7/61
<u>career development courses</u>					
Public Safety, Peace Officer Standards and Training	37805	R728-501	5YR	06/28/2013	2013-14/118
<u>case management</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	37391	R414-6	5YR	03/08/2013	2013-7/65
<u>cattle</u>					
Agriculture and Food, Animal Industry	36962	R58-21	AMD	01/04/2013	2012-22/16
<u>certificate of registration</u>					
Natural Resources, Wildlife Resources	37595	R657-45	5YR	05/06/2013	2013-11/105
<u>certificate of removal</u>					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37232	R722-360	NEW	03/25/2013	2013-4/46
<u>certification</u>					
Labor Commission, Boiler and Elevator Safety	37493	R616-1	5YR	04/05/2013	2013-9/38
	37520	R616-1	NSC	04/29/2013	Not Printed
<u>certifications</u>					
Transportation, Motor Carrier	37624	R909-19-7	EMR	05/14/2013	2013-11/93
<u>certified nurse midwife</u>					
Commerce, Occupational and Professional Licensing	37071	R156-44a	AMD	01/22/2013	2012-24/11
<u>charbroilers</u>					
Environmental Quality, Air Quality	36480	R307-303	NEW	04/10/2013	2012-15/13
	36480	R307-303	CPR	04/10/2013	2012-23/60
	36480	R307-303	CPR	04/10/2013	2013-5/186
<u>child abuse</u>					
Human Services, Child and Family Services	37502	R512-200	5YR	04/08/2013	2013-9/35
	37503	R512-201	5YR	04/08/2013	2013-9/36
	37504	R512-202	5YR	04/08/2013	2013-9/36
	37639	R512-300	5YR	05/16/2013	2013-12/55
	37640	R512-301	5YR	05/16/2013	2013-12/55
<u>child care</u>					
Workforce Services, Employment Development	37025	R986-700-710	AMD	01/02/2013	2012-22/146
<u>child care facilities</u>					
Health, Family Health and Preparedness, Child Care Licensing	37661	R430-50	5YR	05/29/2013	2013-12/53
	37662	R430-60	5YR	05/29/2013	2013-12/54
	37663	R430-90	5YR	05/29/2013	2013-12/54
<u>child support</u>					
Human Services, Recovery Services	37229	R527-38	AMD	03/25/2013	2013-4/20
	37164	R527-39	5YR	01/02/2013	2013-3/110
	37165	R527-56	5YR	01/02/2013	2013-3/110
	37113	R527-258	AMD	02/22/2013	2013-2/20
	37303	R527-260	5YR	02/14/2013	2013-5/210
	37304	R527-301	5YR	02/14/2013	2013-5/211
	37231	R527-302	5YR	01/28/2013	2013-4/59
	37168	R527-305	5YR	01/03/2013	2013-3/111
	37169	R527-430	5YR	01/03/2013	2013-3/111
	37506	R527-475	5YR	04/08/2013	2013-9/37
	37550	R527-920	5YR	04/29/2013	2013-10/214

RULES INDEX

---

child welfare

Human Services, Child and Family Services	37645	R512-41	AMD	07/22/2013	2013-12/24
	37527	R512-52	REP	06/21/2013	2013-10/182
	37501	R512-100	5YR	04/08/2013	2013-9/35
	37502	R512-200	5YR	04/08/2013	2013-9/35
	37503	R512-201	5YR	04/08/2013	2013-9/36
	37504	R512-202	5YR	04/08/2013	2013-9/36
	37639	R512-300	5YR	05/16/2013	2013-12/55
	37640	R512-301	5YR	05/16/2013	2013-12/55
	37641	R512-302	5YR	05/16/2013	2013-12/56
	37646	R512-302	AMD	07/22/2013	2013-12/27
	37642	R512-305	5YR	05/16/2013	2013-12/56
	37505	R512-500	5YR	04/08/2013	2013-9/37

children's health benefits

Health, Children's Health Insurance Program	37608	R382-1	5YR	05/08/2013	2013-11/100
	37610	R382-10	5YR	05/09/2013	2013-11/100

chronically ill

Corrections, Administration	37389	R251-114	5YR	03/07/2013	2013-7/61
-----------------------------	-------	----------	-----	------------	-----------

civil rights

Natural Resources, Administration	37219	R634-1	5YR	01/23/2013	2013-4/59
-----------------------------------	-------	--------	-----	------------	-----------

client rights

Health, Health Care Financing, Coverage and Reimbursement Policy	37221	R414-301	5YR	01/23/2013	2013-4/52
--	-------	----------	-----	------------	-----------

coal mines

Natural Resources, Oil, Gas and Mining; Coal	37473	R645-101	5YR	04/02/2013	2013-9/39
	37466	R645-102	5YR	04/01/2013	2013-8/64
	37474	R645-104	5YR	04/02/2013	2013-9/40
	37475	R645-401	5YR	04/02/2013	2013-9/40

coatings

Environmental Quality, Air Quality	36738	R307-343	AMD	05/01/2013	2012-19/56
	36738	R307-343	CPR	05/01/2013	2013-1/49
	36738	R307-343	CPR	05/01/2013	2013-7/44
	36731	R307-349	NEW	02/01/2013	2012-19/74
	36731	R307-349	CPR	02/01/2013	2013-1/63
	36732	R307-350	NEW	02/01/2013	2012-19/76
	36732	R307-350	CPR	02/01/2013	2013-1/65
	36735	R307-353	NEW	05/01/2013	2012-19/86
	36735	R307-353	CPR	05/01/2013	2013-1/75
	36735	R307-353	CPR	05/01/2013	2013-7/46
	36736	R307-354	NEW	02/01/2013	2012-19/88
	36736	R307-354	CPR	02/01/2013	2013-1/79
	36737	R307-355	CPR	02/01/2013	2013-1/82
	37237	R307-355-5	NSC	02/15/2013	Not Printed

coil coatings

Environmental Quality, Air Quality	36734	R307-352	NEW	02/01/2013	2012-19/84
	36734	R307-352	CPR	02/01/2013	2013-1/73

colleges

Regents (Board Of), Administration	37553	R765-555	5YR	04/29/2013	2013-10/217
------------------------------------	-------	----------	-----	------------	-------------

comment

Environmental Quality, Radiation Control	37192	R313-17	AMD	03/19/2013	2013-3/40
--	-------	---------	-----	------------	-----------

commercial cooking

Environmental Quality, Air Quality	36480	R307-303	NEW	04/10/2013	2012-15/13
	36480	R307-303	CPR	04/10/2013	2012-23/60
	36480	R307-303	CPR	04/10/2013	2013-5/186

commercial motor vehicle insurance

Insurance, Administration	37172	R590-243	5YR	01/07/2013	2013-3/113
---------------------------	-------	----------	-----	------------	------------



<u>communicable diseases</u> Health, Disease Control and Prevention, Epidemiology	37345	R386-702	AMD	05/15/2013	2013-5/173
<u>community action programs</u> Workforce Services, Housing and Community Development	37542	R990-101	AMD	07/01/2013	2013-10/201
<u>commutation</u> Pardons (Board Of), Administration	37439 37440	R671-312A R671-312B	NEW NEW	05/22/2013 05/22/2013	2013-8/18 2013-8/20
<u>complaints</u> Education, Administration Human Services, Substance Abuse and Mental Health, State Hospital Public Service Commission, Administration	37626 37213 37868	R277-104 R525-7 R746-500	5YR 5YR 5YR	05/15/2013 01/23/2013 07/31/2013	2013-11/97 2013-4/58 Not Printed
<u>compliance determinations</u> Environmental Quality, Drinking Water	37786 37784 37788	R309-205 R309-210 R309-215	NSC NSC NSC	07/19/2013 07/19/2013 07/19/2013	Not Printed Not Printed Not Printed
<u>concealed firearm permit instructors</u> Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37606	R722-300	AMD	07/08/2013	2013-11/50
<u>concealed firearm permits</u> Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37606	R722-300	AMD	07/08/2013	2013-11/50
<u>concerns</u> Human Services, Substance Abuse and Mental Health, State Hospital	37213	R525-7	5YR	01/23/2013	2013-4/58
<u>concrete</u> Environmental Quality, Air Quality	36740 36740	R307-312 R307-312	NEW CPR	02/01/2013 02/01/2013	2012-19/45 2013-1/47
<u>conduct</u> Professional Practices Advisory Commission, Administration	37243	R686-100	5YR	02/01/2013	2013-4/60
<u>confidential testimony</u> Pardons (Board Of), Administration	37353 37465	R671-520 R671-520	5YR AMD	02/15/2013 05/22/2013	2013-5/217 2013-8/36
<u>confidentiality</u> Education, Administration	37144	R277-487	AMD	02/21/2013	2013-2/7
<u>confidentiality of information</u> Environmental Quality, Air Quality Human Resource Management, Administration	37261 37562	R307-102 R477-2	5YR AMD	02/06/2013 07/01/2013	2013-5/191 2013-10/155
<u>conflict of interest</u> Environmental Quality, Administration Human Resource Management, Administration	36776 36776 37568	R305-9 R305-9 R477-9	NEW CPR AMD	02/22/2013 02/22/2013 07/01/2013	2012-19/28 2013-2/94 2013-10/170
<u>congregate meals</u> Human Services, Aging and Adult Services	37228	R510-104-11	AMD	04/15/2013	2013-4/18
<u>connections</u> Environmental Quality, Drinking Water	37733	R309-550	NSC	07/09/2013	Not Printed

RULES INDEX

---

<u>consumer confidence report</u>						
Environmental Quality, Drinking Water	37787	R309-225	NSC	07/19/2013	Not Printed	
<u>consumer products</u>						
Environmental Quality, Air Quality	37276	R307-357	NEW	08/01/2013	2013-5/22	
	37276	R307-357	CPR	08/01/2013	2013-13/213	
<u>contamination</u>						
Environmental Quality, Radiation Control	37191	R313-15	AMD	03/19/2013	2013-3/18	
<u>continuing</u>						
Pardons (Board Of), Administration	37354	R671-522	5YR	02/15/2013	2013-5/218	
<u>continuous monitoring</u>						
Environmental Quality, Air Quality	37259	R307-170	5YR	02/06/2013	2013-5/192	
<u>contractors</u>						
Commerce, Occupational and Professional Licensing	37364	R156-55a	AMD	04/22/2013	2013-6/17	
<u>controlled substance database</u>						
Commerce, Occupational and Professional Licensing	37039	R156-37f	NEW	01/08/2013	2012-23/21	
<u>controlled substances</u>						
Commerce, Occupational and Professional Licensing	37040	R156-37	AMD	01/08/2013	2012-23/18	
	37175	R156-37-502	NSC	01/30/2013	Not Printed	
<u>conviction</u>						
Pardons (Board Of), Administration	37351	R671-518	5YR	02/15/2013	2013-5/216	
<u>cooperative wildlife management unit</u>						
Natural Resources, Wildlife Resources	37097	R657-37	AMD	02/07/2013	2013-1/11	
	37593	R657-37	5YR	05/06/2013	2013-11/104	
<u>copying processes</u>						
Health, Center for Health Data, Vital Records and Statistics	37431	R436-13	5YR	03/21/2013	2013-8/61	
	37432	R436-14	5YR	03/21/2013	2013-8/61	
<u>corrections</u>						
Corrections, Administration	37828	R251-111	EXD	07/09/2013	2013-15/137	
<u>costs</u>						
Administrative Services, Finance	37522	R25-6	5YR	04/15/2013	2013-9/29	
<u>coverage groups</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37173	R414-303	EMR	01/07/2013	2013-3/103	
	37216	R414-303	5YR	01/23/2013	2013-4/53	
	37301	R414-303	AMD	04/17/2013	2013-5/179	
<u>credit enhancement</u>						
Environmental Quality, Drinking Water	37748	R309-700	NSC	07/09/2013	Not Printed	
<u>credit scoring</u>						
Insurance, Administration	37600	R590-219	5YR	05/07/2013	2013-11/101	
<u>criminal charges</u>						
Pardons (Board Of), Administration	37351	R671-518	5YR	02/15/2013	2013-5/216	
<u>criminal history records information</u>						
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37514	R722-900	5YR	04/10/2013	2013-9/44	
<u>criminal investigation</u>						
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37226	R722-320	5YR	01/24/2013	2013-4/61	
	37227	R722-320	NSC	02/15/2013	Not Printed	

<u>criminal records</u>						
Corrections, Administration	37828	R251-111	EXD	07/09/2013	2013-15/137	
<u>curricula</u>						
Education, Administration	37403	R277-700	5YR	03/12/2013	2013-7/63	
<u>custody of children</u>						
Health, Center for Health Data, Vital Records and Statistics	37418	R436-1	5YR	03/19/2013	2013-8/55	
	37423	R436-2	5YR	03/21/2013	2013-8/56	
<u>dairy inspections</u>						
Agriculture and Food, Regulatory Services	37027	R70-310	AMD	01/29/2013	2012-23/6	
	36915	R70-320-18	AMD	01/29/2013	2012-21/8	
	36914	R70-330	AMD	01/29/2013	2012-21/9	
	37620	R70-330	EMR	05/14/2013	2013-11/84	
<u>data standards</u>						
Education, Administration	37145	R277-484	AMD	02/21/2013	2013-2/4	
<u>deadlines</u>						
Education, Administration	37145	R277-484	AMD	02/21/2013	2013-2/4	
<u>death</u>						
Health, Center for Health Data, Vital Records and Statistics	37426	R436-7	5YR	03/21/2013	2013-8/58	
<u>declaratory orders</u>						
Labor Commission, Administration	37492	R600-1	5YR	04/05/2013	2013-9/38	
<u>decommissioning</u>						
Environmental Quality, Radiation Control	37195	R313-22	AMD	03/19/2013	2013-3/56	
<u>definitions</u>						
Environmental Quality, Air Quality	36723	R307-101-2	AMD	02/01/2013	2012-19/29	
	36723	R307-101-2	CPR	02/01/2013	2013-1/38	
	37702	R307-101-2	NSC	07/09/2013	Not Printed	
Environmental Quality, Drinking Water	37782	R309-110	NSC	07/19/2013	Not Printed	
Environmental Quality, Radiation Control	37189	R313-12	AMD	03/19/2013	2013-3/6	
	37597	R313-12-3	NSC	06/07/2013	Not Printed	
Human Resource Management, Administration	37561	R477-1-1	AMD	07/01/2013	2013-10/150	
Workforce Services, Unemployment Insurance	37518	R994-201	5YR	04/11/2013	2013-9/44	
<u>degreasing</u>						
Environmental Quality, Air Quality	36737	R307-355	NEW	02/01/2013	2012-19/91	
<u>dental</u>						
Environmental Quality, Radiation Control	37183	R313-28	NSC	01/31/2013	Not Printed	
Health, Health Care Financing, Coverage and Reimbursement Policy	37559	R414-51	5YR	04/30/2013	2013-10/213	
<u>depleted uranium</u>						
Environmental Quality, Radiation Control	37180	R313-25	NSC	01/31/2013	Not Printed	
<u>depredation</u>						
Natural Resources, Wildlife Resources	37643	R657-44	AMD	07/22/2013	2013-12/31	
<u>developmental disabilities</u>						
Tax Commission, Administration	36991	R861-1A-12	AMD	01/10/2013	2012-22/144	
	37104	R861-1A-26	AMD	02/21/2013	2013-1/15	
	37106	R861-1A-37	AMD	02/21/2013	2013-1/17	
	37107	R861-1A-46	AMD	02/21/2013	2013-1/18	
<u>dietitians</u>						
Commerce, Occupational and Professional Licensing	37273	R156-49	5YR	02/07/2013	2013-5/189	

RULES INDEX

---

disabilities

Health, Family Health and Preparedness, Children with Special Health Care Needs	37827	R398-20	EXT	07/09/2013	2013-15/135
Human Services, Services for People with Disabilities	37110	R539-1	AMD	02/13/2013	2013-1/2
	37245	R539-1-3	AMD	04/18/2013	2013-4/21

disabled

Human Services, Aging and Adult Services	37277	R510-105	5YR	02/08/2013	2013-5/210
--	-------	----------	-----	------------	------------

disabled persons

Education, Administration	37626	R277-104	5YR	05/15/2013	2013-11/97
Natural Resources, Wildlife Resources	37225	R657-12	AMD	04/23/2013	2013-4/24
Public Service Commission, Administration	37868	R746-500	5YR	07/31/2013	Not Printed

discharge

Environmental Quality, Water Quality	37241	R317-14	5YR	01/31/2013	2013-4/52
--------------------------------------	-------	---------	-----	------------	-----------

discharge permits

Environmental Quality, Water Quality	37581	R317-8	AMD	07/01/2013	2013-10/59
--------------------------------------	-------	--------	-----	------------	------------

disciplinary actions

Professional Practices Advisory Commission, Administration	37637	R686-101	5YR	05/16/2013	2013-12/57
	37638	R686-102	5YR	05/16/2013	2013-12/58

disciplinary problems

Education, Administration	37627	R277-436	5YR	05/15/2013	2013-11/97
---------------------------	-------	----------	-----	------------	------------

discipline of employees

Human Resource Management, Administration	37570	R477-11	AMD	07/01/2013	2013-10/173
	37573	R477-14	AMD	07/01/2013	2013-10/178

disclosure requirements

Tax Commission, Administration	36991	R861-1A-12	AMD	01/10/2013	2012-22/144
	37104	R861-1A-26	AMD	02/21/2013	2013-1/15
	37106	R861-1A-37	AMD	02/21/2013	2013-1/17
	37107	R861-1A-46	AMD	02/21/2013	2013-1/18

discretion clauses

Insurance, Administration	37176	R590-218	5YR	01/09/2013	2013-3/113
---------------------------	-------	----------	-----	------------	------------

disease control

Agriculture and Food, Animal Industry	37248	R58-6	R&R	03/25/2013	2013-4/6
	36962	R58-21	AMD	01/04/2013	2012-22/16

disinfection monitoring

Environmental Quality, Drinking Water	37788	R309-215	NSC	07/19/2013	Not Printed
---------------------------------------	-------	----------	-----	------------	-------------

dismissal of employees

Human Resource Management, Administration	37570	R477-11	AMD	07/01/2013	2013-10/173
---	-------	---------	-----	------------	-------------

distribution system monitoring

Environmental Quality, Drinking Water	37784	R309-210	NSC	07/19/2013	Not Printed
---------------------------------------	-------	----------	-----	------------	-------------

diversion programs

Commerce, Occupational and Professional Licensing	37395	R156-1	NSC	04/01/2013	Not Printed
	37199	R156-1-102	AMD	03/11/2013	2013-3/2

do not resuscitate

Health, Family Health and Preparedness, Licensing	37442	R432-31	AMD	06/07/2013	2013-8/12
---	-------	---------	-----	------------	-----------

domestic violence

Human Services, Child and Family Services	37502	R512-200	5YR	04/08/2013	2013-9/35
	37503	R512-201	5YR	04/08/2013	2013-9/36
	37504	R512-202	5YR	04/08/2013	2013-9/36
	37639	R512-300	5YR	05/16/2013	2013-12/55
	37640	R512-301	5YR	05/16/2013	2013-12/55

<u>drinking water</u>						
Environmental Quality, Drinking Water	37781	R309-100	NSC	07/19/2013	Not Printed	
	37782	R309-110	NSC	07/19/2013	Not Printed	
	37783	R309-115	NSC	07/19/2013	Not Printed	
	37789	R309-200	NSC	07/19/2013	Not Printed	
	37786	R309-205	NSC	07/19/2013	Not Printed	
	37784	R309-210	NSC	07/19/2013	Not Printed	
	37788	R309-215	NSC	07/19/2013	Not Printed	
	37785	R309-220	NSC	07/19/2013	Not Printed	
	37787	R309-225	NSC	07/19/2013	Not Printed	
	37723	R309-505	NSC	07/09/2013	Not Printed	
	36562	R309-515-6	AMD	01/16/2013	2012-16/66	
	36562	R309-515-6	CPR	01/16/2013	2012-23/70	
	37731	R309-540	NSC	07/09/2013	Not Printed	
	37732	R309-545	NSC	07/09/2013	Not Printed	
	37733	R309-550	NSC	07/09/2013	Not Printed	
	37721	R309-600	NSC	07/09/2013	Not Printed	
	37720	R309-605	NSC	07/09/2013	Not Printed	
	37747	R309-800	NSC	07/09/2013	Not Printed	
<u>driver education</u>						
Education, Administration	37498	R277-746	5YR	04/08/2013	2013-9/33	
<u>driver licenses</u>						
Human Services, Recovery Services	37303	R527-260	5YR	02/14/2013	2013-5/210	
<u>drug abuse</u>						
Human Resource Management, Administration	37573	R477-14	AMD	07/01/2013	2013-10/178	
<u>drug/alcohol education</u>						
Human Resource Management, Administration	37573	R477-14	AMD	07/01/2013	2013-10/178	
<u>dual employment</u>						
Human Resource Management, Administration	37567	R477-8	AMD	07/01/2013	2013-10/167	
<u>duplicate license</u>						
Public Safety, Driver License	37657	R708-45	EMR	05/23/2013	2013-12/45	
<u>durable medical equipment</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37528	R414-70	AMD	07/01/2013	2013-10/144	
<u>early intervention</u>						
Health, Family Health and Preparedness, Children with Special Health Care Needs	37827	R398-20	EXT	07/09/2013	2013-15/135	
<u>economic development</u>						
Governor, Economic Development	37666	R357-3	5YR	05/30/2013	2013-12/52	
	37208	R357-6	AMD	05/01/2013	2013-4/15	
	37207	R357-9	AMD	05/01/2013	2013-4/16	
<u>education</u>						
Education, Administration	37755	R277-407-2	NSC	07/19/2013	Not Printed	
	37405	R277-709	5YR	03/12/2013	2013-7/64	
	37244	R277-709-3	NSC	02/15/2013	Not Printed	
Health, Family Health and Preparedness, Children with Special Health Care Needs	37827	R398-20	EXT	07/09/2013	2013-15/135	
<u>educational facilities</u>						
Education, Administration	37756	R277-445-2	NSC	07/19/2013	Not Printed	
	37278	R277-445-3	AMD	04/08/2013	2013-5/13	
<u>educational policy</u>						
Regents (Board Of), Administration	37553	R765-555	5YR	04/29/2013	2013-10/217	

RULES INDEX

---

<u>educational testing</u>						
Education, Administration	37404	R277-702	5YR	03/12/2013	2013-7/64	
	37415	R277-702	AMD	05/16/2013	2013-7/26	
<u>educational tuition</u>						
Human Resource Management, Administration	37569	R477-10-3	AMD	07/01/2013	2013-10/172	
<u>educator licensing</u>						
Education, Administration	37058	R277-502	AMD	01/07/2013	2012-23/34	
	37146	R277-502	AMD	02/21/2013	2013-2/10	
<u>educators</u>						
Education, Administration	37279	R277-498	NEW	04/08/2013	2013-5/14	
	37507	R277-498-4	NSC	04/29/2013	Not Printed	
	37147	R277-517	NEW	02/21/2013	2013-2/15	
	37359	R277-517-5	NSC	03/15/2013	Not Printed	
	37399	R277-518	5YR	03/12/2013	2013-7/61	
	37537	R277-531-3	AMD	06/24/2013	2013-10/26	
<u>effective date</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37174	R414-306	EMR	01/07/2013	2013-3/105	
	37218	R414-306	5YR	01/23/2013	2013-4/55	
<u>efficiency</u>						
Administrative Services, Facilities Construction and Management	37845	R23-30	5YR	07/15/2013	2013-15/123	
<u>effluent standards</u>						
Environmental Quality, Water Quality	37240	R317-13	5YR	01/31/2013	2013-4/51	
<u>elderly</u>						
Human Services, Aging and Adult Services	37228	R510-104-11	AMD	04/15/2013	2013-4/18	
<u>electric assisted bicycle headgear</u>						
Public Safety, Driver License	37612	R708-33	REP	07/08/2013	2013-11/49	
<u>electric generating units</u>						
Environmental Quality, Air Quality	37258	R307-220	5YR	02/06/2013	2013-5/193	
	37254	R307-224	5YR	02/06/2013	2013-5/195	
<u>electric utility industries</u>						
Public Service Commission, Administration	37759	R746-210	5YR	06/24/2013	2013-14/119	
<u>electronic funds transfer</u>						
Human Services, Recovery Services	37550	R527-920	5YR	04/29/2013	2013-10/214	
<u>electronic meetings</u>						
Agriculture and Food, Conservation and Resource Management	37698	R64-2	5YR	06/04/2013	2013-13/229	
Environmental Quality, Administration	37360	R305-2	5YR	02/25/2013	2013-6/50	
<u>electronic prescribing</u>						
Commerce, Occupational and Professional Licensing	37202	R156-82	NEW	03/11/2013	2013-3/5	
	37396	R156-82	NSC	04/01/2013	Not Printed	
<u>electronic surveillance</u>						
Human Services, Services for People with Disabilities	37163	R539-3	AMD	05/10/2013	2013-2/21	
<u>eligibility</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37215	R414-302	5YR	01/23/2013	2013-4/53	
	37223	R414-308	5YR	01/23/2013	2013-4/55	
<u>emergency medical services</u>						
Health, Family Health and Preparedness, Emergency Medical Services	37397	R426-2	EXD	02/24/2013	2013-7/71	

	37409	R426-2	EMR	03/14/2013	2013-7/55
	37411	R426-2	NEW	05/30/2013	2013-7/32
	37398	R426-6	EXD	03/01/2013	2013-7/71
	37408	R426-6	EMR	03/14/2013	2013-7/59
	37410	R426-6	NEW	05/30/2013	2013-7/36
<u>emergency vehicles</u>					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37532	R722-340	5YR	04/22/2013	2013-10/215
	37590	R722-340	NSC	05/31/2013	Not Printed
<u>emission controls</u>					
Environmental Quality, Air Quality	36725	R307-340	REP	02/01/2013	2012-19/49
	36725	R307-340	CPR	02/01/2013	2013-1/48
	36727	R307-345	NEW	02/01/2013	2012-19/67
	36727	R307-345	CPR	02/01/2013	2013-1/54
	36728	R307-346	NEW	02/01/2013	2012-19/69
	36728	R307-346	CPR	02/01/2013	2013-1/57
	36729	R307-347	NEW	02/01/2013	2012-19/71
	36729	R307-347	CPR	02/01/2013	2013-1/59
	36730	R307-348	NEW	02/01/2013	2012-19/73
	36730	R307-348	CPR	02/01/2013	2013-1/61
	36731	R307-349	NEW	02/01/2013	2012-19/74
	36731	R307-349	CPR	02/01/2013	2013-1/63
	36732	R307-350	NEW	02/01/2013	2012-19/76
	36732	R307-350	CPR	02/01/2013	2013-1/65
	36734	R307-352	NEW	02/01/2013	2012-19/84
	36734	R307-352	CPR	02/01/2013	2013-1/73
	36735	R307-353	NEW	05/01/2013	2012-19/86
	36735	R307-353	CPR	05/01/2013	2013-1/75
	36735	R307-353	CPR	05/01/2013	2013-7/46
<u>employee benefit plans</u>					
Human Resource Management, Administration	37565	R477-6	AMD	07/01/2013	2013-10/160
<u>employee performance evaluations</u>					
Human Resource Management, Administration	37569	R477-10-3	AMD	07/01/2013	2013-10/172
<u>employee productivity</u>					
Human Resource Management, Administration	37569	R477-10-3	AMD	07/01/2013	2013-10/172
<u>employee termination</u>					
Workforce Services, Unemployment Insurance	37648	R994-405	5YR	05/16/2013	2013-12/60
<u>employee's rights</u>					
Workforce Services, Unemployment Insurance	37648	R994-405	5YR	05/16/2013	2013-12/60
<u>employees' rights</u>					
Human Resource Management, Administration	37571	R477-12	AMD	07/01/2013	2013-10/175
<u>employers</u>					
Labor Commission, Industrial Accidents	37133	R612-5	REP	02/25/2013	2013-2/46
<u>employment</u>					
Human Resource Management, Administration	37563	R477-4	AMD	07/01/2013	2013-10/157
	37564	R477-5	AMD	07/01/2013	2013-10/159
Workforce Services, Unemployment Insurance	37543	R994-202	5YR	04/25/2013	2013-10/218
	37648	R994-405	5YR	05/16/2013	2013-12/60
<u>employment support procedures</u>					
Workforce Services, Employment Development	37541	R986-100-118a	AMD	06/27/2013	2013-10/200
<u>EMS competitive grants</u>					
Health, Family Health and Preparedness, Emergency Medical Services	37408	R426-6	EMR	03/14/2013	2013-7/59
	37410	R426-6	NEW	05/30/2013	2013-7/36

RULES INDEX

---

<u>energy</u>						
Administrative Services, Facilities Construction and Management	37845	R23-30	5YR	07/15/2013	2013-15/123	
<u>enforcement</u>						
Environmental Quality, Radiation Control	37190	R313-14	AMD	03/19/2013	2013-3/14	
<u>English proficiency</u>						
Regents (Board Of), Administration	37551	R765-136	5YR	04/29/2013	2013-10/216	
<u>enrollment</u>						
Education, Administration	37496	R277-485	5YR	04/08/2013	2013-9/32	
<u>enterprise zones</u>						
Tax Commission, Auditing	37108 37178	R865-9I-13 R865-9I-46	AMD NSC	02/21/2013 01/31/2013	2013-1/20 Not Printed	
<u>environmental analysis</u>						
Environmental Quality, Radiation Control	37196	R313-24	AMD	03/19/2013	2013-3/74	
<u>environmental health</u>						
Environmental Quality, Drinking Water	37721 37720	R309-600 R309-605	NSC NSC	07/09/2013 07/09/2013	Not Printed Not Printed	
<u>environmental protection</u>						
Environmental Quality, Air Quality	37260	R307-115	5YR	02/06/2013	2013-5/192	
Environmental Quality, Drinking Water	37781	R309-100	NSC	07/19/2013	Not Printed	
<u>evaluation cycles</u>						
Judicial Performance Evaluation Commission, Administration	37382	R597-3	AMD	05/14/2013	2013-7/38	
<u>evaluations</u>						
Education, Administration	37537 37280	R277-531-3 R277-532	AMD NEW	06/24/2013 04/08/2013	2013-10/26 2013-5/16	
<u>evidence</u>						
Health, Center for Health Data, Vital Records and Statistics	37425	R436-4	5YR	03/21/2013	2013-8/57	
<u>evidentiary</u>						
Pardons (Board Of), Administration	37350 37463	R671-517 R671-517	5YR AMD	02/15/2013 05/22/2013	2013-5/216 2013-8/33	
<u>evidentiary restrictions</u>						
Commerce, Occupational and Professional Licensing	37395 37199	R156-1 R156-1-102	NSC AMD	04/01/2013 03/11/2013	Not Printed 2013-3/2	
<u>exceptional children</u>						
Education, Administration	37499 37511	R277-751 R277-751	5YR AMD	04/08/2013 06/07/2013	2013-9/33 2013-9/10	
<u>exemptions</u>						
Environmental Quality, Radiation Control	37189 37597 37194	R313-12 R313-12-3 R313-19	AMD NSC AMD	03/19/2013 06/07/2013 03/19/2013	2013-3/6 Not Printed 2013-3/45	
<u>expelled</u>						
Education, Administration	37495	R277-483	5YR	04/08/2013	2013-9/31	
<u>extended area service</u>						
Public Service Commission, Administration	37386	R746-347	5YR	03/05/2013	2013-7/68	
<u>extracurricular activities</u>						
Education, Administration	37401	R277-605	5YR	03/12/2013	2013-7/62	



<u>eye exams</u>						
Health, Disease Control and Prevention, Health Promotion	37028	R384-201	NEW	02/20/2013	2012-23/42	
	37453	R384-201	AMD	07/01/2013	2013-8/6	
<u>eyeglasses</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37591	R414-53	5YR	05/03/2013	2013-11/101	
<u>fabric coating</u>						
Environmental Quality, Air Quality	36727	R307-345	NEW	02/01/2013	2012-19/67	
	36727	R307-345	CPR	02/01/2013	2013-1/54	
<u>facilities use</u>						
Capitol Preservation Board (State), Administration	37064	R131-2	AMD	01/07/2013	2012-23/9	
<u>facility notice</u>						
Corrections, Administration	37389	R251-114	5YR	03/07/2013	2013-7/61	
<u>fair employment practices</u>						
Human Resource Management, Administration	37562	R477-2	AMD	07/01/2013	2013-10/155	
	37563	R477-4	AMD	07/01/2013	2013-10/157	
<u>fair hearings</u>						
Health, Children's Health Insurance Program	37608	R382-1	5YR	05/08/2013	2013-11/100	
<u>falconry</u>						
Natural Resources, Wildlife Resources	37233	R657-20	AMD	04/23/2013	2013-4/26	
	37534	R657-20	NSC	05/17/2013	Not Printed	
<u>fathers</u>						
Health, Center for Health Data, Vital Records and Statistics	37424	R436-3	5YR	03/21/2013	2013-8/57	
<u>feed contamination</u>						
Agriculture and Food, Plant Industry	37632	R68-2	NSC	06/07/2013	Not Printed	
<u>fees</u>						
Environmental Quality, Environmental Response and Remediation	37483	R311-203	NSC	04/29/2013	Not Printed	
Environmental Quality, Radiation Control	37188	R313-70	NSC	01/31/2013	Not Printed	
Health, Center for Health Data, Vital Records and Statistics	37433	R436-15	5YR	03/21/2013	2013-8/62	
Labor Commission, Industrial Accidents	37130	R612-2	REP	02/25/2013	2013-2/35	
	37126	R612-300	NEW	02/25/2013	2013-2/66	
Natural Resources, Parks and Recreation	37791	R651-610	5YR	06/27/2013	2013-14/112	
	37625	R651-611	AMD	07/08/2013	2013-11/40	
<u>filing deadlines</u>						
Labor Commission, Industrial Accidents	37129	R612-1	REP	02/25/2013	2013-2/28	
	37125	R612-200	NEW	02/25/2013	2013-2/62	
	37622	R612-200-1	AMD	07/08/2013	2013-11/34	
Workforce Services, Unemployment Insurance	37647	R994-403	5YR	05/16/2013	2013-12/60	
	37517	R994-403	AMD	06/12/2013	2013-9/23	
	37671	R994-403-115c	AMD	08/01/2013	2013-12/38	
<u>film coating</u>						
Environmental Quality, Air Quality	36726	R307-344	NEW	02/01/2013	2012-19/65	
	36726	R307-344	CPR	02/01/2013	2013-1/52	
<u>finance</u>						
Administrative Services, Finance	37522	R25-6	5YR	04/15/2013	2013-9/29	
	37524	R25-8	5YR	04/15/2013	2013-9/30	
	37557	R25-8	AMD	06/21/2013	2013-10/12	
<u>financial aid</u>						
Regents (Board Of), Administration	37539	R765-605	5YR	04/24/2013	2013-10/217	

RULES INDEX

---

	37547	R765-605	AMD	06/24/2013	2013-10/195
<u>financial assistance</u>					
Environmental Quality, Drinking Water	37749	R309-705	NSC	07/09/2013	Not Printed
<u>financial disclosures</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	37217	R414-304	5YR	01/23/2013	2013-4/54
<u>financial responsibility</u>					
Environmental Quality, Environmental Response and Remediation	37579	R311-207	NSC	05/17/2013	Not Printed
<u>fiscal policies and procedures</u>					
Education, Administration	37356	R277-113	NEW	04/22/2013	2013-6/28
	37538	R277-113-5	NSC	05/17/2013	Not Printed
<u>fish</u>					
Natural Resources, Wildlife Resources	37069	R657-13	AMD	01/22/2013	2012-24/29
	37203	R657-58	5YR	01/15/2013	2013-3/114
<u>fishing</u>					
Natural Resources, Wildlife Resources	37069	R657-13	AMD	01/22/2013	2012-24/29
	37203	R657-58	5YR	01/15/2013	2013-3/114
<u>flat wood paneling</u>					
Environmental Quality, Air Quality	36731	R307-349	NEW	02/01/2013	2012-19/74
	36731	R307-349	CPR	02/01/2013	2013-1/63
<u>foil coating</u>					
Environmental Quality, Air Quality	36726	R307-344	NEW	02/01/2013	2012-19/65
	36726	R307-344	CPR	02/01/2013	2013-1/52
<u>food handler certificates</u>					
Health, Disease Control and Prevention, Environmental Services	37589	R392-103	NEW	08/01/2013	2013-11/28
<u>food handler permits</u>					
Health, Disease Control and Prevention, Environmental Services	37589	R392-103	NEW	08/01/2013	2013-11/28
<u>food handler testing</u>					
Health, Disease Control and Prevention, Environmental Services	37589	R392-103	NEW	08/01/2013	2013-11/28
<u>food handler training</u>					
Health, Disease Control and Prevention, Environmental Services	37589	R392-103	NEW	08/01/2013	2013-11/28
<u>food stamps</u>					
Workforce Services, Employment Development	37067	R986-900-902	AMD	01/08/2013	2012-23/50
<u>foods</u>					
Education, Administration	37406	R277-719	5YR	03/12/2013	2013-7/65
<u>free enterprise</u>					
Regents (Board Of), Administration	37553	R765-555	5YR	04/29/2013	2013-10/217
<u>funding</u>					
Environmental Quality, Drinking Water	37747	R309-800	NSC	07/09/2013	Not Printed
<u>funeral industries</u>					
Health, Center for Health Data, Vital Records and Statistics	37426	R436-7	5YR	03/21/2013	2013-8/58
	37427	R436-8	5YR	03/21/2013	2013-8/58
	37428	R436-9	5YR	03/21/2013	2013-8/59

<u>game laws</u>						
Natural Resources, Wildlife Resources	37592	R657-34	5YR	05/06/2013	2013-11/103	
	37609	R657-64	AMD	07/08/2013	2013-11/48	
<u>gangs</u>						
Education, Administration	37627	R277-436	5YR	05/15/2013	2013-11/97	
<u>general conformity</u>						
Environmental Quality, Air Quality	37260	R307-115	5YR	02/06/2013	2013-5/192	
<u>general licenses</u>						
Environmental Quality, Radiation Control	37181	R313-21	NSC	01/31/2013	Not Printed	
<u>genetic counselors</u>						
Commerce, Occupational and Professional Licensing	37533	R156-75	AMD	06/24/2013	2013-10/15	
<u>goals</u>						
Education, Administration	37709	R277-406	5YR	06/10/2013	2013-13/230	
<u>good cause</u>						
Pardons (Board Of), Administration	37348	R671-515	5YR	02/15/2013	2013-5/215	
	37461	R671-515	AMD	05/22/2013	2013-8/31	
<u>government ethics</u>						
Human Resource Management, Administration	37568	R477-9	AMD	07/01/2013	2013-10/170	
<u>government hearings</u>						
Human Resource Management, Administration	37570	R477-11	AMD	07/01/2013	2013-10/173	
<u>government purchasing</u>						
Administrative Services, Purchasing and General Services	37633	R33-3-3	EMR	05/15/2013	2013-11/81	
<u>government records</u>						
Corrections, Administration	37828	R251-111	EXD	07/09/2013	2013-15/137	
<u>GRAMA</u>						
Corrections, Administration	37828	R251-111	EXD	07/09/2013	2013-15/137	
Regents (Board Of), University of Utah, Administration	37824	R805-2	5YR	07/08/2013	2013-15/134	
<u>GRAMA compliance</u>						
Human Services, Recovery Services	37668	R527-5-3	AMD	07/22/2013	2013-12/30	
<u>grants</u>						
Education, Administration	37711	R277-490	5YR	06/10/2013	2013-13/231	
	37279	R277-498	NEW	04/08/2013	2013-5/14	
	37507	R277-498-4	NSC	04/29/2013	Not Printed	
Heritage and Arts, Arts and Museums, Museum Services	37846	R452-200	EMR	07/15/2013	2013-15/121	
<u>grants and loans</u>						
Environmental Quality, Administration	37847	R305-4	5YR	07/15/2013	2013-15/126	
<u>graphic arts</u>						
Environmental Quality, Air Quality	36733	R307-351	NEW	02/01/2013	2012-19/80	
	36733	R307-351	CPR	02/01/2013	2013-1/69	
	37235	R307-351-4	NSC	02/15/2013	Not Printed	
<u>greenhouse gases</u>						
Environmental Quality, Air Quality	37037	R307-401-15	AMD	02/07/2013	2012-23/40	
	37236	R307-401-15	NSC	02/15/2013	Not Printed	
	37268	R307-401-19	AMD	07/01/2013	2013-5/36	
	37268	R307-401-19	CPR	07/01/2013	2013-11/72	
	37269	R307-401-20	AMD	07/01/2013	2013-5/36	
	37269	R307-401-20	CPR	07/01/2013	2013-11/72	

RULES INDEX

---

grievance procedures

Career Service Review Office, Administration	37607	R137-1	AMD	07/22/2013	2013-11/10
Tax Commission, Administration	36991	R861-1A-12	AMD	01/10/2013	2012-22/144
	37104	R861-1A-26	AMD	02/21/2013	2013-1/15
	37106	R861-1A-37	AMD	02/21/2013	2013-1/17
	37107	R861-1A-46	AMD	02/21/2013	2013-1/18

grievances

Human Resource Management, Administration	37570	R477-11	AMD	07/01/2013	2013-10/173
	37571	R477-12	AMD	07/01/2013	2013-10/175

harassment prevention

Human Resource Management, Administration	37574	R477-15	AMD	07/01/2013	2013-10/180
---	-------	---------	-----	------------	-------------

hardship grants

Environmental Quality, Drinking Water	37748	R309-700	NSC	07/09/2013	Not Printed
---------------------------------------	-------	----------	-----	------------	-------------

Hatch Act

Human Resource Management, Administration	37568	R477-9	AMD	07/01/2013	2013-10/170
---	-------	--------	-----	------------	-------------

hatchery

Agriculture and Food, Animal Industry	37248	R58-6	R&R	03/25/2013	2013-4/6
---------------------------------------	-------	-------	-----	------------	----------

hazardous materials

Public Safety, Fire Marshal	37390	R710-12	5YR	03/08/2013	2013-7/67
-----------------------------	-------	---------	-----	------------	-----------

hazardous substances

Environmental Quality, Environmental Response and Remediation	37482	R311-201	NSC	04/29/2013	Not Printed
	37483	R311-203	NSC	04/29/2013	Not Printed
	37484	R311-204	NSC	04/29/2013	Not Printed
	37486	R311-206	NSC	04/29/2013	Not Printed
	37491	R311-212	NSC	04/29/2013	Not Printed

hazardous waste

Environmental Quality, Solid and Hazardous Waste	37305	R315-1	AMD	04/25/2013	2013-5/45
	37306	R315-2	AMD	04/25/2013	2013-5/48
	37307	R315-3	AMD	04/25/2013	2013-5/63
	37308	R315-4	AMD	04/25/2013	2013-5/64
	37309	R315-5	AMD	04/25/2013	2013-5/69
	37310	R315-6	AMD	04/25/2013	2013-5/73
	37311	R315-7	AMD	04/25/2013	2013-5/76
	37312	R315-8	AMD	04/25/2013	2013-5/99
	37313	R315-9	AMD	04/25/2013	2013-5/100
	37314	R315-12	AMD	04/25/2013	2013-5/101
	37315	R315-13	AMD	04/25/2013	2013-5/102
	37317	R315-16	AMD	04/25/2013	2013-5/103
	37318	R315-17	AMD	04/25/2013	2013-5/107
	37319	R315-50-6	AMD	04/25/2013	2013-5/109
	37320	R315-101	AMD	04/25/2013	2013-5/110
	37321	R315-102	AMD	04/25/2013	2013-5/113

head injuries

Education, Administration	37630	R277-614	5YR	05/15/2013	2013-11/99
	37635	R277-614	AMD	07/08/2013	2013-11/23

health care

Health, Family Health and Preparedness, Children with Special Health Care Needs	37381	R398-1	AMD	07/01/2013	2013-7/28
---	-------	--------	-----	------------	-----------

health care facilities

Health, Family Health and Preparedness, Licensing	37209	R432-3	AMD	04/24/2013	2013-4/17
	37281	R432-16	5YR	02/11/2013	2013-5/209
	37441	R432-35	5YR	03/25/2013	2013-8/55

health effects

Environmental Quality, Drinking Water	37785	R309-220	NSC	07/19/2013	Not Printed
---------------------------------------	-------	----------	-----	------------	-------------

<u>health facilities</u>						
Health, Center for Health Data, Vital Records and Statistics	37428	R436-9	5YR	03/21/2013	2013-8/59	
<u>hearings</u>						
Environmental Quality, Administration	36554	R305-6	REP	01/31/2013	2012-16/28	
	36554	R305-6	CPR	01/31/2013	2013-1/32	
	36553	R305-7	NEW	01/31/2013	2012-16/45	
	36553	R305-7	CPR	01/31/2013	2013-1/32	
Environmental Quality, Drinking Water	37783	R309-115	NSC	07/19/2013	Not Printed	
Environmental Quality, Radiation Control	37192	R313-17	AMD	03/19/2013	2013-3/40	
Environmental Quality, Solid and Hazardous Waste	37314	R315-12	AMD	04/25/2013	2013-5/101	
Environmental Quality, Water Quality	37239	R317-9	5YR	01/31/2013	2013-4/51	
Health, Health Care Financing, Coverage and Reimbursement Policy	37221	R414-301	5YR	01/23/2013	2013-4/52	
Pardons (Board Of), Administration	37346	R671-513	5YR	02/15/2013	2013-5/214	
	37459	R671-513	AMD	05/22/2013	2013-8/28	
	37349	R671-516	5YR	02/15/2013	2013-5/215	
	37462	R671-516	AMD	05/22/2013	2013-8/32	
	37350	R671-517	5YR	02/15/2013	2013-5/216	
	37463	R671-517	AMD	05/22/2013	2013-8/33	
	37352	R671-519	5YR	02/15/2013	2013-5/217	
	37464	R671-519	AMD	05/22/2013	2013-8/35	
	37353	R671-520	5YR	02/15/2013	2013-5/217	
	37465	R671-520	AMD	05/22/2013	2013-8/36	
	37354	R671-522	5YR	02/15/2013	2013-5/218	
Professional Practices Advisory Commission, Administration	37243	R686-100	5YR	02/01/2013	2013-4/60	
<u>high quality ground water</u>						
Environmental Quality, Drinking Water	37723	R309-505	NSC	07/09/2013	Not Printed	
<u>higher education</u>						
Regents (Board Of), Administration	37551	R765-136	5YR	04/29/2013	2013-10/216	
	37552	R765-254	5YR	04/29/2013	2013-10/216	
	37553	R765-555	5YR	04/29/2013	2013-10/217	
	37586	R765-604	AMD	07/08/2013	2013-11/61	
	37539	R765-605	5YR	04/24/2013	2013-10/217	
	37547	R765-605	AMD	06/24/2013	2013-10/195	
	37587	R765-609	AMD	07/08/2013	2013-11/65	
Regents (Board Of), University of Utah, Administration	37824	R805-2	5YR	07/08/2013	2013-15/134	
<u>higher education assistance</u>						
Regents (Board Of), Administration	37540	R765-606	5YR	04/24/2013	2013-10/218	
<u>HIPAA</u>						
Health, Administration	37596	R380-250	5YR	05/06/2013	2013-11/99	
Human Services, Administration	37525	R495-881	5YR	04/15/2013	2013-9/34	
<u>hiring practices</u>						
Human Resource Management, Administration	37563	R477-4	AMD	07/01/2013	2013-10/157	
<u>historic preservation</u>						
Tax Commission, Auditing	37108	R865-9I-13	AMD	02/21/2013	2013-1/20	
	37178	R865-9I-46	NSC	01/31/2013	Not Printed	
<u>historical significance</u>						
Administrative Services, Facilities Construction and Management	37358	R23-22	5YR	02/20/2013	2013-6/49	
<u>holidays</u>						
Human Resource Management, Administration	37566	R477-7	AMD	07/01/2013	2013-10/163	
<u>home-delivered meals</u>						
Human Services, Aging and Adult Services	37228	R510-104-11	AMD	04/15/2013	2013-4/18	

RULES INDEX

---

<u>horses</u>						
Agriculture and Food, Horse Racing Commission (Utah)	37420	R52-7	EMR	03/20/2013	2013-8/47	
	37860	R52-7	EMR	07/18/2013	Not Printed	
<u>hospitals</u>						
Environmental Quality, Air Quality	37256	R307-222	5YR	02/06/2013	2013-5/194	
<u>hostile work environment</u>						
Human Resource Management, Administration	37574	R477-15	AMD	07/01/2013	2013-10/180	
<u>hourly child care centers</u>						
Health, Family Health and Preparedness, Child Care Licensing	37662	R430-60	5YR	05/29/2013	2013-12/54	
<u>hours of business</u>						
Labor Commission, Administration	37621	R600-2	AMD	07/08/2013	2013-11/33	
<u>human services</u>						
Human Services, Services for People with Disabilities	37110	R539-1	AMD	02/13/2013	2013-1/2	
	37245	R539-1-3	AMD	04/18/2013	2013-4/21	
<u>hunting closures</u>						
Natural Resources, Wildlife Resources	37592	R657-34	5YR	05/06/2013	2013-11/103	
<u>hydropneumatic systems</u>						
Environmental Quality, Drinking Water	37731	R309-540	NSC	07/09/2013	Not Printed	
<u>IEEE 1366</u>						
Public Service Commission, Administration	37116	R746-313	AMD	02/21/2013	2013-2/87	
<u>immunizations</u>						
Health, Disease Control and Prevention, Immunization	37806	R396-100	5YR	06/28/2013	2013-14/105	
<u>impairment ratings</u>						
Labor Commission, Industrial Accidents	37135	R612-7	REP	02/25/2013	2013-2/49	
<u>import restrictions</u>						
Natural Resources, Wildlife Resources	37384	R657-3	5YR	03/05/2013	2013-7/67	
	37667	R657-53	5YR	05/30/2013	2013-12/57	
<u>improvement</u>						
Education, Administration	37709	R277-406	5YR	06/10/2013	2013-13/230	
<u>in-service training</u>						
Public Safety, Peace Officer Standards and Training	37805	R728-501	5YR	06/28/2013	2013-14/118	
<u>incidents</u>						
Pardons (Board Of), Administration	37342	R671-509	5YR	02/15/2013	2013-5/212	
	37456	R671-509	AMD	05/22/2013	2013-8/25	
<u>incinerators</u>						
Environmental Quality, Air Quality	37258	R307-220	5YR	02/06/2013	2013-5/193	
<u>income</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37173	R414-303	EMR	01/07/2013	2013-3/103	
	37216	R414-303	5YR	01/23/2013	2013-4/53	
	37301	R414-303	AMD	04/17/2013	2013-5/179	
	37217	R414-304	5YR	01/23/2013	2013-4/54	
<u>income tax</u>						
Tax Commission, Auditing	37108	R865-9I-13	AMD	02/21/2013	2013-1/20	
	37178	R865-9I-46	NSC	01/31/2013	Not Printed	

<u>income withholding fees</u>						
Human Services, Recovery Services	37231	R527-302	5YR	01/28/2013	2013-4/59	
<u>independent foster care adolescent</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37173	R414-303	EMR	01/07/2013	2013-3/103	
	37216	R414-303	5YR	01/23/2013	2013-4/53	
	37301	R414-303	AMD	04/17/2013	2013-5/179	
<u>individual home booster pumps</u>						
Environmental Quality, Drinking Water	37731	R309-540	NSC	07/09/2013	Not Printed	
<u>indoor air pollution</u>						
Health, Disease Control and Prevention, Environmental Services	37454	R392-510-6	AMD	07/01/2013	2013-8/8	
<u>industrial waste</u>						
Environmental Quality, Water Quality	37240	R317-13	5YR	01/31/2013	2013-4/51	
<u>industry</u>						
Environmental Quality, Radiation Control	37198	R313-35	AMD	03/19/2013	2013-3/91	
	37186	R313-36	NSC	01/31/2013	Not Printed	
<u>infectious waste</u>						
Environmental Quality, Air Quality	37256	R307-222	5YR	02/06/2013	2013-5/194	
<u>informal adjudicative proceedings</u>						
Labor Commission, Industrial Accidents	37137	R612-9	REP	02/25/2013	2013-2/52	
<u>inspections</u>						
Agriculture and Food, Animal Industry	37246	R58-18	AMD	03/25/2013	2013-4/12	
Agriculture and Food, Plant Industry	37249	R68-5	5YR	02/05/2013	2013-5/189	
Environmental Quality, Radiation Control	37189	R313-12	AMD	03/19/2013	2013-3/6	
	37597	R313-12-3	NSC	06/07/2013	Not Printed	
	37179	R313-16	NSC	01/31/2013	Not Printed	
	37193	R313-18	AMD	03/19/2013	2013-3/42	
Public Safety, Driver License	37614	R708-21	EMR	05/14/2013	2013-11/89	
<u>Inspector General</u>						
Governor, Planning and Budget, Inspector General of Medicaid Services (Office of)	37536	R367-1	R&R	06/21/2013	2013-10/135	
<u>instructional materials</u>						
Education, Administration	37494	R277-469	5YR	04/08/2013	2013-9/31	
	37509	R277-469	AMD	06/07/2013	2013-9/3	
<u>insurance</u>						
Human Resource Management, Administration	37565	R477-6	AMD	07/01/2013	2013-10/160	
Insurance, Administration	36846	R590-171	AMD	01/22/2013	2012-20/74	
	36846	R590-171	CPR	01/22/2013	2012-24/32	
	37230	R590-171-3	NSC	02/15/2013	Not Printed	
	37840	R590-186	5YR	07/12/2013	2013-15/127	
	37176	R590-218	5YR	01/09/2013	2013-3/113	
	37600	R590-219	5YR	05/07/2013	2013-11/101	
	37598	R590-222	5YR	05/07/2013	2013-11/102	
Labor Commission, Industrial Accidents	37133	R612-5	REP	02/25/2013	2013-2/46	
	37127	R612-400	NEW	02/25/2013	2013-2/76	
<u>insurance fees</u>						
Insurance, Administration	37018	R590-102	AMD	01/18/2013	2012-22/131	
	37220	R590-102-4	NSC	02/15/2013	Not Printed	
	37379	R590-102-17	AMD	05/14/2013	2013-6/47	
	37171	R590-157	5YR	01/07/2013	2013-3/112	
<u>insurance law</u>						
Insurance, Administration	37412	R590-94	5YR	03/15/2013	2013-7/66	
	37118	R590-164	AMD	02/25/2013	2013-2/24	

RULES INDEX

---

<u>insurance reserves and nonforfeitures</u> Insurance, Administration	37599	R590-223	5YR	05/07/2013	2013-11/103
<u>insurance unfair marketing practices</u> Insurance, Administration	37421	R590-154	5YR	03/20/2013	2013-8/63
<u>interest buy-downs</u> Environmental Quality, Drinking Water	37748	R309-700	NSC	07/09/2013	Not Printed
<u>interns</u> Education, Administration	37059	R277-509	AMD	01/07/2013	2012-23/39
<u>interstate</u> Human Services, Recovery Services	37168	R527-305	5YR	01/03/2013	2013-3/111
<u>interstate system</u> Transportation, Administration	37094	R907-64	R&R	02/07/2013	2013-1/23
<u>irradiator</u> Environmental Quality, Radiation Control	37185	R313-34	NSC	01/31/2013	Not Printed
<u>job creation</u> Governor, Economic Development	37206 37204	R357-2 R357-2	EXT REP	01/16/2013 05/01/2013	2013-4/63 2013-3/96
<u>jobs</u> Governor, Economic Development	37666	R357-3	5YR	05/30/2013	2013-12/52
<u>judges</u> Judicial Performance Evaluation Commission, Administration	37383 37382	R597-1 R597-3	AMD AMD	05/14/2013 05/14/2013	2013-7/37 2013-7/38
<u>judicial performance evaluations</u> Judicial Performance Evaluation Commission, Administration	37383 37382	R597-1 R597-3	AMD AMD	05/14/2013 05/14/2013	2013-7/37 2013-7/38
<u>judiciary</u> Judicial Performance Evaluation Commission, Administration	37383	R597-1	AMD	05/14/2013	2013-7/37
<u>juvenile courts</u> Education, Administration	37405 37244	R277-709 R277-709-3	5YR NSC	03/12/2013 02/15/2013	2013-7/64 Not Printed
<u>kidnap offender registry</u> Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37232	R722-360	NEW	03/25/2013	2013-4/46
<u>kinship</u> Human Services, Child and Family Services	37505	R512-500	5YR	04/08/2013	2013-9/37
<u>labor</u> Labor Commission, Boiler and Elevator Safety	37493 37520	R616-1 R616-1	5YR NSC	04/05/2013 04/29/2013	2013-9/38 Not Printed
<u>Labor Commission</u> Labor Commission, Administration	37492 37621	R600-1 R600-2	5YR AMD	04/05/2013 07/08/2013	2013-9/38 2013-11/33
<u>laboratories</u> Health, Disease Control and Prevention, Laboratory Services	37842	R438-13	5YR	07/12/2013	2013-15/126



<u>laboratory animals</u>						
Health, Disease Control and Prevention, Laboratory Services	37842	R438-13	5YR	07/12/2013	2013-15/126	
<u>land use</u>						
Natural Resources, Forestry, Fire and State Lands	37752	R652-110	5YR	06/19/2013	2013-14/118	
<u>landfills</u>						
Environmental Quality, Air Quality	37258	R307-220	5YR	02/06/2013	2013-5/193	
<u>landscape architects</u>						
Commerce, Occupational and Professional Licensing	37274	R156-53	5YR	02/07/2013	2013-5/190	
<u>language proficiency</u>						
Regents (Board Of), Administration	37551	R765-136	5YR	04/29/2013	2013-10/216	
<u>large appliance</u>						
Environmental Quality, Air Quality	36729	R307-347	NEW	02/01/2013	2012-19/71	
	36729	R307-347	CPR	02/01/2013	2013-1/59	
<u>law enforcement</u>						
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37226	R722-320	5YR	01/24/2013	2013-4/61	
	37227	R722-320	NSC	02/15/2013	Not Printed	
<u>law enforcement officers</u>						
Public Safety, Peace Officer Standards and Training	37805	R728-501	5YR	06/28/2013	2013-14/118	
<u>LEAP</u>						
Regents (Board Of), Administration	37540	R765-606	5YR	04/24/2013	2013-10/218	
<u>leases</u>						
Natural Resources, Forestry, Fire and State Lands	37752	R652-110	5YR	06/19/2013	2013-14/118	
<u>leave benefits</u>						
Human Resource Management, Administration	37566	R477-7	AMD	07/01/2013	2013-10/163	
<u>liberties</u>						
Natural Resources, Administration	37219	R634-1	5YR	01/23/2013	2013-4/59	
<u>license</u>						
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37605	R722-310	AMD	07/08/2013	2013-11/55	
	37604	R722-330	AMD	07/08/2013	2013-11/58	
<u>licensed family child care</u>						
Health, Family Health and Preparedness, Child Care Licensing	37663	R430-90	5YR	05/29/2013	2013-12/54	
<u>licenses</u>						
Environmental Quality, Radiation Control	37194	R313-19	AMD	03/19/2013	2013-3/45	
Natural Resources, Wildlife Resources	37595	R657-45	5YR	05/06/2013	2013-11/105	
<u>licensing</u>						
Commerce, Occupational and Professional Licensing	37395	R156-1	NSC	04/01/2013	Not Printed	
	37199	R156-1-102	AMD	03/11/2013	2013-3/2	
	37073	R156-3a-102	AMD	01/24/2013	2012-24/6	
	37526	R156-24b-503	AMD	06/10/2013	2013-9/2	
	37417	R156-31b	5YR	03/18/2013	2013-8/53	
	37040	R156-37	AMD	01/08/2013	2012-23/18	
	37175	R156-37-502	NSC	01/30/2013	Not Printed	
	37039	R156-37f	NEW	01/08/2013	2012-23/21	
	37071	R156-44a	AMD	01/22/2013	2012-24/11	
	37273	R156-49	5YR	02/07/2013	2013-5/189	
	37274	R156-53	5YR	02/07/2013	2013-5/190	
	37364	R156-55a	AMD	04/22/2013	2013-6/17	
	37270	R156-67-306	AMD	04/08/2013	2013-5/10	

RULES INDEX

	37272	R156-68	5YR	02/07/2013	2013-5/191
	37271	R156-68-306	AMD	04/08/2013	2013-5/11
	37533	R156-75	AMD	06/24/2013	2013-10/15
	37202	R156-82	NEW	03/11/2013	2013-3/5
	37396	R156-82	NSC	04/01/2013	Not Printed
Education, Administration	37399	R277-518	5YR	03/12/2013	2013-7/61
Environmental Quality, Radiation Control	37193	R313-18	AMD	03/19/2013	2013-3/42
	37186	R313-36	NSC	01/31/2013	Not Printed
<u>licensing and certification</u>					
Commerce, Real Estate	36973	R162-2g	AMD	01/02/2013	2012-22/19
<u>life insurance</u>					
Insurance, Administration	37515	R590-93	AMD	06/11/2013	2013-9/12
<u>life sciences</u>					
Governor, Economic Development	37208	R357-6	AMD	05/01/2013	2013-4/15
<u>life settlement</u>					
Insurance, Administration	37598	R590-222	5YR	05/07/2013	2013-11/102
<u>Life with Dignity Order</u>					
Health, Family Health and Preparedness, Licensing	37442	R432-31	AMD	06/07/2013	2013-8/12
<u>litter</u>					
Transportation, Operations, Maintenance	37874	R918-4	5YR	08/01/2013	Not Printed
<u>loans</u>					
Administrative Services, Facilities Construction and Management	37845	R23-30	5YR	07/15/2013	2013-15/123
Environmental Quality, Drinking Water	37748	R309-700	NSC	07/09/2013	Not Printed
	37749	R309-705	NSC	07/09/2013	Not Printed
Environmental Quality, Water Quality	37448	R317-101	5YR	03/28/2013	2013-8/54
<u>local government</u>					
Health, Center for Health Data, Vital Records and Statistics	37429	R436-10	5YR	03/21/2013	2013-8/60
	37430	R436-12	5YR	03/21/2013	2013-8/60
<u>long-term care</u>					
Corrections, Administration	37389	R251-114	5YR	03/07/2013	2013-7/61
<u>longitudinal access</u>					
Transportation, Administration	37094	R907-64	R&R	02/07/2013	2013-1/23
<u>low quality ground water</u>					
Environmental Quality, Drinking Water	37723	R309-505	NSC	07/09/2013	Not Printed
<u>magnet wire</u>					
Environmental Quality, Air Quality	36730	R307-348	NEW	02/01/2013	2012-19/73
	36730	R307-348	CPR	02/01/2013	2013-1/61
<u>major event</u>					
Public Service Commission, Administration	37116	R746-313	AMD	02/21/2013	2013-2/87
<u>mammography</u>					
Environmental Quality, Radiation Control	37183	R313-28	NSC	01/31/2013	Not Printed
<u>maps</u>					
Natural Resources, Water Rights	37388	R655-5	5YR	03/07/2013	2013-7/66
<u>market trading program</u>					
Environmental Quality, Air Quality	37253	R307-250	5YR	02/06/2013	2013-5/196
<u>math teaching training</u>					
Education, Administration	37279	R277-498	NEW	04/08/2013	2013-5/14
	37507	R277-498-4	NSC	04/29/2013	Not Printed

<u>Medicaid</u>						
Health, Health Care Financing	37045	R410-14	AMD	01/09/2013	2012-23/44	
Health, Health Care Financing, Coverage and Reimbursement Policy	37122	R414-1-5	AMD	03/01/2013	2013-2/18	
	37422	R414-1-5	AMD	05/29/2013	2013-8/10	
	37546	R414-1-30	AMD	07/01/2013	2013-10/142	
	37391	R414-6	5YR	03/08/2013	2013-7/65	
	37578	R414-11	AMD	07/01/2013	2013-10/143	
	37656	R414-14A-26	AMD	07/22/2013	2013-12/23	
	37177	R414-27	5YR	01/09/2013	2013-3/109	
	37085	R414-29	AMD	05/16/2013	2012-24/28	
	37085	R414-29	CPR	05/16/2013	2013-7/49	
	37559	R414-51	5YR	04/30/2013	2013-10/213	
	37580	R414-52	5YR	05/01/2013	2013-10/214	
	37591	R414-53	5YR	05/03/2013	2013-11/101	
	37807	R414-55	5YR	06/28/2013	2013-14/106	
	37528	R414-70	AMD	07/01/2013	2013-10/144	
	37221	R414-301	5YR	01/23/2013	2013-4/52	
	37215	R414-302	5YR	01/23/2013	2013-4/53	
	37222	R414-305	5YR	01/23/2013	2013-4/54	
	37223	R414-308	5YR	01/23/2013	2013-4/55	
	37576	R414-401-3	AMD	07/01/2013	2013-10/146	
	37577	R414-506	AMD	07/01/2013	2013-10/147	
	37665	R414-508	5YR	05/30/2013	2013-12/53	
	37548	R414-509	EMR	05/01/2013	2013-10/209	
	37549	R414-509	AMD	06/28/2013	2013-10/148	
<u>Medicaid abuse</u>						
Governor, Planning and Budget, Inspector General of Medicaid Services (Office of)	37536	R367-1	R&R	06/21/2013	2013-10/135	
<u>Medicaid fraud</u>						
Governor, Planning and Budget, Inspector General of Medicaid Services (Office of)	37536	R367-1	R&R	06/21/2013	2013-10/135	
<u>Medicaid waste</u>						
Governor, Planning and Budget, Inspector General of Medicaid Services (Office of)	37536	R367-1	R&R	06/21/2013	2013-10/135	
<u>medical incinerators</u>						
Environmental Quality, Air Quality	37256	R307-222	5YR	02/06/2013	2013-5/194	
<u>medical practitioners</u>						
Labor Commission, Industrial Accidents	37130	R612-2	REP	02/25/2013	2013-2/35	
	37126	R612-300	NEW	02/25/2013	2013-2/66	
<u>medical supplies</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37528	R414-70	AMD	07/01/2013	2013-10/144	
<u>medical transportation</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37174	R414-306	EMR	01/07/2013	2013-3/105	
	37218	R414-306	5YR	01/23/2013	2013-4/55	
<u>medication treatment</u>						
Human Services, Substance Abuse and Mental Health, State Hospital	37224	R525-3	5YR	01/24/2013	2013-4/56	
<u>mercury</u>						
Environmental Quality, Air Quality	37254	R307-224	5YR	02/06/2013	2013-5/195	
<u>metal containers</u>						
Environmental Quality, Air Quality	36734	R307-352	NEW	02/01/2013	2012-19/84	
	36734	R307-352	CPR	02/01/2013	2013-1/73	

RULES INDEX

---

metal furniture

Environmental Quality, Air Quality	36728	R307-346	NEW	02/01/2013	2012-19/69
	36728	R307-346	CPR	02/01/2013	2013-1/57

meth lab contractor certification

Environmental Quality, Environmental Response and Remediation	37513	R311-500	NSC	04/29/2013	Not Printed
---	-------	----------	-----	------------	-------------

midwifery

Commerce, Occupational and Professional Licensing	37071	R156-44a	AMD	01/22/2013	2012-24/11
---	-------	----------	-----	------------	------------

minerals reclamation

Natural Resources, Oil, Gas and Mining; Non-Coal	37467	R647-1	5YR	04/01/2013	2013-8/65
	37468	R647-2	5YR	04/01/2013	2013-8/65
	37469	R647-3	5YR	04/01/2013	2013-8/66
	37470	R647-4	5YR	04/01/2013	2013-8/66
	37471	R647-5	5YR	04/01/2013	2013-8/67
	37476	R647-6	5YR	04/02/2013	2013-9/41
	37477	R647-7	5YR	04/02/2013	2013-9/42
	37478	R647-8	5YR	04/02/2013	2013-9/42

mining

Labor Commission, Boiler and Elevator Safety	37493	R616-1	5YR	04/05/2013	2013-9/38
	37520	R616-1	NSC	04/29/2013	Not Printed

miscellaneous metal parts

Environmental Quality, Air Quality	36732	R307-350	NEW	02/01/2013	2012-19/76
	36732	R307-350	CPR	02/01/2013	2013-1/65

monitoring

Environmental Quality, Air Quality	37259	R307-170	5YR	02/06/2013	2013-5/192
Environmental Quality, Radiation Control	37196	R313-24	AMD	03/19/2013	2013-3/74

mothers

Health, Center for Health Data, Vital Records and Statistics	37424	R436-3	5YR	03/21/2013	2013-8/57
--	-------	--------	-----	------------	-----------

motor vehicle safety

Public Safety, Driver License	37614	R708-21	EMR	05/14/2013	2013-11/89
-------------------------------	-------	---------	-----	------------	------------

motor vehicles

Environmental Quality, Administration	37847	R305-4	5YR	07/15/2013	2013-15/126
---------------------------------------	-------	--------	-----	------------	-------------

motorcycle rider training schools

Public Safety, Driver License	37613	R708-30	5YR	05/13/2013	2013-11/105
-------------------------------	-------	---------	-----	------------	-------------

municipal landfills

Environmental Quality, Air Quality	37257	R307-221	5YR	02/06/2013	2013-5/194
------------------------------------	-------	----------	-----	------------	------------

municipal waste incinerator

Environmental Quality, Air Quality	37255	R307-223	5YR	02/06/2013	2013-5/195
------------------------------------	-------	----------	-----	------------	------------

new hire registry

Workforce Services, Unemployment Insurance	37650	R994-315	5YR	05/16/2013	2013-12/59
--	-------	----------	-----	------------	------------

new state revenue

Governor, Economic Development	37208	R357-6	AMD	05/01/2013	2013-4/15
--------------------------------	-------	--------	-----	------------	-----------

newborn hearing screening

Health, Family Health and Preparedness, Children with Special Health Care Needs	37810	R398-2	5YR	07/01/2013	2013-14/105
---	-------	--------	-----	------------	-------------

newborn screening

Health, Family Health and Preparedness, Children with Special Health Care Needs	37381	R398-1	AMD	07/01/2013	2013-7/28
---	-------	--------	-----	------------	-----------

<u>non-licensed public education employee</u>					
Education, Administration	37280	R277-532	NEW	04/08/2013	2013-5/16
<u>nonattainment</u>					
Environmental Quality, Air Quality	37263	R307-403-1	AMD	07/01/2013	2013-5/37
	37263	R307-403-1	CPR	07/01/2013	2013-11/73
	37264	R307-403-2	AMD	07/01/2013	2013-5/39
	37264	R307-403-2	CPR	07/01/2013	2013-11/74
	37266	R307-403-10	AMD	07/01/2013	2013-5/42
	37266	R307-403-10	CPR	07/01/2013	2013-11/77
	37267	R307-403-11	AMD	07/01/2013	2013-5/43
	37267	R307-403-11	CPR	07/01/2013	2013-11/77
<u>nonprofit</u>					
Heritage and Arts, Arts and Museums, Museum Services	37846	R452-200	EMR	07/15/2013	2013-15/121
<u>notification requirements</u>					
Commerce, Real Estate	37393	R162-2f	AMD	05/08/2013	2013-7/8
	37530	R162-2f	AMD	06/21/2013	2013-10/17
	37394	R162-2f-403	AMD	05/08/2013	2013-7/16
	37664	R162-2f-403a	NSC	06/24/2013	Not Printed
<u>NPIP</u>					
Agriculture and Food, Animal Industry	37248	R58-6	R&R	03/25/2013	2013-4/6
<u>nuclear medicine</u>					
Environmental Quality, Radiation Control	37184	R313-32	NSC	01/31/2013	Not Printed
<u>nurses</u>					
Commerce, Occupational and Professional Licensing	37417	R156-31b	5YR	03/18/2013	2013-8/53
<u>nursing facility</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	37576	R414-401-3	AMD	07/01/2013	2013-10/146
<u>nutrition</u>					
Education, Administration	37406	R277-719	5YR	03/12/2013	2013-7/65
Human Services, Aging and Adult Services	37228	R510-104-11	AMD	04/15/2013	2013-4/18
<u>occupational licensing</u>					
Commerce, Occupational and Professional Licensing	37364	R156-55a	AMD	04/22/2013	2013-6/17
	37533	R156-75	AMD	06/24/2013	2013-10/15
<u>off-highway vehicles</u>					
Natural Resources, Parks and Recreation	37519	R651-407	5YR	04/12/2013	2013-9/43
	36856	R651-408	REP	01/15/2013	2012-20/77
	37762	R651-601	5YR	06/25/2013	2013-14/107
	37794	R651-615	5YR	06/27/2013	2013-14/113
<u>office grants</u>					
Heritage and Arts, Arts and Museums, Museum Services	37846	R452-200	EMR	07/15/2013	2013-15/121
<u>offset</u>					
Environmental Quality, Air Quality	37263	R307-403-1	AMD	07/01/2013	2013-5/37
	37263	R307-403-1	CPR	07/01/2013	2013-11/73
	37264	R307-403-2	AMD	07/01/2013	2013-5/39
	37264	R307-403-2	CPR	07/01/2013	2013-11/74
	37266	R307-403-10	AMD	07/01/2013	2013-5/42
	37266	R307-403-10	CPR	07/01/2013	2013-11/77
	37267	R307-403-11	AMD	07/01/2013	2013-5/43
	37267	R307-403-11	CPR	07/01/2013	2013-11/77
	37265	R307-420	AMD	07/01/2013	2013-5/43
	37265	R307-420	CPR	07/01/2013	2013-11/78

RULES INDEX

---

oil and gas law

Natural Resources, Oil, Gas and Mining; Oil and Gas	37444	R649-1-1	NSC	04/15/2013	Not Printed
	36992	R649-3-38	AMD	01/23/2013	2012-22/140
	37479	R649-6	5YR	04/02/2013	2013-9/43
	37545	R649-9	R&R	07/01/2013	2013-10/183
	37826	R649-9-8	NSC	07/26/2013	Not Printed
	37825	R649-9-10	NSC	07/26/2013	Not Printed

OMS

Heritage and Arts, Arts and Museums, Museum Services	37846	R452-200	EMR	07/15/2013	2013-15/121
--	-------	----------	-----	------------	-------------

open government

Education, Administration	37355	R277-101	AMD	04/22/2013	2013-6/26
---------------------------	-------	----------	-----	------------	-----------

operational requirements

Commerce, Real Estate	37393	R162-2f	AMD	05/08/2013	2013-7/8
	37530	R162-2f	AMD	06/21/2013	2013-10/17
	37394	R162-2f-403	AMD	05/08/2013	2013-7/16
	37664	R162-2f-403a	NSC	06/24/2013	Not Printed

optometry

Health, Health Care Financing, Coverage and Reimbursement Policy	37580	R414-52	5YR	05/01/2013	2013-10/214
--	-------	---------	-----	------------	-------------

orthodontia

Health, Health Care Financing, Coverage and Reimbursement Policy	37559	R414-51	5YR	04/30/2013	2013-10/213
--	-------	---------	-----	------------	-------------

osteopathic physician

Commerce, Occupational and Professional Licensing	37272	R156-68	5YR	02/07/2013	2013-5/191
	37271	R156-68-306	AMD	04/08/2013	2013-5/11

osteopaths

Commerce, Occupational and Professional Licensing	37272	R156-68	5YR	02/07/2013	2013-5/191
	37271	R156-68-306	AMD	04/08/2013	2013-5/11

out-of-home care

Human Services, Child and Family Services	37642	R512-305	5YR	05/16/2013	2013-12/56
---	-------	----------	-----	------------	------------

outdoor wood boilers

Environmental Quality, Air Quality	36481	R307-208	NEW	04/10/2013	2012-15/12
	36481	R307-208	CPR	04/10/2013	2012-23/56
	36481	R307-208	CPR	04/10/2013	2013-5/184

overflow and drains

Environmental Quality, Drinking Water	37732	R309-545	NSC	07/09/2013	Not Printed
---------------------------------------	-------	----------	-----	------------	-------------

overpayments

Workforce Services, Unemployment Insurance	37066	R994-305	AMD	01/08/2013	2012-23/52
	37023	R994-305-1201	AMD	01/02/2013	2012-22/147
	37024	R994-406	AMD	01/02/2013	2012-22/148
	37238	R994-406-301	AMD	04/02/2013	2013-4/48
	37516	R994-406-403	AMD	06/12/2013	2013-9/26

overtime

Human Resource Management, Administration	37567	R477-8	AMD	07/01/2013	2013-10/167
---	-------	--------	-----	------------	-------------

ozone

Environmental Quality, Air Quality	36725	R307-340	REP	02/01/2013	2012-19/49
	36725	R307-340	CPR	02/01/2013	2013-1/48
	37265	R307-420	AMD	07/01/2013	2013-5/43
	37265	R307-420	CPR	07/01/2013	2013-11/78

paper coating

Environmental Quality, Air Quality	36726	R307-344	NEW	02/01/2013	2012-19/65
	36726	R307-344	CPR	02/01/2013	2013-1/52

<u>pardons</u>					
Pardons (Board Of), Administration	37455	R671-315	AMD	05/22/2013	2013-8/23
<u>parking facilities</u>					
Administrative Services, Facilities Construction and Management	37357	R23-13	5YR	02/20/2013	2013-6/49
Regents (Board Of), University of Utah, Commuter Services	37096	R810-1-8	AMD	03/21/2013	2013-1/12
	37098	R810-1-14	AMD	03/21/2013	2013-1/13
	37092	R810-2-1	AMD	03/21/2013	2013-1/14
	37387	R810-12	EXD	03/07/2013	2013-7/71
<u>parks</u>					
Natural Resources, Parks and Recreation	37762	R651-601	5YR	06/25/2013	2013-14/107
	37764	R651-602	5YR	06/25/2013	2013-14/108
	37765	R651-603	5YR	06/25/2013	2013-14/108
	37766	R651-604	5YR	06/25/2013	2013-14/109
	37767	R651-605	5YR	06/25/2013	2013-14/109
	37771	R651-606	5YR	06/27/2013	2013-14/110
	37772	R651-607	5YR	06/27/2013	2013-14/110
	37776	R651-608	5YR	06/27/2013	2013-14/111
	37790	R651-609	5YR	06/27/2013	2013-14/111
	37791	R651-610	5YR	06/27/2013	2013-14/112
	37625	R651-611	AMD	07/08/2013	2013-11/40
	37792	R651-613	5YR	06/27/2013	2013-14/112
	37793	R651-614	5YR	06/27/2013	2013-14/113
	37585	R651-614	AMD	07/08/2013	2013-11/45
	37794	R651-615	5YR	06/27/2013	2013-14/113
	37798	R651-616	5YR	06/27/2013	2013-14/114
	37800	R651-617	5YR	06/27/2013	2013-14/114
	37801	R651-618	5YR	06/27/2013	2013-14/115
	37802	R651-619	5YR	06/27/2013	2013-14/115
	37803	R651-620	5YR	06/27/2013	2013-14/116
	37804	R651-621	5YR	06/27/2013	2013-14/116
	37813	R651-622	5YR	07/02/2013	2013-15/128
	37814	R651-623	5YR	07/05/2013	2013-15/129
	37815	R651-624	5YR	07/05/2013	2013-15/129
	37816	R651-625	5YR	07/05/2013	2013-15/130
	37817	R651-626	5YR	07/05/2013	2013-15/130
	37818	R651-627	5YR	07/05/2013	2013-15/131
	37819	R651-628	5YR	07/05/2013	2013-15/131
	37820	R651-629	5YR	07/05/2013	2013-15/132
	37761	R651-630	5YR	06/25/2013	2013-14/117
	37821	R651-631	5YR	07/05/2013	2013-15/132
	37822	R651-632	5YR	07/05/2013	2013-15/133
	37205	R651-633	AMD	03/14/2013	2013-3/100
	37823	R651-633	5YR	07/05/2013	2013-15/133
<u>parole</u>					
Pardons (Board Of), Administration	37342	R671-509	5YR	02/15/2013	2013-5/212
	37456	R671-509	AMD	05/22/2013	2013-8/25
	37343	R671-510	5YR	02/15/2013	2013-5/212
	37457	R671-510	AMD	05/22/2013	2013-8/26
	37344	R671-512	5YR	02/15/2013	2013-5/213
	37458	R671-512	AMD	05/22/2013	2013-8/27
	37346	R671-513	5YR	02/15/2013	2013-5/214
	37459	R671-513	AMD	05/22/2013	2013-8/28
	37347	R671-514	5YR	02/15/2013	2013-5/214
	37460	R671-514	AMD	05/22/2013	2013-8/29
	37348	R671-515	5YR	02/15/2013	2013-5/215
	37461	R671-515	AMD	05/22/2013	2013-8/31
	37349	R671-516	5YR	02/15/2013	2013-5/215
	37462	R671-516	AMD	05/22/2013	2013-8/32
	37350	R671-517	5YR	02/15/2013	2013-5/216
	37463	R671-517	AMD	05/22/2013	2013-8/33
	37351	R671-518	5YR	02/15/2013	2013-5/216

RULES INDEX

	37352	R671-519	5YR	02/15/2013	2013-5/217
	37464	R671-519	AMD	05/22/2013	2013-8/35
	37353	R671-520	5YR	02/15/2013	2013-5/217
	37465	R671-520	AMD	05/22/2013	2013-8/36
	37354	R671-522	5YR	02/15/2013	2013-5/218
<u>particulates</u>					
Environmental Quality, Air Quality	36741	R307-307	AMD	02/01/2013	2012-19/42
	36741	R307-307	CPR	02/01/2013	2013-1/45
	37234	R307-307	NSC	02/15/2013	Not Printed
<u>patient rights</u>					
Human Services, Substance Abuse and Mental Health, State Hospital	37211	R525-2	5YR	01/23/2013	2013-4/56
<u>penalties</u>					
Environmental Quality, Environmental Response and Remediation	37488	R311-208	NSC	04/29/2013	Not Printed
Environmental Quality, Radiation Control	37190	R313-14	AMD	03/19/2013	2013-3/14
Health, Center for Health Data, Vital Records and Statistics	37434	R436-16	5YR	03/21/2013	2013-8/62
Labor Commission, Industrial Accidents	37137	R612-9	REP	02/25/2013	2013-2/52
	37141	R612-13	REP	02/25/2013	2013-2/57
<u>people with disabilities</u>					
Human Services, Services for People with Disabilities	37111	R539-2	AMD	02/13/2013	2013-1/8
	37163	R539-3	CPR	05/10/2013	2013-7/51
<u>per diem allowances</u>					
Administrative Services, Finance	37521	R25-5	5YR	04/15/2013	2013-9/29
	37558	R25-5	AMD	06/21/2013	2013-10/6
	37523	R25-7	5YR	04/15/2013	2013-9/30
	37556	R25-7	AMD	06/21/2013	2013-10/7
<u>performance evaluations</u>					
Judicial Performance Evaluation Commission, Administration	37383	R597-1	AMD	05/14/2013	2013-7/37
<u>permits</u>					
Environmental Quality, Air Quality	37037	R307-401-15	AMD	02/07/2013	2012-23/40
	37236	R307-401-15	NSC	02/15/2013	Not Printed
	37268	R307-401-19	AMD	07/01/2013	2013-5/36
	37268	R307-401-19	CPR	07/01/2013	2013-11/72
	37269	R307-401-20	AMD	07/01/2013	2013-5/36
	37269	R307-401-20	CPR	07/01/2013	2013-11/72
Health, Center for Health Data, Vital Records and Statistics	37427	R436-8	5YR	03/21/2013	2013-8/58
Natural Resources; Forestry, Fire and State Lands	37623	R652-70-2300	AMD	07/08/2013	2013-11/46
	37752	R652-110	5YR	06/19/2013	2013-14/118
Natural Resources, Wildlife Resources	37594	R657-42	5YR	05/06/2013	2013-11/104
	37595	R657-45	5YR	05/06/2013	2013-11/105
<u>persistently dangerous schools</u>					
Education, Administration	37495	R277-483	5YR	04/08/2013	2013-9/31
<u>personal property</u>					
Tax Commission, Property Tax	37109	R884-24P-67	AMD	02/21/2013	2013-1/22
<u>personnel management</u>					
Human Resource Management, Administration	37561	R477-1-1	AMD	07/01/2013	2013-10/150
	37564	R477-5	AMD	07/01/2013	2013-10/159
	37565	R477-6	AMD	07/01/2013	2013-10/160
	37568	R477-9	AMD	07/01/2013	2013-10/170
	37572	R477-13	AMD	07/01/2013	2013-10/177
	37573	R477-14	AMD	07/01/2013	2013-10/178



<u>petroleum</u>						
Environmental Quality, Environmental Response and Remediation	37481	R311-200	NSC	04/29/2013	Not Printed	
	37483	R311-203	NSC	04/29/2013	Not Printed	
	37484	R311-204	NSC	04/29/2013	Not Printed	
	37485	R311-205	NSC	04/29/2013	Not Printed	
	37486	R311-206	NSC	04/29/2013	Not Printed	
	37579	R311-207	NSC	05/17/2013	Not Printed	
	37488	R311-208	NSC	04/29/2013	Not Printed	
	37489	R311-209	NSC	04/29/2013	Not Printed	
	37490	R311-211	NSC	04/29/2013	Not Printed	
	37491	R311-212	NSC	04/29/2013	Not Printed	
<u>physical therapist</u>						
Commerce, Occupational and Professional Licensing	37526	R156-24b-503	AMD	06/10/2013	2013-9/2	
<u>physical therapist assistant</u>						
Commerce, Occupational and Professional Licensing	37526	R156-24b-503	AMD	06/10/2013	2013-9/2	
<u>physical therapy</u>						
Commerce, Occupational and Professional Licensing	37526	R156-24b-503	AMD	06/10/2013	2013-9/2	
<u>physically handicapped</u>						
Public Service Commission, Administration	37449	R746-343-15	AMD	07/01/2013	2013-8/37	
<u>physicians</u>						
Commerce, Occupational and Professional Licensing	37270	R156-67-306	AMD	04/08/2013	2013-5/10	
<u>plastic parts</u>						
Environmental Quality, Air Quality	36735	R307-353	NEW	05/01/2013	2012-19/86	
	36735	R307-353	CPR	05/01/2013	2013-1/75	
	36735	R307-353	CPR	05/01/2013	2013-7/46	
<u>pleas</u>						
Pardons (Board Of), Administration	37347	R671-514	5YR	02/15/2013	2013-5/214	
	37460	R671-514	AMD	05/22/2013	2013-8/29	
<u>PM2.5</u>						
Environmental Quality, Air Quality	36480	R307-303	NEW	04/10/2013	2012-15/13	
	36480	R307-303	CPR	04/10/2013	2012-23/60	
	36480	R307-303	CPR	04/10/2013	2013-5/186	
<u>policies</u>						
Education, Administration	37280	R277-532	NEW	04/08/2013	2013-5/16	
<u>POLST</u>						
Health, Family Health and Preparedness, Licensing	37442	R432-31	AMD	06/07/2013	2013-8/12	
<u>pools</u>						
Health, Disease Control and Prevention, Environmental Services	37072	R392-302-3	AMD	02/28/2013	2012-24/26	
<u>POTW</u>						
Environmental Quality, Water Quality	37241	R317-14	5YR	01/31/2013	2013-4/52	
<u>poultry</u>						
Agriculture and Food, Animal Industry	37248	R58-6	R&R	03/25/2013	2013-4/6	
<u>predators</u>						
Natural Resources, Wildlife Resources	37609	R657-64	AMD	07/08/2013	2013-11/48	
<u>primers</u>						
Environmental Quality, Air Quality	37275	R307-342	NEW	08/01/2013	2013-5/17	
	37275	R307-342	CPR	08/01/2013	2013-13/208	
<u>printing operations</u>						
Environmental Quality, Air Quality	36733	R307-351	NEW	02/01/2013	2012-19/80	

RULES INDEX

---

	36733	R307-351	CPR	02/01/2013	2013-1/69
	37235	R307-351-4	NSC	02/15/2013	Not Printed
<u>privacy</u>					
Health, Administration	37596	R380-250	5YR	05/06/2013	2013-11/99
Human Services, Administration	37525	R495-881	5YR	04/15/2013	2013-9/34
Human Services, Services for People with Disabilities	37163	R539-3	AMD	05/10/2013	2013-2/21
<u>private investigators</u>					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37604	R722-330	AMD	07/08/2013	2013-11/58
<u>probable cause</u>					
Pardons (Board Of), Administration	37343	R671-510	5YR	02/15/2013	2013-5/212
	37457	R671-510	AMD	05/22/2013	2013-8/26
<u>procedures</u>					
Public Service Commission, Administration	37759	R746-210	5YR	06/24/2013	2013-14/119
	37760	R746-240	5YR	06/24/2013	2013-14/120
	37758	R746-340	5YR	06/24/2013	2013-14/120
<u>professional</u>					
Education, Administration	37147	R277-517	NEW	02/21/2013	2013-2/15
	37359	R277-517-5	NSC	03/15/2013	Not Printed
<u>professional competency</u>					
Education, Administration	37058	R277-502	AMD	01/07/2013	2012-23/34
	37146	R277-502	AMD	02/21/2013	2013-2/10
	37497	R277-508	5YR	04/08/2013	2013-9/32
	37510	R277-508	AMD	06/07/2013	2013-9/8
<u>professional conduct</u>					
Commerce, Real Estate	37076	R162-57a	AMD	04/02/2013	2012-24/14
<u>professional education</u>					
Education, Administration	37399	R277-518	5YR	03/12/2013	2013-7/61
<u>professional engineers</u>					
Commerce, Occupational and Professional Licensing	37074	R156-22	AMD	01/24/2013	2012-24/7
<u>professional land surveyors</u>					
Commerce, Occupational and Professional Licensing	37074	R156-22	AMD	01/24/2013	2012-24/7
<u>professional structural engineers</u>					
Commerce, Occupational and Professional Licensing	37074	R156-22	AMD	01/24/2013	2012-24/7
<u>program benefits</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	37174	R414-306	EMR	01/07/2013	2013-3/105
	37218	R414-306	5YR	01/23/2013	2013-4/55
<u>programs</u>					
Public Service Commission, Administration	37872	R746-404	5YR	07/31/2013	Not Printed
<u>prohibited items and devices</u>					
Human Services, Substance Abuse and Mental Health, State Hospital	37212	R525-6	5YR	01/23/2013	2013-4/58
<u>prohibition</u>					
Environmental Quality, Air Quality	36481	R307-208	NEW	04/10/2013	2012-15/12
	36481	R307-208	CPR	04/10/2013	2012-23/56
	36481	R307-208	CPR	04/10/2013	2013-5/184
<u>proof</u>					
Natural Resources, Water Rights	37388	R655-5	5YR	03/07/2013	2013-7/66

<u>property tax</u>						
Tax Commission, Property Tax	37109	R884-24P-67	AMD	02/21/2013	2013-1/22	
<u>property transactions</u>						
Administrative Services, Facilities Construction and Management	37358	R23-22	5YR	02/20/2013	2013-6/49	
<u>prosthetics</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37528	R414-70	AMD	07/01/2013	2013-10/144	
<u>public assistance</u>						
Public Service Commission, Administration	37449	R746-343-15	AMD	07/01/2013	2013-8/37	
Workforce Services, Employment Development	37067	R986-900-902	AMD	01/08/2013	2012-23/50	
<u>public assistance programs</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	37215	R414-302	5YR	01/23/2013	2013-4/53	
	37223	R414-308	5YR	01/23/2013	2013-4/55	
<u>public buildings</u>						
Capitol Preservation Board (State), Administration	37064	R131-2	AMD	01/07/2013	2012-23/9	
<u>public funds</u>						
Education, Administration	37356	R277-113	NEW	04/22/2013	2013-6/28	
	37538	R277-113-5	NSC	05/17/2013	Not Printed	
<u>public health</u>						
Health, Disease Control and Prevention, Environmental Services	37454	R392-510-6	AMD	07/01/2013	2013-8/8	
<u>public information</u>						
Administrative Services, Archives	37653	R17-5	5YR	05/17/2013	2013-12/49	
	37654	R17-6	5YR	05/17/2013	2013-12/49	
	37659	R17-7	5YR	05/28/2013	2013-12/50	
	37655	R17-8	5YR	05/17/2013	2013-12/50	
Human Resource Management, Administration	37562	R477-2	AMD	07/01/2013	2013-10/155	
<u>public notification</u>						
Environmental Quality, Drinking Water	37785	R309-220	NSC	07/19/2013	Not Printed	
<u>public petitions</u>						
Natural Resources, Forestry, Fire and State Lands	37751	R652-7	5YR	06/19/2013	2013-14/117	
<u>public records</u>						
Career Service Review Office, Administration	37535	R137-2	5YR	04/23/2013	2013-10/213	
Natural Resources, Oil, Gas and Mining; Administration	37472	R642-200	5YR	04/02/2013	2013-9/39	
<u>public schools</u>						
Education, Administration	37627	R277-436	5YR	05/15/2013	2013-11/97	
	37628	R277-460	5YR	05/15/2013	2013-11/98	
	37419	R277-460-6	NSC	04/15/2013	Not Printed	
	37711	R277-490	5YR	06/10/2013	2013-13/231	
<u>public utilities</u>						
Public Service Commission, Administration	37757	R746-110	5YR	06/24/2013	2013-14/119	
	37041	R746-320	AMD	01/07/2013	2012-23/48	
	37385	R746-330	5YR	03/05/2013	2013-7/68	
	37451	R746-332	5YR	03/28/2013	2013-8/68	
	37869	R746-344	5YR	07/31/2013	Not Printed	
	37870	R746-345	5YR	07/31/2013	Not Printed	
	37386	R746-347	5YR	03/05/2013	2013-7/68	
	37452	R746-402	5YR	03/28/2013	2013-8/68	
	37872	R746-404	5YR	07/31/2013	Not Printed	
	37450	R746-405	5YR	03/28/2013	2013-8/69	
	37447	R746-405	AMD	06/20/2013	2013-8/38	

RULES INDEX

	37871	R746-406	5YR	07/31/2013	Not Printed
<u>pumps</u>					
Environmental Quality, Drinking Water	37731	R309-540	NSC	07/09/2013	Not Printed
<u>QEFAF</u>					
Workforce Services, Housing and Community Development	37542	R990-101	AMD	07/01/2013	2013-10/201
<u>Qualified Emergency Food Agencies Fund</u>					
Workforce Services, Housing and Community Development	37542	R990-101	AMD	07/01/2013	2013-10/201
<u>quality standards</u>					
Environmental Quality, Drinking Water	37789	R309-200	NSC	07/19/2013	Not Printed
<u>quarantine</u>					
Agriculture and Food, Plant Industry	37445	R68-14	5YR	03/27/2013	2013-8/53
	37669	R68-16	5YR	05/30/2013	2013-12/51
Health, Disease Control and Prevention, Epidemiology	37345	R386-702	AMD	05/15/2013	2013-5/173
<u>rabies</u>					
Health, Disease Control and Prevention, Epidemiology	37345	R386-702	AMD	05/15/2013	2013-5/173
<u>radiation</u>					
Environmental Quality, Radiation Control	37180	R313-25	NSC	01/31/2013	Not Printed
	37197	R313-30	AMD	03/19/2013	2013-3/76
	37185	R313-34	NSC	01/31/2013	Not Printed
<u>radiation safety</u>					
Environmental Quality, Radiation Control	37193	R313-18	AMD	03/19/2013	2013-3/42
	37197	R313-30	AMD	03/19/2013	2013-3/76
	37185	R313-34	NSC	01/31/2013	Not Printed
<u>radioactive materials</u>					
Environmental Quality, Radiation Control	37191	R313-15	AMD	03/19/2013	2013-3/18
	37193	R313-18	AMD	03/19/2013	2013-3/42
	37181	R313-21	NSC	01/31/2013	Not Printed
	37195	R313-22	AMD	03/19/2013	2013-3/56
	37184	R313-32	NSC	01/31/2013	Not Printed
	37186	R313-36	NSC	01/31/2013	Not Printed
	37187	R313-38	NSC	01/31/2013	Not Printed
	37188	R313-70	NSC	01/31/2013	Not Printed
<u>radioactive waste disposal</u>					
Environmental Quality, Radiation Control	37180	R313-25	NSC	01/31/2013	Not Printed
<u>radioactive waste generator permit</u>					
Environmental Quality, Radiation Control	37182	R313-26	NSC	01/31/2013	Not Printed
<u>radiopharmaceutical</u>					
Environmental Quality, Radiation Control	37184	R313-32	NSC	01/31/2013	Not Printed
<u>rates</u>					
Administrative Services, Finance	37521	R25-5	5YR	04/15/2013	2013-9/29
	37558	R25-5	AMD	06/21/2013	2013-10/6
	37524	R25-8	5YR	04/15/2013	2013-9/30
	37557	R25-8	AMD	06/21/2013	2013-10/12
Labor Commission, Industrial Accidents	37132	R612-4	REP	02/25/2013	2013-2/46
	37127	R612-400	NEW	02/25/2013	2013-2/76
Public Service Commission, Administration	37449	R746-343-15	AMD	07/01/2013	2013-8/37
Workforce Services, Unemployment Insurance	37652	R994-306	5YR	05/16/2013	2013-12/58
	37651	R994-307	5YR	05/16/2013	2013-12/59

<u>raw milk</u>					
Agriculture and Food, Regulatory Services	36915	R70-320-18	AMD	01/29/2013	2012-21/8
	36914	R70-330	AMD	01/29/2013	2012-21/9
	37620	R70-330	EMR	05/14/2013	2013-11/84
<u>reading</u>					
Education, Administration	37709	R277-406	5YR	06/10/2013	2013-13/230
<u>reading proficiency</u>					
Education, Administration	37708	R277-403	5YR	06/10/2013	2013-13/230
<u>real estate</u>					
Administrative Services, Facilities Construction and Management	37358	R23-22	5YR	02/20/2013	2013-6/49
<u>real estate appraisals</u>					
Commerce, Real Estate	36973	R162-2g	AMD	01/02/2013	2012-22/19
<u>real estate business</u>					
Commerce, Real Estate	37393	R162-2f	AMD	05/08/2013	2013-7/8
	37530	R162-2f	AMD	06/21/2013	2013-10/17
	37394	R162-2f-403	AMD	05/08/2013	2013-7/16
	37664	R162-2f-403a	NSC	06/24/2013	Not Printed
<u>reception center licenses</u>					
Alcoholic Beverage Control, Administration	37372	R81-4F-2	AMD	04/30/2013	2013-6/10
<u>reciprocity</u>					
Environmental Quality, Radiation Control	37194	R313-19	AMD	03/19/2013	2013-3/45
<u>reclamation</u>					
Natural Resources, Oil, Gas and Mining; Coal	37473	R645-101	5YR	04/02/2013	2013-9/39
	37466	R645-102	5YR	04/01/2013	2013-8/64
	37474	R645-104	5YR	04/02/2013	2013-9/40
	37475	R645-401	5YR	04/02/2013	2013-9/40
<u>reconsiderations</u>					
Career Service Review Office, Administration	37607	R137-1	AMD	07/22/2013	2013-11/10
<u>record requests</u>					
Human Services, Recovery Services	37668	R527-5-3	AMD	07/22/2013	2013-12/30
<u>records</u>					
Education, Administration	37144	R277-487	AMD	02/21/2013	2013-2/7
Regents (Board Of), University of Utah, Administration	37824	R805-2	5YR	07/08/2013	2013-15/134
<u>records access</u>					
Career Service Review Office, Administration	37535	R137-2	5YR	04/23/2013	2013-10/213
<u>records fees</u>					
Human Services, Recovery Services	37668	R527-5-3	AMD	07/22/2013	2013-12/30
<u>records retention</u>					
Administrative Services, Archives	37653	R17-5	5YR	05/17/2013	2013-12/49
	37654	R17-6	5YR	05/17/2013	2013-12/49
	37659	R17-7	5YR	05/28/2013	2013-12/50
	37655	R17-8	5YR	05/17/2013	2013-12/50
<u>recusal</u>					
Environmental Quality, Administration	36776	R305-9	NEW	02/22/2013	2012-19/28
	36776	R305-9	CPR	02/22/2013	2013-2/94
<u>reemployment guidelines</u>					
Labor Commission, Industrial Accidents	37128	R612-500	NEW	02/25/2013	2013-2/79

RULES INDEX

---

<u>reemployment workers' compensation guidelines</u>					
Labor Commission, Industrial Accidents	37136	R612-8	REP	02/25/2013	2013-2/50
<u>regionalization</u>					
Environmental Quality, Drinking Water	37747	R309-800	NSC	07/09/2013	Not Printed
<u>registration</u>					
Commerce, Real Estate	37076	R162-57a	AMD	04/02/2013	2012-24/14
Environmental Quality, Radiation Control	37188	R313-70	NSC	01/31/2013	Not Printed
Workforce Services, Unemployment Insurance	37647	R994-403	5YR	05/16/2013	2013-12/60
	37517	R994-403	AMD	06/12/2013	2013-9/23
	37671	R994-403-115c	AMD	08/01/2013	2013-12/38
<u>regulated contaminants</u>					
Environmental Quality, Drinking Water	37789	R309-200	NSC	07/19/2013	Not Printed
<u>rehabilitation</u>					
Education, Rehabilitation	37500	R280-200	5YR	04/08/2013	2013-9/34
	37512	R280-200	AMD	06/07/2013	2013-9/12
<u>reimbursements</u>					
Administrative Services, Finance	37522	R25-6	5YR	04/15/2013	2013-9/29
<u>released-time classes</u>					
Education, Administration	37402	R277-610	5YR	03/12/2013	2013-7/63
	37414	R277-610	AMD	05/16/2013	2013-7/24
<u>reliability</u>					
Public Service Commission, Administration	37116	R746-313	AMD	02/21/2013	2013-2/87
<u>relocation benefits</u>					
Administrative Services, Finance	37522	R25-6	5YR	04/15/2013	2013-9/29
<u>renewal license</u>					
Public Safety, Driver License	37657	R708-45	EMR	05/23/2013	2013-12/45
<u>reporting</u>					
Labor Commission, Industrial Accidents	37138	R612-10	REP	02/25/2013	2013-2/53
	37139	R612-11	REP	02/25/2013	2013-2/54
	37140	R612-12	REP	02/25/2013	2013-2/55
	37141	R612-13	REP	02/25/2013	2013-2/57
<u>reports</u>					
Education, Administration	37145	R277-484	AMD	02/21/2013	2013-2/4
<u>reptiles</u>					
Natural Resources, Wildlife Resources	37667	R657-53	5YR	05/30/2013	2013-12/57
<u>requirements</u>					
Education, Administration	37537	R277-531-3	AMD	06/24/2013	2013-10/26
<u>research</u>					
Health, Center for Health Data, Vital Records and Statistics	37435	R436-17	5YR	03/21/2013	2013-8/63
<u>residential certification</u>					
Health, Family Health and Preparedness, Child Care Licensing	37661	R430-50	5YR	05/29/2013	2013-12/53
<u>resources</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	37222	R414-305	5YR	01/23/2013	2013-4/54
<u>retirement</u>					
Human Resource Management, Administration	37571	R477-12	AMD	07/01/2013	2013-10/175

<u>revocation</u>					
Pardons (Board Of), Administration	37349	R671-516	5YR	02/15/2013	2013-5/215
	37462	R671-516	AMD	05/22/2013	2013-8/32
<u>revocation procedures</u>					
Environmental Quality, Environmental Response and Remediation	37482	R311-201	NSC	04/29/2013	Not Printed
	37513	R311-500	NSC	04/29/2013	Not Printed
<u>right-of-way</u>					
Transportation, Administration	37094	R907-64	R&R	02/07/2013	2013-1/23
<u>rights</u>					
Human Services, Services for People with Disabilities	37163	R539-3	CPR	05/10/2013	2013-7/51
<u>roads</u>					
Environmental Quality, Air Quality	36741	R307-307	AMD	02/01/2013	2012-19/42
	36741	R307-307	CPR	02/01/2013	2013-1/45
	37234	R307-307	NSC	02/15/2013	Not Printed
Natural Resources, Forestry, Fire and State Lands	37752	R652-110	5YR	06/19/2013	2013-14/118
<u>rules</u>					
Public Service Commission, Administration	37759	R746-210	5YR	06/24/2013	2013-14/119
<u>rules and procedures</u>					
Health, Disease Control and Prevention, Epidemiology	37345	R386-702	AMD	05/15/2013	2013-5/173
Health, Disease Control and Prevention, Immunization	37806	R396-100	5YR	06/28/2013	2013-14/105
Human Resource Management, Administration	37561	R477-1-1	AMD	07/01/2013	2013-10/150
	37572	R477-13	AMD	07/01/2013	2013-10/177
Public Service Commission, Administration	37757	R746-110	5YR	06/24/2013	2013-14/119
	37041	R746-320	AMD	01/07/2013	2012-23/48
	37451	R746-332	5YR	03/28/2013	2013-8/68
	37869	R746-344	5YR	07/31/2013	Not Printed
	37870	R746-345	5YR	07/31/2013	Not Printed
	37452	R746-402	5YR	03/28/2013	2013-8/68
	37872	R746-404	5YR	07/31/2013	Not Printed
	37450	R746-405	5YR	03/28/2013	2013-8/69
	37447	R746-405	AMD	06/20/2013	2013-8/38
<u>Rural Broadband Service Fund</u>					
Governor, Economic Development	37206	R357-2	EXT	01/16/2013	2013-4/63
	37204	R357-2	REP	05/01/2013	2013-3/96
<u>rural economic development</u>					
Governor, Economic Development	37206	R357-2	EXT	01/16/2013	2013-4/63
	37204	R357-2	REP	05/01/2013	2013-3/96
<u>safety</u>					
Environmental Quality, Radiation Control	37191	R313-15	AMD	03/19/2013	2013-3/18
Regents (Board Of), University of Utah, Administration	37407	R805-1	5YR	03/12/2013	2013-7/69
<u>safety regulations</u>					
Transportation, Motor Carrier	37624	R909-19-7	EMR	05/14/2013	2013-11/93
<u>SAIDI/SAIFI</u>					
Public Service Commission, Administration	37116	R746-313	AMD	02/21/2013	2013-2/87
<u>salaries</u>					
Human Resource Management, Administration	37565	R477-6	AMD	07/01/2013	2013-10/160
<u>salons</u>					
Health, Disease Control and Prevention, Environmental Services	37251	R392-700	5YR	02/06/2013	2013-5/209

RULES INDEX

---

<u>sanitation</u>						
Health, Disease Control and Prevention, Environmental Services	37251	R392-700	5YR	02/06/2013	2013-5/209	
<u>scholarships</u>						
Education, Administration	37713	R277-602	5YR	06/10/2013	2013-13/232	
Regents (Board Of), Administration	37586	R765-604	AMD	07/08/2013	2013-11/61	
	37587	R765-609	AMD	07/08/2013	2013-11/65	
<u>school boards</u>						
Education, Administration	37355	R277-101	AMD	04/22/2013	2013-6/26	
<u>school buses</u>						
Education, Administration	37400	R277-600	5YR	03/12/2013	2013-7/62	
	37413	R277-600	AMD	05/16/2013	2013-7/20	
<u>school choice</u>						
Education, Administration	37495	R277-483	5YR	04/08/2013	2013-9/31	
<u>school community councils</u>						
Education, Administration	37629	R277-491	5YR	05/15/2013	2013-11/98	
	37636	R277-491	R&R	07/08/2013	2013-11/17	
<u>school enrollment</u>						
Education, Administration	37756	R277-445-2	NSC	07/19/2013	Not Printed	
	37278	R277-445-3	AMD	04/08/2013	2013-5/13	
<u>school fees</u>						
Education, Administration	37755	R277-407-2	NSC	07/19/2013	Not Printed	
<u>school personnel</u>						
Education, Administration	37497	R277-508	5YR	04/08/2013	2013-9/32	
	37510	R277-508	AMD	06/07/2013	2013-9/8	
<u>school sponsored activities</u>						
Education, Administration	37356	R277-113	NEW	04/22/2013	2013-6/28	
	37538	R277-113-5	NSC	05/17/2013	Not Printed	
<u>school transportation</u>						
Education, Administration	37400	R277-600	5YR	03/12/2013	2013-7/62	
	37413	R277-600	AMD	05/16/2013	2013-7/20	
<u>school vision</u>						
Health, Disease Control and Prevention, Health Promotion	37028	R384-201	NEW	02/20/2013	2012-23/42	
	37453	R384-201	AMD	07/01/2013	2013-8/6	
<u>school year</u>						
Education, Administration	37499	R277-751	5YR	04/08/2013	2013-9/33	
	37511	R277-751	AMD	06/07/2013	2013-9/10	
<u>schools</u>						
Education, Administration	37710	R277-477	5YR	06/10/2013	2013-13/231	
	37714	R277-617	5YR	06/10/2013	2013-13/233	
	37406	R277-719	5YR	03/12/2013	2013-7/65	
Environmental Quality, Air Quality	37252	R307-801	5YR	02/06/2013	2013-5/197	
<u>scooters</u>						
Regents (Board Of), University of Utah, Administration	37407	R805-1	5YR	03/12/2013	2013-7/69	
<u>SDWA</u>						
Environmental Quality, Drinking Water	37749	R309-705	NSC	07/09/2013	Not Printed	
<u>sealants</u>						
Environmental Quality, Air Quality	37275	R307-342	NEW	08/01/2013	2013-5/17	
	37275	R307-342	CPR	08/01/2013	2013-13/208	



<u>secondary education</u>					
Regents (Board Of), Administration	37586	R765-604	AMD	07/08/2013	2013-11/61
	37587	R765-609	AMD	07/08/2013	2013-11/65
<u>secure area hearing rooms</u>					
Regents (Board Of), Administration	37552	R765-254	5YR	04/29/2013	2013-10/216
<u>secure areas</u>					
Human Services, Substance Abuse and Mental Health, State Hospital	37212	R525-6	5YR	01/23/2013	2013-4/58
<u>securities</u>					
Commerce, Securities	37660	R164-31	5YR	05/28/2013	2013-12/52
	37042	R164-31-1	AMD	01/08/2013	2012-23/26
<u>securities regulations</u>					
Commerce, Securities	37660	R164-31	5YR	05/28/2013	2013-12/52
	37042	R164-31-1	AMD	01/08/2013	2012-23/26
<u>self insurance plans</u>					
Labor Commission, Industrial Accidents	37131	R612-3	REP	02/25/2013	2013-2/43
<u>seminars</u>					
Education, Administration	37634	R277-411	NEW	07/08/2013	2013-11/16
<u>seniors</u>					
Human Services, Aging and Adult Services	37277	R510-105	5YR	02/08/2013	2013-5/210
<u>services</u>					
Human Services, Services for People with Disabilities	37111	R539-2	AMD	02/13/2013	2013-1/8
<u>settlements</u>					
Labor Commission, Industrial Accidents	37138	R612-10	REP	02/25/2013	2013-2/53
	37139	R612-11	REP	02/25/2013	2013-2/54
	37140	R612-12	REP	02/25/2013	2013-2/55
<u>sewage effluent use</u>					
Natural Resources, Water Rights	37119	R655-7	REP	03/07/2013	2013-2/81
<u>sewage treatment</u>					
Environmental Quality, Water Quality	37448	R317-101	5YR	03/28/2013	2013-8/54
<u>sewerage</u>					
Public Service Commission, Administration	37385	R746-330	5YR	03/05/2013	2013-7/68
<u>sex offender registry</u>					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37232	R722-360	NEW	03/25/2013	2013-4/46
<u>skateboards</u>					
Regents (Board Of), University of Utah, Administration	37407	R805-1	5YR	03/12/2013	2013-7/69
<u>SLEAP</u>					
Regents (Board Of), Administration	37540	R765-606	5YR	04/24/2013	2013-10/218
<u>smoking</u>					
Health, Disease Control and Prevention, Environmental Services	37454	R392-510-6	AMD	07/01/2013	2013-8/8
<u>social security numbers</u>					
Human Services, Services for People with Disabilities	37110	R539-1	AMD	02/13/2013	2013-1/2
	37245	R539-1-3	AMD	04/18/2013	2013-4/21
<u>social services</u>					
Human Services, Child and Family Services	37502	R512-200	5YR	04/08/2013	2013-9/35

RULES INDEX

	37503	R512-201	5YR	04/08/2013	2013-9/36
	37504	R512-202	5YR	04/08/2013	2013-9/36
	37639	R512-300	5YR	05/16/2013	2013-12/55
	37640	R512-301	5YR	05/16/2013	2013-12/55
	37642	R512-305	5YR	05/16/2013	2013-12/56
<u>solid waste management</u>					
Environmental Quality, Solid and Hazardous Waste	37282	R315-301	5YR	02/13/2013	2013-5/198
	37322	R315-301	AMD	04/25/2013	2013-5/116
	37283	R315-302	5YR	02/13/2013	2013-5/198
	37323	R315-302	AMD	04/25/2013	2013-5/122
	37284	R315-303	5YR	02/13/2013	2013-5/199
	37324	R315-303	AMD	04/25/2013	2013-5/127
	37285	R315-304	5YR	02/13/2013	2013-5/200
	37325	R315-304	AMD	04/25/2013	2013-5/132
	37286	R315-305	5YR	02/13/2013	2013-5/200
	37326	R315-305	AMD	04/25/2013	2013-5/134
	37287	R315-306	5YR	02/13/2013	2013-5/201
	37327	R315-306	AMD	04/25/2013	2013-5/136
	37288	R315-307	5YR	02/13/2013	2013-5/201
	37328	R315-307-3	AMD	04/25/2013	2013-5/138
	37289	R315-308	5YR	02/13/2013	2013-5/202
	37329	R315-308	AMD	04/25/2013	2013-5/139
	37290	R315-309	5YR	02/13/2013	2013-5/202
	37330	R315-309	AMD	04/25/2013	2013-5/144
	37291	R315-310	5YR	02/13/2013	2013-5/203
	37331	R315-310	AMD	04/25/2013	2013-5/151
	37292	R315-311	5YR	02/13/2013	2013-5/204
	37332	R315-311	AMD	04/25/2013	2013-5/155
	37293	R315-312	5YR	02/13/2013	2013-5/204
	37333	R315-312	AMD	04/25/2013	2013-5/157
	37294	R315-313	5YR	02/13/2013	2013-5/205
	37334	R315-313-2	AMD	04/25/2013	2013-5/159
	37295	R315-314	5YR	02/13/2013	2013-5/205
	37335	R315-314	AMD	04/25/2013	2013-5/160
	37296	R315-315	5YR	02/13/2013	2013-5/206
	37336	R315-315	AMD	04/25/2013	2013-5/163
	37297	R315-316	5YR	02/13/2013	2013-5/206
	37337	R315-316	AMD	04/25/2013	2013-5/165
	37298	R315-317	5YR	02/13/2013	2013-5/207
	37338	R315-317	AMD	04/25/2013	2013-5/167
	37480	R315-317	NSC	04/29/2013	Not Printed
	37299	R315-318	5YR	02/13/2013	2013-5/208
	37339	R315-318	AMD	04/25/2013	2013-5/168
	37300	R315-320	5YR	02/13/2013	2013-5/208
	37340	R315-320	AMD	04/25/2013	2013-5/169
<u>solvent cleaning</u>					
Environmental Quality, Air Quality	36737	R307-355	NEW	02/01/2013	2012-19/91
<u>source development</u>					
Environmental Quality, Drinking Water	36562	R309-515-6	AMD	01/16/2013	2012-16/66
	36562	R309-515-6	CPR	01/16/2013	2012-23/70
<u>source maintenance</u>					
Environmental Quality, Drinking Water	36562	R309-515-6	AMD	01/16/2013	2012-16/66
	36562	R309-515-6	CPR	01/16/2013	2012-23/70
<u>source materials</u>					
Environmental Quality, Radiation Control	37181	R313-21	NSC	01/31/2013	Not Printed
<u>source monitoring</u>					
Environmental Quality, Drinking Water	37786	R309-205	NSC	07/19/2013	Not Printed
<u>sovereign lands</u>					
Natural Resources, Forestry, Fire and State Lands	37623	R652-70-2300	AMD	07/08/2013	2013-11/46

<u>spas</u> Health, Disease Control and Prevention, Environmental Services	37072	R392-302-3	AMD	02/28/2013	2012-24/26
<u>special educators</u> Education, Administration	37712	R277-525	5YR	06/10/2013	2013-13/232
<u>special needs students</u> Education, Administration	37713	R277-602	5YR	06/10/2013	2013-13/232
<u>specific licenses</u> Environmental Quality, Radiation Control	37195	R313-22	AMD	03/19/2013	2013-3/56
<u>sponsor-a-highway</u> Transportation, Operations, Maintenance	37874	R918-4	5YR	08/01/2013	Not Printed
<u>standards</u> Education, Administration	37147	R277-517	NEW	02/21/2013	2013-2/15
	37359	R277-517-5	NSC	03/15/2013	Not Printed
Health, Center for Health Data, Vital Records and Statistics	37418	R436-1	5YR	03/19/2013	2013-8/55
	37429	R436-10	5YR	03/21/2013	2013-8/60
	37430	R436-12	5YR	03/21/2013	2013-8/60
	37431	R436-13	5YR	03/21/2013	2013-8/61
<u>state employees</u> Administrative Services, Finance	37521	R25-5	5YR	04/15/2013	2013-9/29
	37558	R25-5	AMD	06/21/2013	2013-10/6
	37523	R25-7	5YR	04/15/2013	2013-9/30
	37556	R25-7	AMD	06/21/2013	2013-10/7
	37524	R25-8	5YR	04/15/2013	2013-9/30
	37557	R25-8	AMD	06/21/2013	2013-10/12
Human Resource Management, Administration	37564	R477-5	AMD	07/01/2013	2013-10/159
<u>state hospital</u> Human Services, Substance Abuse and Mental Health, State Hospital	37212	R525-6	5YR	01/23/2013	2013-4/58
<u>state vehicle use</u> Administrative Services, Fleet Operations	36949	R27-3	AMD	03/07/2013	2012-22/11
	37392	R27-3-5	AMD	06/07/2013	2013-7/4
<u>Statewide Mutual Aid Act</u> Public Safety, Homeland Security	37117	R704-2	NEW	02/25/2013	2013-2/83
<u>stipends</u> Education, Administration	37712	R277-525	5YR	06/10/2013	2013-13/232
<u>storage tanks</u> Environmental Quality, Drinking Water	37732	R309-545	NSC	07/09/2013	Not Printed
<u>student competency</u> Education, Administration	37404	R277-702	5YR	03/12/2013	2013-7/64
	37415	R277-702	AMD	05/16/2013	2013-7/26
<u>student eligibility</u> Workforce Services, Unemployment Insurance	37647	R994-403	5YR	05/16/2013	2013-12/60
	37517	R994-403	AMD	06/12/2013	2013-9/23
	37671	R994-403-115c	AMD	08/01/2013	2013-12/38
<u>student teachers</u> Education, Administration	37059	R277-509	AMD	01/07/2013	2012-23/39
<u>students</u> Education, Administration	37708	R277-403	5YR	06/10/2013	2013-13/230
	37634	R277-411	NEW	07/08/2013	2013-11/16
	37496	R277-485	5YR	04/08/2013	2013-9/32

RULES INDEX

	37144	R277-487	AMD	02/21/2013	2013-2/7
	37405	R277-709	5YR	03/12/2013	2013-7/64
	37244	R277-709-3	NSC	02/15/2013	Not Printed
<u>students at risk</u>					
Education, Administration	37627	R277-436	5YR	05/15/2013	2013-11/97
<u>substance abuse prevention</u>					
Education, Administration	37628	R277-460	5YR	05/15/2013	2013-11/98
	37419	R277-460-6	NSC	04/15/2013	Not Printed
<u>subsurface tracer studies</u>					
Environmental Quality, Radiation Control	37187	R313-38	NSC	01/31/2013	Not Printed
<u>suggestions</u>					
Human Services, Substance Abuse and Mental Health, State Hospital	37213	R525-7	5YR	01/23/2013	2013-4/58
<u>sulfur dioxide</u>					
Environmental Quality, Air Quality	37253	R307-250	5YR	02/06/2013	2013-5/196
<u>supervision</u>					
Commerce, Occupational and Professional Licensing	37395	R156-1	NSC	04/01/2013	Not Printed
	37199	R156-1-102	AMD	03/11/2013	2013-3/2
<u>surface coating</u>					
Environmental Quality, Air Quality	36725	R307-340	REP	02/01/2013	2012-19/49
	36725	R307-340	CPR	02/01/2013	2013-1/48
	36728	R307-346	NEW	02/01/2013	2012-19/69
	36728	R307-346	CPR	02/01/2013	2013-1/57
	36729	R307-347	NEW	02/01/2013	2012-19/71
	36729	R307-347	CPR	02/01/2013	2013-1/59
	36730	R307-348	NEW	02/01/2013	2012-19/73
	36730	R307-348	CPR	02/01/2013	2013-1/61
<u>surface water treatment</u>					
Environmental Quality, Drinking Water	37723	R309-505	NSC	07/09/2013	Not Printed
<u>surface water treatment plant monitoring</u>					
Environmental Quality, Drinking Water	37788	R309-215	NSC	07/19/2013	Not Printed
<u>surveys</u>					
Environmental Quality, Radiation Control	37197	R313-30	AMD	03/19/2013	2013-3/76
	37185	R313-34	NSC	01/31/2013	Not Printed
	37198	R313-35	AMD	03/19/2013	2013-3/91
	37186	R313-36	NSC	01/31/2013	Not Printed
	37187	R313-38	NSC	01/31/2013	Not Printed
Judicial Performance Evaluation Commission, Administration	37382	R597-3	AMD	05/14/2013	2013-7/38
<u>tailings</u>					
Environmental Quality, Radiation Control	37196	R313-24	AMD	03/19/2013	2013-3/74
<u>tanning beds</u>					
Health, Disease Control and Prevention, Environmental Services	37251	R392-700	5YR	02/06/2013	2013-5/209
<u>tariffs</u>					
Public Service Commission, Administration	37450	R746-405	5YR	03/28/2013	2013-8/69
	37447	R746-405	AMD	06/20/2013	2013-8/38
<u>tax credits</u>					
Governor, Economic Development	37666	R357-3	5YR	05/30/2013	2013-12/52
	37207	R357-9	AMD	05/01/2013	2013-4/16
<u>tax returns</u>					
Tax Commission, Auditing	37108	R865-9I-13	AMD	02/21/2013	2013-1/20

	37178	R865-9I-46	NSC	01/31/2013	Not Printed
<u>taxation</u>					
Tax Commission, Administration	36991	R861-1A-12	AMD	01/10/2013	2012-22/144
	37104	R861-1A-26	AMD	02/21/2013	2013-1/15
	37106	R861-1A-37	AMD	02/21/2013	2013-1/17
	37107	R861-1A-46	AMD	02/21/2013	2013-1/18
Tax Commission, Property Tax	37109	R884-24P-67	AMD	02/21/2013	2013-1/22
<u>taxes</u>					
Human Services, Recovery Services	37506	R527-475	5YR	04/08/2013	2013-9/37
Insurance, Administration	37171	R590-157	5YR	01/07/2013	2013-3/112
<u>teacher licensing</u>					
Professional Practices Advisory Commission, Administration	37243	R686-100	5YR	02/01/2013	2013-4/60
<u>teacher preparation programs</u>					
Education, Administration	37059	R277-509	AMD	01/07/2013	2012-23/39
<u>teachers</u>					
Education, Administration	37497	R277-508	5YR	04/08/2013	2013-9/32
	37510	R277-508	AMD	06/07/2013	2013-9/8
Professional Practices Advisory Commission, Administration	37637	R686-101	5YR	05/16/2013	2013-12/57
	37638	R686-102	5YR	05/16/2013	2013-12/58
<u>technology</u>					
Education, Administration	37714	R277-617	5YR	06/10/2013	2013-13/233
<u>telecommunications</u>					
Public Service Commission, Administration	37760	R746-240	5YR	06/24/2013	2013-14/120
	37758	R746-340	5YR	06/24/2013	2013-14/120
	37449	R746-343-15	AMD	07/01/2013	2013-8/37
	37869	R746-344	5YR	07/31/2013	Not Printed
	37870	R746-345	5YR	07/31/2013	Not Printed
	37386	R746-347	5YR	03/05/2013	2013-7/68
Transportation, Administration	37094	R907-64	R&R	02/07/2013	2013-1/23
<u>telecommuting</u>					
Human Resource Management, Administration	37567	R477-8	AMD	07/01/2013	2013-10/167
<u>telephone utility regulations</u>					
Public Service Commission, Administration	37758	R746-340	5YR	06/24/2013	2013-14/120
	37870	R746-345	5YR	07/31/2013	Not Printed
<u>telephones</u>					
Public Service Commission, Administration	37760	R746-240	5YR	06/24/2013	2013-14/120
<u>temporary beer event permits</u>					
Alcoholic Beverage Control, Administration	37836	R81-10B	5YR	07/11/2013	2013-15/125
<u>temporary identification card</u>					
Public Safety, Driver License	37555	R708-49	NEW	06/30/2013	2013-10/194
<u>terminally ill</u>					
Corrections, Administration	37389	R251-114	5YR	03/07/2013	2013-7/61
<u>time</u>					
Labor Commission, Industrial Accidents	37129	R612-1	REP	02/25/2013	2013-2/28
	37125	R612-200	NEW	02/25/2013	2013-2/62
	37622	R612-200-1	AMD	07/08/2013	2013-11/34
<u>timeliness</u>					
Pardons (Board Of), Administration	37348	R671-515	5YR	02/15/2013	2013-5/215
	37461	R671-515	AMD	05/22/2013	2013-8/31

RULES INDEX

---

<u>timeshare</u>						
Commerce, Real Estate	37076	R162-57a	AMD	04/02/2013	2012-24/14	
<u>title insurance</u>						
Insurance, Title and Escrow Commission	37588	R592-2-7	LNR	05/01/2013	2013-11/107	
	37841	R592-10	5YR	07/12/2013	2013-15/128	
<u>towing</u>						
Transportation, Motor Carrier	37624	R909-19-7	EMR	05/14/2013	2013-11/93	
<u>trainee registration</u>						
Commerce, Real Estate	36973	R162-2g	AMD	01/02/2013	2012-22/19	
<u>training programs</u>						
Human Resource Management, Administration	37569	R477-10-3	AMD	07/01/2013	2013-10/172	
<u>Transition to Adult Living</u>						
Human Services, Child and Family Services	37642	R512-305	5YR	05/16/2013	2013-12/56	
<u>transmission and distribution pipelines</u>						
Environmental Quality, Drinking Water	37733	R309-550	NSC	07/09/2013	Not Printed	
<u>transportation</u>						
Administrative Services, Finance	37523	R25-7	5YR	04/15/2013	2013-9/30	
	37556	R25-7	AMD	06/21/2013	2013-10/7	
Environmental Quality, Radiation Control	37194	R313-19	AMD	03/19/2013	2013-3/45	
Human Services, Aging and Adult Services	37277	R510-105	5YR	02/08/2013	2013-5/210	
<u>transportation law</u>						
Administrative Services, Facilities Construction and Management	37357	R23-13	5YR	02/20/2013	2013-6/49	
<u>trespass</u>						
Natural Resources, Parks and Recreation	37803	R651-620	5YR	06/27/2013	2013-14/116	
<u>trichomoniasis</u>						
Agriculture and Food, Animal Industry	36962	R58-21	AMD	01/04/2013	2012-22/16	
<u>trucks</u>						
Transportation, Motor Carrier	37624	R909-19-7	EMR	05/14/2013	2013-11/93	
<u>trust account records</u>						
Commerce, Real Estate	37393	R162-2f	AMD	05/08/2013	2013-7/8	
	37530	R162-2f	AMD	06/21/2013	2013-10/17	
	37394	R162-2f-403	AMD	05/08/2013	2013-7/16	
	37664	R162-2f-403a	NSC	06/24/2013	Not Printed	
<u>trust lands funds</u>						
Education, Administration	37710	R277-477	5YR	06/10/2013	2013-13/231	
<u>ultraviolet light safety</u>						
Health, Disease Control and Prevention, Environmental Services	37251	R392-700	5YR	02/06/2013	2013-5/209	
<u>undercover identification</u>						
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	37226	R722-320	5YR	01/24/2013	2013-4/61	
	37227	R722-320	NSC	02/15/2013	Not Printed	
<u>underground storage tanks</u>						
Environmental Quality, Environmental Response and Remediation	37481	R311-200	NSC	04/29/2013	Not Printed	
	37482	R311-201	NSC	04/29/2013	Not Printed	
	37483	R311-203	NSC	04/29/2013	Not Printed	
	37484	R311-204	NSC	04/29/2013	Not Printed	
	37485	R311-205	NSC	04/29/2013	Not Printed	
	37486	R311-206	NSC	04/29/2013	Not Printed	

	37579	R311-207	NSC	05/17/2013	Not Printed
	37488	R311-208	NSC	04/29/2013	Not Printed
	37489	R311-209	NSC	04/29/2013	Not Printed
	37490	R311-211	NSC	04/29/2013	Not Printed
	37491	R311-212	NSC	04/29/2013	Not Printed
<u>unemployment compensation</u>					
Workforce Services, Unemployment Insurance	37518	R994-201	5YR	04/11/2013	2013-9/44
	37543	R994-202	5YR	04/25/2013	2013-10/218
	37544	R994-208	5YR	04/25/2013	2013-10/219
	37066	R994-305	AMD	01/08/2013	2012-23/52
	37023	R994-305-1201	AMD	01/02/2013	2012-22/147
	37652	R994-306	5YR	05/16/2013	2013-12/58
	37651	R994-307	5YR	05/16/2013	2013-12/59
	37647	R994-403	5YR	05/16/2013	2013-12/60
	37517	R994-403	AMD	06/12/2013	2013-9/23
	37671	R994-403-115c	AMD	08/01/2013	2013-12/38
	37648	R994-405	5YR	05/16/2013	2013-12/60
	37024	R994-406	AMD	01/02/2013	2012-22/148
	37238	R994-406-301	AMD	04/02/2013	2013-4/48
	37516	R994-406-403	AMD	06/12/2013	2013-9/26
	37649	R994-508	5YR	05/16/2013	2013-12/61
	37670	R994-508-102	AMD	08/01/2013	2013-12/39
<u>uninsured employers</u>					
Labor Commission, Industrial Accidents	37137	R612-9	REP	02/25/2013	2013-2/52
<u>Uninsured Motorist Database</u>					
Public Safety, Driver License	37554	R708-32	R&R	06/30/2013	2013-10/192
<u>units</u>					
Environmental Quality, Radiation Control	37189	R313-12	AMD	03/19/2013	2013-3/6
	37597	R313-12-3	NSC	06/07/2013	Not Printed
<u>universal health insurance application</u>					
Insurance, Administration	37768	R590-247	5YR	06/26/2013	2013-14/107
<u>uranium mills</u>					
Environmental Quality, Radiation Control	37196	R313-24	AMD	03/19/2013	2013-3/74
<u>Utah resident temporarily out-of-state</u>					
Public Safety, Driver License	37657	R708-45	EMR	05/23/2013	2013-12/45
<u>utility regulations</u>					
Public Service Commission, Administration	37450	R746-405	5YR	03/28/2013	2013-8/69
	37447	R746-405	AMD	06/20/2013	2013-8/38
<u>utility service shutoff</u>					
Public Service Commission, Administration	37041	R746-320	AMD	01/07/2013	2012-23/48
<u>vacations</u>					
Human Resource Management, Administration	37566	R477-7	AMD	07/01/2013	2013-10/163
<u>variances</u>					
Environmental Quality, Air Quality	37261	R307-102	5YR	02/06/2013	2013-5/191
<u>vending machines</u>					
Education, Administration	37406	R277-719	5YR	03/12/2013	2013-7/65
<u>ventilation</u>					
Health, Disease Control and Prevention, Environmental Services	37454	R392-510-6	AMD	07/01/2013	2013-8/8
<u>veterinarians</u>					
Environmental Quality, Radiation Control	37198	R313-35	AMD	03/19/2013	2013-3/91

RULES INDEX

---

victim compensation

Crime Victim Reparations, Administration	37061	R270-1	AMD	01/07/2013	2012-23/27
	37166	R270-1	NSC	01/30/2013	Not Printed
	37380	R270-1	AMD	04/22/2013	2013-6/25

victims of crime

Crime Victim Reparations, Administration	37061	R270-1	AMD	01/07/2013	2012-23/27
	37166	R270-1	NSC	01/30/2013	Not Printed
	37380	R270-1	AMD	04/22/2013	2013-6/25

vinyl coating

Environmental Quality, Air Quality	36727	R307-345	NEW	02/01/2013	2012-19/67
	36727	R307-345	CPR	02/01/2013	2013-1/54

violations

Environmental Quality, Radiation Control	37190	R313-14	AMD	03/19/2013	2013-3/14
--	-------	---------	-----	------------	-----------

vision evaluations

Health, Disease Control and Prevention, Health Promotion	37028	R384-201	NEW	02/20/2013	2012-23/42
	37453	R384-201	AMD	07/01/2013	2013-8/6

visitors

Human Services, Substance Abuse and Mental Health, State Hospital	37210	R525-4	5YR	01/23/2013	2013-4/57
---	-------	--------	-----	------------	-----------

vital statistics

Health, Center for Health Data, Vital Records and Statistics	37418	R436-1	5YR	03/19/2013	2013-8/55
	37423	R436-2	5YR	03/21/2013	2013-8/56
	37424	R436-3	5YR	03/21/2013	2013-8/57
	37425	R436-4	5YR	03/21/2013	2013-8/57
	37426	R436-7	5YR	03/21/2013	2013-8/58
	37427	R436-8	5YR	03/21/2013	2013-8/58
	37428	R436-9	5YR	03/21/2013	2013-8/59
	37429	R436-10	5YR	03/21/2013	2013-8/60
	37430	R436-12	5YR	03/21/2013	2013-8/60
	37431	R436-13	5YR	03/21/2013	2013-8/61
	37432	R436-14	5YR	03/21/2013	2013-8/61
	37433	R436-15	5YR	03/21/2013	2013-8/62
	37434	R436-16	5YR	03/21/2013	2013-8/62
	37435	R436-17	5YR	03/21/2013	2013-8/63

VOC

Environmental Quality, Air Quality	36480	R307-303	NEW	04/10/2013	2012-15/13
	36480	R307-303	CPR	04/10/2013	2012-23/60
	36480	R307-303	CPR	04/10/2013	2013-5/186
	36733	R307-351	NEW	02/01/2013	2012-19/80
	36733	R307-351	CPR	02/01/2013	2013-1/69
	37235	R307-351-4	NSC	02/15/2013	Not Printed
	36736	R307-354	NEW	02/01/2013	2012-19/88
	36736	R307-354	CPR	02/01/2013	2013-1/79

VOC emission

Environmental Quality, Air Quality	36726	R307-344	NEW	02/01/2013	2012-19/65
	36726	R307-344	CPR	02/01/2013	2013-1/52

vocational education

Education, Rehabilitation	37500	R280-200	5YR	04/08/2013	2013-9/34
	37512	R280-200	AMD	06/07/2013	2013-9/12

volunteers

Human Resource Management, Administration	37572	R477-13	AMD	07/01/2013	2013-10/177
Transportation, Operations, Maintenance	37874	R918-4	5YR	08/01/2013	Not Printed

wages

Workforce Services, Unemployment Insurance	37544	R994-208	5YR	04/25/2013	2013-10/219
--	-------	----------	-----	------------	-------------



<u>waivers</u>					
Labor Commission, Industrial Accidents	37127	R612-400	NEW	02/25/2013	2013-2/76
<u>warrants</u>					
Pardons (Board Of), Administration	37343	R671-510	5YR	02/15/2013	2013-5/212
	37457	R671-510	AMD	05/22/2013	2013-8/26
	37344	R671-512	5YR	02/15/2013	2013-5/213
	37458	R671-512	AMD	05/22/2013	2013-8/27
	37346	R671-513	5YR	02/15/2013	2013-5/214
	37459	R671-513	AMD	05/22/2013	2013-8/28
<u>waste disposal</u>					
Environmental Quality, Radiation Control	37191	R313-15	AMD	03/19/2013	2013-3/18
Environmental Quality, Solid and Hazardous Waste	37282	R315-301	5YR	02/13/2013	2013-5/198
	37322	R315-301	AMD	04/25/2013	2013-5/116
	37283	R315-302	5YR	02/13/2013	2013-5/198
	37323	R315-302	AMD	04/25/2013	2013-5/122
	37284	R315-303	5YR	02/13/2013	2013-5/199
	37324	R315-303	AMD	04/25/2013	2013-5/127
	37285	R315-304	5YR	02/13/2013	2013-5/200
	37325	R315-304	AMD	04/25/2013	2013-5/132
	37286	R315-305	5YR	02/13/2013	2013-5/200
	37326	R315-305	AMD	04/25/2013	2013-5/134
	37287	R315-306	5YR	02/13/2013	2013-5/201
	37327	R315-306	AMD	04/25/2013	2013-5/136
	37288	R315-307	5YR	02/13/2013	2013-5/201
	37328	R315-307-3	AMD	04/25/2013	2013-5/138
	37289	R315-308	5YR	02/13/2013	2013-5/202
	37329	R315-308	AMD	04/25/2013	2013-5/139
	37290	R315-309	5YR	02/13/2013	2013-5/202
	37330	R315-309	AMD	04/25/2013	2013-5/144
	37291	R315-310	5YR	02/13/2013	2013-5/203
	37331	R315-310	AMD	04/25/2013	2013-5/151
	37292	R315-311	5YR	02/13/2013	2013-5/204
	37332	R315-311	AMD	04/25/2013	2013-5/155
	37293	R315-312	5YR	02/13/2013	2013-5/204
	37333	R315-312	AMD	04/25/2013	2013-5/157
	37295	R315-314	5YR	02/13/2013	2013-5/205
	37335	R315-314	AMD	04/25/2013	2013-5/160
	37296	R315-315	5YR	02/13/2013	2013-5/206
	37336	R315-315	AMD	04/25/2013	2013-5/163
	37297	R315-316	5YR	02/13/2013	2013-5/206
	37337	R315-316	AMD	04/25/2013	2013-5/165
	37298	R315-317	5YR	02/13/2013	2013-5/207
	37338	R315-317	AMD	04/25/2013	2013-5/167
	37480	R315-317	NSC	04/29/2013	Not Printed
	37299	R315-318	5YR	02/13/2013	2013-5/208
	37339	R315-318	AMD	04/25/2013	2013-5/168
	37300	R315-320	5YR	02/13/2013	2013-5/208
	37340	R315-320	AMD	04/25/2013	2013-5/169
Environmental Quality, Water Quality	37240	R317-13	5YR	01/31/2013	2013-4/51
<u>waste to energy plant</u>					
Environmental Quality, Air Quality	37255	R307-223	5YR	02/06/2013	2013-5/195
<u>wastewater</u>					
Environmental Quality, Water Quality	37241	R317-14	5YR	01/31/2013	2013-4/52
	37448	R317-101	5YR	03/28/2013	2013-8/54
<u>water</u>					
Public Service Commission, Administration	37385	R746-330	5YR	03/05/2013	2013-7/68
	37451	R746-332	5YR	03/28/2013	2013-8/68
<u>water hauling</u>					
Environmental Quality, Drinking Water	37733	R309-550	NSC	07/09/2013	Not Printed

RULES INDEX

<u>water pollution</u>						
Environmental Quality, Water Quality	37581	R317-8	AMD	07/01/2013	2013-10/59	
	37240	R317-13	5YR	01/31/2013	2013-4/51	
<u>water quality</u>						
Environmental Quality, Drinking Water	37787	R309-225	NSC	07/19/2013	Not Printed	
Environmental Quality, Water Quality	37448	R317-101	5YR	03/28/2013	2013-8/54	
Public Service Commission, Administration	37385	R746-330	5YR	03/05/2013	2013-7/68	
<u>water rights</u>						
Natural Resources, Water Rights	37388	R655-5	5YR	03/07/2013	2013-7/66	
<u>water skiing</u>						
Natural Resources, Parks and Recreation	37242	R651-224	AMD	04/12/2013	2013-4/22	
<u>water slides</u>						
Health, Disease Control and Prevention, Environmental Services	37072	R392-302-3	AMD	02/28/2013	2012-24/26	
<u>weapons</u>						
Human Services, Substance Abuse and Mental Health, State Hospital	37212	R525-6	5YR	01/23/2013	2013-4/58	
<u>weed control</u>						
Agriculture and Food, Plant Industry	37700	R68-9	5YR	06/06/2013	2013-13/229	
<u>well logging</u>						
Environmental Quality, Radiation Control	37187	R313-38	NSC	01/31/2013	Not Printed	
<u>wildlife</u>						
Natural Resources, Wildlife Resources	37384	R657-3	5YR	03/05/2013	2013-7/67	
	37225	R657-12	AMD	04/23/2013	2013-4/24	
	37069	R657-13	AMD	01/22/2013	2012-24/29	
	37233	R657-20	AMD	04/23/2013	2013-4/26	
	37534	R657-20	NSC	05/17/2013	Not Printed	
	37592	R657-34	5YR	05/06/2013	2013-11/103	
	37097	R657-37	AMD	02/07/2013	2013-1/11	
	37593	R657-37	5YR	05/06/2013	2013-11/104	
	37594	R657-42	5YR	05/06/2013	2013-11/104	
	37643	R657-44	AMD	07/22/2013	2013-12/31	
	37667	R657-53	5YR	05/30/2013	2013-12/57	
	37203	R657-58	5YR	01/15/2013	2013-3/114	
	37609	R657-64	AMD	07/08/2013	2013-11/48	
<u>wildlife law</u>						
Natural Resources, Wildlife Resources	37225	R657-12	AMD	04/23/2013	2013-4/24	
	37069	R657-13	AMD	01/22/2013	2012-24/29	
	37203	R657-58	5YR	01/15/2013	2013-3/114	
<u>wildlife laws</u>						
Natural Resources, Wildlife Resources	37609	R657-64	AMD	07/08/2013	2013-11/48	
<u>wood furniture</u>						
Environmental Quality, Air Quality	36738	R307-343	AMD	05/01/2013	2012-19/56	
	36738	R307-343	CPR	05/01/2013	2013-1/49	
	36738	R307-343	CPR	05/01/2013	2013-7/44	
<u>workers' compensation</u>						
Labor Commission, Industrial Accidents	37129	R612-1	REP	02/25/2013	2013-2/28	
	37130	R612-2	REP	02/25/2013	2013-2/35	
	37131	R612-3	REP	02/25/2013	2013-2/43	
	37132	R612-4	REP	02/25/2013	2013-2/46	
	37133	R612-5	REP	02/25/2013	2013-2/46	
	37134	R612-6	REP	02/25/2013	2013-2/48	
	37135	R612-7	REP	02/25/2013	2013-2/49	
	37137	R612-9	REP	02/25/2013	2013-2/52	
	37138	R612-10	REP	02/25/2013	2013-2/53	

	37139	R612-11	REP	02/25/2013	2013-2/54
	37140	R612-12	REP	02/25/2013	2013-2/55
	37141	R612-13	REP	02/25/2013	2013-2/57
	37124	R612-100	NEW	02/25/2013	2013-2/58
	37125	R612-200	NEW	02/25/2013	2013-2/62
	37622	R612-200-1	AMD	07/08/2013	2013-11/34
	37126	R612-300	NEW	02/25/2013	2013-2/66
	37127	R612-400	NEW	02/25/2013	2013-2/76
	37128	R612-500	NEW	02/25/2013	2013-2/79
<u>X-rays</u>					
Environmental Quality, Radiation Control	37179	R313-16	NSC	01/31/2013	Not Printed
	37183	R313-28	NSC	01/31/2013	Not Printed
	37197	R313-30	AMD	03/19/2013	2013-3/76
	37198	R313-35	AMD	03/19/2013	2013-3/91
	37188	R313-70	NSC	01/31/2013	Not Printed
<u>youth protection</u>					
Education, Administration	37634	R277-411	NEW	07/08/2013	2013-11/16
<u>zoological animals</u>					
Natural Resources, Wildlife Resources	37384	R657-3	5YR	03/05/2013	2013-7/67