UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed August 16, 2017, 12:00 a.m. through September 01, 2017, 11:59 p.m.

Number 2017-18
September 15, 2017

Nancy L. Lancaster, Managing Editor

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

The Portable Document Format (PDF) version of the *Bulletin* is the official version. The PDF version of this issue is available at https://rules.utah.gov/. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3003. Additional rulemaking information and electronic versions of all administrative rule publications are available at https://rules.utah.gov/.

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit https://rules.utah.gov/ for additional information.

Office of Administrative Rules, Salt Lake City 84114

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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

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SPECIAL NOTICES

Health
Health Care Financing, Coverage and Reimbursement Policy

Notice for October 2017 Medicaid Rate Changes

Effective October 1, 2017, Utah Medicaid will adjust its rates consistent with approved methodologies. Rate adjustments include new codes priced consistent with approved Medicaid methodologies as well as potential adjustments to existing codes. Nursing home rate changes to case mix components are consistent with adopted payment methodology. All rate changes are posted to the web and can be viewed at: http://health.utah.gov/medicaid/stplan/lookup/CoverageLookup.php.

End of the Special Notices Section

EXECUTIVE DOCUMENTS

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

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

Calling the Sixty-Second Legislature Into the Fourth Extraordinary Session, Utah Proclamation No. 2017-4E

P R O C L A M A T I O N

WHEREAS, since the close of the 2017 General Session of the 62nd Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Senate into Extraordinary Session; and

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate of the 62nd Legislature of the State of Utah into the Fourth Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 23rd day of August 2017, at 4:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2017 General Session of the Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, this 21st day of August 2017.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2017/04/E

Wildland Fire Management, Utah Exec. Order No. 2017-8

EXECUTIVE ORDER

Wildland Fire Management

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

WHEREAS, Winter and Spring precipitation in Utah contributed to high fuel loads of wildland vegetation; and

WHEREAS, there is currently a Red Flag Warning throughout the State of Utah; and

WHEREAS, the Utah State Forester, has issued a Fire Restriction Order in many Utah counties; and

WHEREAS, there are several fires burning throughout the State; and

WHEREAS, some of the areas are extremely remote and inaccessible and the situation has the potential to greatly worsen; and

WHEREAS, immediate action is required to suppress fires and mitigate post burn flash floods to protect public safety, property, natural resources and the environment should these dangerous conditions escalate to active wildfires; and

WHEREAS, these conditions create the potential for a disaster emergency within the scope of the Disaster Response and Recovery Act of 1981.

NOW THEREFORE, I, Gary R. Herbert, Governor of the State of Utah by virtue of the power vested in me by the Constitution and the Laws of the State of Utah, do hereby order that:

It is found, determined and declared that a "State of Emergency" exists Statewide due to the threat to public safety, property, critical infrastructure, natural resources and the environment. This State of Emergency is declared and effective for the month of September 2017, and requires the aid, assistance and relief available pursuant to the provisions of state statutes, and the State Emergency Operations Plan, which is hereby activated.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah this 1st day of September 2017.

(State Seal)

Gary R. Herbert
Governor

Attest:

Spencer J. Cox
Lieutenant Governor

2017/008/EO

End of the Executive Documents Section

NOTICES OF
PROPOSED RULES

A state agency may file a **Proposed Rule** when it determines the need for a substantive change to an existing rule. With a **Notice of Proposed Rule**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between August 16, 2017, 12:00 a.m., and September 01, 2017, 11:59 p.m. are included in this, the September 15, 2017, issue of the *Utah State Bulletin*.

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

Following the **Rule Analysis**, the text of the **Proposed Rule** is usually printed. New rules or additions made to existing rules are underlined (example). Deletions made to existing rules are struck out with brackets surrounding them ([~~example~~]). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (**. . . . . . .**) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not usually printed. If a **Proposed Rule** is too long to print, the Office of Administrative Rules may include only the **Rule Analysis**. A copy of each rule that is too long to print is available from the filing agency or from the Office of Administrative Rules.

The law requires that an agency accept public comment on **Proposed Rules** published in this issue of the *Utah State Bulletin* until at least October 16, 2017. 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 January 13, 2018, the agency may notify the Office of Administrative Rules that it wants to make the **Proposed Rule** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a **Change in Proposed Rule** in response to comments received. If the Office of Administrative Rules does not receive a **Notice of Effective Date** or a **Change in Proposed Rule**, the **Proposed Rule** lapses.

The public, interest groups, and governmental agencies are invited to review and comment on **Proposed Rules**. *Comment may be directed to the contact person identified on the* **Rule Analysis** *for each rule.*

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

The Proposed Rules Begin on the Following Page

Agriculture and Food, Marketing and Development
R65-13
Utah's Own

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 42033
FILED: 08/18/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule sets out the criteria for membership in the Utah's Own program. Additionally, it sets out the terms of use for the Utah's Own logo and explains the reasons for potential termination of membership. It also establishes a fee for membership in the program.

SUMMARY OF THE RULE OR CHANGE: The rule restricts membership to the Utah's Own program to businesses that grow, raise, produce, or process food or body care products within the state of Utah. It further explains the proper use of the Utah's Own logo which is made available to member of the program.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 4-8-104(5)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The rule includes a membership fee that has been approved by the legislature. The approved fee is $25 for new members with a $50 annual fee being charged after the first year. It is anticipated that out of the 500 current members the the fee will generate around $12,500 for the program. The next year, if membership stays the same, the program anticipates at least $27,500 from the current members and $1,000 from new companies joining the program. Currently, the program sees a growth of 40 to 60 new companies each year. The money generated by the program will stay within the program.
♦ LOCAL GOVERNMENTS: The Utah's Own program is run entirely by the Department of Agriculture and Food. There is no responsibility that would involve any local government.
♦ SMALL BUSINESSES: There will be a cost of $25 the first year of membership to a small business with an annual fee of $50 for the life of their membership. Due to their membership in the Utah's Own program, the member company has the opportunity to use the Utah's Own logo and participate in the program's marketing campaigns. Since 2015, the program has created over 49,000,000 impressions in its marketing campaigns. Additionally, membership entitles a company a profile on the Utah's Own website, a website created to direct shoppers to local products. This website receives thousands of visits each month.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The money generated from the fees will be used to promote member companies. There is a current demand for local products and the program is helping to market local companies by helping consumers locate and become familiar with these companies. Individuals who meet the criteria for membership will be subject to the same fee as any other small business and will be given the same benefits of using the Utah's Own logo and participating in the program's promotion and marketing opportunities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The cost of compliance is $25 for the first year and then an annual fee of $50 for as long as they would like to remain in the program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Utah's Own program provides economic opportunities to our member companies. There will be an entry fee of $25 assessed to a new business and a $50 annual fee, but the benefits of the Utah's Own program will help mitigate the impacts of the membership fee. There is increased interest across the state in buying local. The Utah's Own program taps into the interests and connects consumers with companies. The program connects companies together so that they can discuss and share concerns and ask for advice. Membership in the Utah's Own program gives permission to use the Utah's Own logo which is becoming increasingly more well known throughout the state because of the marketing campaigns and promotions of the program. Additionally, membership in the Utah's Own program provides online marketing through posting a companies profile on the Utah's Own website which is used to allow consumers to find the local products they need. This website receives thousands of visitors each month raising the visibility of the companies with profiles.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
AGRICULTURE AND FOOD
MARKETING AND DEVELOPMENT
350 N REDWOOD RD
SALT LAKE CITY, UT 84116-3034
or at the Office 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
♦ Melissa Ure by phone at 801-538-4976, or by Internet E-mail at mure@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: LuAnn Adams, Commissioner

R65. Agriculture and Food, Marketing and Development.
R65-13. Utah's Own.
R65-13-1. Authority and Purpose.

Pursuant to Subsection 4-8-104(5) of the Utah Code, this rule provides the application procedures, standards, and requirements for membership in the Utah's Own program.

R65-13-2. Definitions.

(1) "Department" means the Utah Department of Agriculture and Food.

(2) "Member Company" means a farm or other company that:

(a) raises, produces, prepares, or manufactures food for human consumption in Utah, or

(b) manufactures body care products using agricultural products grown or raised in Utah, and

(c) is headquartered in Utah.

(2) "Processed" means any significant change in the form or identity of a raw product.

(3) "Processor" means any person engaged within this state in the operation of receiving, grading, packaging, canning, extracting, preserving, grinding, crushing milling, or changing the form of an agricultural product for the purpose of preparing for market or marketing such product or engaged in any other activities performed for the purposes of preparing for market or marketing such product.

(4) "Program" means the Utah's Own program.

(5) "Program Mark" means the Utah's Own logo, which is trademarked by the department.

(6) "Promotion" means any written, printed, verbal or graphic representation, or combination thereof, of any product or company with the purpose of influencing consumer opinion as to the characteristics, qualities or image of the commodity, food, feed or fiber except labeling information as required by any government.

R68-13-3. Membership Eligibility and Application.

(1) Applicants seeking membership in the program shall submit the following to the department:

(a) a completed application form, as provided by the department;

(b) copies of required business license(s) from the applicable local municipality; and

(c) payment of the membership fee as outlined in the fee schedule approved by the legislature.

(2) To be eligible for membership in the program applicants shall meet the following qualifications:

(a) grow, raise, or produce food or food products intended for human consumption in the state;

(b) produce, prepare, or manufacture food intended for human consumption in Utah;

(c) produce or manufacture dietary supplements intended for human consumption in Utah; or

(d) produce body care products intended for human use using products produced in Utah; and

(e) be headquartered or incorporated in the state of Utah.

(3) The department may deny membership if:

(a) the applicant provides false information on the application;

(b) membership status has previously been revoked; or

(c) the applicant does not comply with all applicable laws and regulations.

(4) Membership shall be for vailed one year from the date of acceptance.

(5) Renewal shall be submitted on forms provided by the department.

(6) Program membership is nontransferable. The company must notify the department within 30 days of any change of ownership.

R65-13-4. Use of the Program Mark.

(1) Program members shall be given a limited right to use the program mark as prescribed by the department.

(2) Upon acceptance of program application, the department shall provide a confirmation of membership and copies of the program mark suitable for reproduction.

(3) Program members shall provide the department, prior to use of the program mark, design concepts for approval to validate compliance with the usage guidelines.

(4) The limited right to use the program mark terminates upon failure to renew membership yearly, or if membership is revoked or terminated.

R65-13-5. Membership Revocation and Termination.

(1) Program membership may be revoked, if the member company:

(a) no longer meets the qualifications for membership;

(b) violates any applicable statute or rule;

(c) violates the any agreements made between the department and the member company; or

(d) acts in a manner that may damage the reputation of the program.

KEY: Utah's Own program, membership in Utah's Own program
Date of Enactment or Last Substantive Amendment: 2017
Authorizing, and Implemented or Interpreted Law: 4-8-104(5)

Environmental Quality, Drinking Water
R309-300
Certification Rules for Water Supply Operators

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 42058
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule is being amended in response to water specialist conversion confusion and updating information.

SUMMARY OF THE RULE OR CHANGE: In Section R309-300-3, remove the outdated information in the Extent of Coverage. In Section R309-300-4, remove the "specialist" definition. In Section R309-300-4, add those who passed the exam to the "operator" definition. In Sections R309-300-4 through R309-300-19, remove every reference to specialist including the minimum qualifications for specialist to become unrestricted (Table 6). In Section R309-300-5, reference the IPS rule for failure to comply in subsections (5) and (10). In Subsection R309-300-7(1), remove the local health department exams and add 30-day policy for those who failed an exam. In Subsection R309-300-7(3), change from written notices to discussion for areas deficient in oral exams. In Subsections R309-300-8(4) and (5), remove the conversion requirement for operators and specialists. In Subsection R309-300-8(7), remove failure to remain in the waterworks field resulting in denial of renewal. In Section R309-300-13, remove the outdated population requirement for Grandparent Certificates. In Subsection R309-300-14(2), removes the outdated Continuing Education Unit (CEU) requirement for Grandparent Certificates.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: This change would cost the state budget $80 a year. During the 2017 Fiscal Year, four $20 conversion fees were paid to the Division of Drinking Water (DDW), totaling $80 (4 X 20 = $80). This will save the state on staff time spent on processing the applications and corresponding with customers who submitted the conversion instead of renewal.
♦ LOCAL GOVERNMENTS: In aggregate, the proposed amendment is anticipated to have no cost or savings to local governments because it does not affect them. It only affects operational procedures within DDW.
♦ SMALL BUSINESSES: In aggregate, the proposed amendment is anticipated to have no cost or savings to local governments because it does not affect them. It only affects operational procedures within DDW.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The specialists who do report that they no longer work for a water system will save $20 on the conversion fee.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendment imposes no compliance costs on anyone.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed amendment would not result in a fiscal impact to businesses because it does not affect any business; it only affects operational procedures within DDW.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
DRINKING WATER
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Dawnie Jacobo by phone at 801-536-4217, by FAX at 801-536-4211, or by Internet E-mail at dmjacobo@utah.gov
♦ Kim Dyches by phone at 801-536-4202, or by Internet E-mail at kdyches@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Alan Matheson, Executive Director

R309. Environmental Quality, Drinking Water.
R309-300. Certification Rules for Water Supply Operators.
R309-300-1. Objectives.

These certification rules are established to promote use of trained, experienced, and efficient personnel in charge of public waterworks and to establish standards whereby operating personnel can demonstrate competency to protect the public health through proficient operation of waterworks facilities.

R309-300-2. Authority.

Utah's Operator Certification Program is authorized by Section 19-4-104.

R309-300-3. Extent of Coverage - To Whom Rules Apply - Effective Date.

These rules shall apply to all community and non-transient non-community drinking water systems and all public drinking water systems that utilize treatment of the drinking water. This shall include both water treatment and distribution systems.[

~~The certification requirements shall become effective February 1, 2001 for non-transient non-community drinking water systems and for community water systems serving less than 800 population utilizing only ground water or wholesale sources. These water systems shall have until February 1, 2003 to meet these requirements. For further information on this program, contact the Division of Drinking Water, telephone 536-4200.~~]

R309-300-4. Definitions.

"Commission" see the definition of: Operator Certification Commission.

"Community Water System" means a public drinking water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

"Continuing Education Unit (CEU)" means ten contact hours of participation in, and successful completion of, an organized and approved continuing education experience under responsible sponsorship, capable direction, and qualified instruction. College credit in approved courses may be substituted for CEUs on an equivalency basis.

"Direct Employment" means that the operator is directly compensated by the drinking water system to operate that drinking water system.

"Direct Responsible Charge" means active on-site charge and performance of operation duties. A person in direct responsible charge is generally an operator of a water treatment plant or distribution system who independently makes decisions during normal operation which can affect the sanitary quality, safety, and adequacy of water delivered to customers. In cases where only one operator is employed by the system, this operator shall be considered to be in direct responsible charge.

"Director" means the Director of the Division of Drinking Water.

"Discipline" means type of certification (Distribution or Treatment).

"Distribution System" means the use of any spring or well source, distribution pipelines, appurtenances, and facilities which carry water for potable use to consumers through a public water supply. Systems which chlorinate groundwater are in this discipline.

"Distribution System Manager" means the individual responsible for all operations of a distribution system.

"Division of Drinking Water" means the Division within the Utah Department of Environmental Quality which regulates public water supplies.

"Grade" means any one of the possible steps within a certification discipline of either water distribution or water treatment. The water distribution discipline has five steps and the water treatment discipline has four steps. Treatment Grade I and Distribution Small System indicate knowledge and experience requirements for the smallest type of public water supply. Grade IV indicates knowledge and experience levels appropriate for the largest, most complex type of public water supply.

"Grandparent Certificate" means the operator has not been issued an Operator Certificate through the examination process and that a restricted certificate has been issued to the operator which is limited to his current position and system. These certificates cannot be used with any other system should the operator transfer.

"Non-Transient Non-Community Water System" means a public water system that is not a community water system and that regularly serves at least 25 of the same persons for more than six months per year. Examples are separate systems serving workers and schools.

"Operator" means a person who operates, repairs, maintains, and is directly employed by or an appointed volunteer for a public drinking water system or a person who has passed the certification exam.

"Operator Certification Commission" means the Commission appointed by the Director as an advisory Commission on certification.

"Public Drinking Water System" means any drinking water system, either publicly or privately owned, that has at least 15 connections or serves at least 25 people for at least 60 days a year.

"Regional Operator" means a certified operator who is in direct responsible charge of more than one public drinking water system.

"Restricted Certificate" means that the operator has qualified by passing an examination but is in a restricted certification status due to lack of experience as an operator.

"Secretary" means the Secretary to the Operator Certification Commission. This is an individual appointed by the Director to conduct the business of the Commission.

[~~"Specialist" means a person who has successfully passed the written certification exam and meets the required experience, but who is not in direct employment with a Utah public drinking water system.~~

]"Training Coordinating Committee" means the voluntary association of individuals responsible for environmental training in the state of Utah.

"Treatment Plant Manager" means the individual responsible for all operations of a treatment plant.

"Treatment Plant" means those facilities capable of delivering complete treatment to any water (the equivalent of coagulation and/or filtration) serving a public drinking water supply.

"Unrestricted Certificate" means that a certificate of competency has been issued by the Director after considering the recommendation of the Commission. This certificate acknowledges that the operator has passed the appropriate level written examination and has met all certification requirements at the discipline and grade stated on his certificate.

R309-300-5. General Policies.

1. In order to become a certified water operator[~~ or specialist~~], an individual shall pass an examination administered by the Division of Drinking Water or qualify for the grandparent provisions outlined in R309-300-13.

2. Any properly qualified operator (see Minimum Required Qualifications for Utah Waterworks Operators Table 5) may apply for unrestricted certification.

[~~3. Any properly qualified person (see Minimum Required Qualifications for Water System Specialists Table 6) may apply for Specialist certification. A Specialist, regardless of discipline or grade, shall not act as a direct responsible charge operator, or be in direct operation or supervise the direct operation of, any public drinking water system.~~

~~4. An individual who holds a current Specialist Certificate may apply for an Operator Certificate of the same discipline and grade upon verification of direct employment with a public drinking water system. An individual who holds a current Operator Certificate (Restricted and Unrestricted) may apply for a Specialist Certificate of the same discipline and grade if that operator leaves the direct employment of a drinking water system.~~

][~~5~~]3. All direct responsible charge operators shall be certified at a minimum of the grade level of the water system with an appropriate certificate. Where 24-hour shift operation is used or required, one operator per shift must be certified at the classification of the system operated. Failure to comply would be a significant deficiency and subject to demerit points outlined in R309-400-8.

[6]4. The Director, upon recommendation from the Commission, may waive examination of applicants holding a valid certificate or license issued in compliance with other state certification plans having equivalent standards, and grant reciprocity.

[7]5. A grandparent certificate will require normal renewal as with other certificates and will be restricted to the existing position, person, and system for which it was issued. No further examination will be required unless the grade of the drinking water system increases or the operator seeks to change the certificate discipline or grade. At that time, all normal certification requirements must be met.

[8]6. Every community and non-transient non-community drinking water system and all public systems that utilize treatment/filtration of the drinking water shall have at least one operator certified at the classified grade of the water system. Certification must be appropriate for the type of system operated (treatment and/or distribution).

[9. An individual who is issued an Operator Certificate shall be employed by, or an appointed volunteer for, a public drinking water supply located in Utah.

10]7. If the Distribution Manager, Treatment Plant Manager, or Direct Responsible Charge Operator is changed or leaves a particular water system, the water system management must notify the Secretary to the Operator Certification Commission within ten days by contacting the Division of Drinking Water in writing. Within one year, the person replacing the Distribution Manager, Treatment Plant Manager or Director Responsible Charge Operator must have passed an examination of the appropriate grade and discipline. Direct responsible charge experience may be gained later, together with unrestricted certification as experience is gained. Failure to comply would be a significant deficiency and subject to demerit points outlined in R309-400-8.

[11]8. The Secretary to the Commission may suspend or revoke a certificate after due notice and opportunity for a hearing. See Section R309-300-9 for further details.

[12]9. An operator may have the opportunity to take any grade of examination higher than the rating of the system which he operates. If passed, the operator shall be issued a restricted certificate at that higher grade. This certificate can be used to demonstrate that the operator has successfully passed all knowledge requirements for that discipline and grade, but that experience is lacking. This restricted certificate will become unrestricted when the experience requirements are met with written verification for the appropriate discipline and grade, provided it is renewed at the required intervals.

[13]10. The Commission will review on a periodic basis each system's compliance with these rules and will refer those systems in violation to the Director for appropriate action. Any requirement can be appealed as provided in R305-7.

[14]11. An operator who is acting as the direct responsible charge operator for more than one drinking water system (regional operator) shall not be a grandparent certified operator.

[15]12. The regional operator must have an unrestricted certificate equal to or higher than the grade and discipline of the rating applied to each system he is operating.

[16]13. If the regional operator is operating any system(s) that have both disciplines involved in their rating, the operator must have unrestricted certificates in both disciplines and at the highest grade of the most complex system he is working with.

[17]14. A regional operator shall be within a one hour travel time, under normal work and home conditions, of each drinking water system for which he is considered in direct responsible charge unless a longer travel time is approved by the Director based on availability of certified operators and the distance between community water systems in the area.

[18]15. If the drinking water system has only one certified operator, with the exception of a drinking water system employing a regional operator, the operator must have a back up operator certified in the required discipline(s). The back up certified operator must be within one hour travel time of the drinking water system.

[19]16. At no time will an uncertified operator be allowed to operate a drinking water system covered by these rules unless the operator is within the one year grace period specified in R309-300-5.10.

R309-300-6. Application for Examination.

1. Prior to taking an examination, the operator [or specialist]must file a written application with the Division of Drinking Water or apply for an online examination with the appropriate agency, accompanied by evidence of his qualifications for certification in accordance with provisions of this plan (see [tables]table 5 on minimum qualifications). Such applications shall be made on forms supplied by the Division.

2. An operator may elect to take any written examination which he believes can be successfully passed. Persons passing such an examination shall be issued restricted certificates for the appropriate discipline and grade.

R309-300-7. Examinations.

1. The time and place of the examination to qualify for a certificate shall be determined by the Commission or a proctor designated by the Commission. [All examinations for certification shall be given not less than twice a year, generally at each of 12 district health department offices.]All examinations will be conducted at sites designated by the Commission or designated by a proctor designated by the Commission. The written examinations will be graded, and the applicant notified of the results within 30 days. The online examinations will be graded at the site of the examination. If an operator taking the examination fails to pass, the operator may file an application for reexamination [at the next available date]30 days after the exam.

2. The minimum passing grade for all certification exams shall be 70 percent correct on all questions asked.

3. An individual who has failed to pass at least two consecutive written exams, at the same grade level and discipline, may make an application for an oral exam. The oral exam will be administered by at least two Commission members or by other individuals approved by the Director. If the individual fails this exam, the deficient areas will be discussed after the exam is completed[he will be given written notice of those areas deficient and asked to reapply for a written examination].

4. Examinations will be given in nine grades, four in water treatment and five water distribution. The examinations will cover, but not be limited to, the following areas:

(a) general water supply knowledge;

(b) control processes in water treatment or distribution;

(c) operation, maintenance, and emergency procedures in treatment or distribution;

(d) proper record keeping;

(e) laws and requirements, and water quality standards.

[~~5. The written examination for specialist certification will be the same examination that is given for operator certification.~~
~~6~~]5. The written examination question bank and text matrix shall be reviewed periodically by the Commission.

R309-300-8. Certificates.

1. All certificates shall indicate the discipline for which they were issued as follows:

(a) Water Treatment Plant Operator, Unrestricted;
(b) Water Treatment Plant Operator, Restricted;
(c) Water Distribution Operator, Unrestricted;
(d) Water Distribution Operator, Restricted;
[~~(e) Water Treatment Specialist;~~
~~(f) Water Distribution Specialist;~~
]([~~g~~]e) Grandparent.

2. A restricted certificate will be issued to those operators who have passed a higher grade examination than the grade for which they have qualified in the experience category. Upon accumulating the necessary experience (see R309-300-19. Table 5[~~ and Table 6~~]), these restricted certificates will become unrestricted with the same renewal date. Certificates issued in the restricted status will include[~~ be stamped with~~] the word RESTRICTED on[~~ the bottom left corner of~~] the certificate.

3. Grandparent certificates will be restricted to the person, position, and water system for which they were issued. These certificates will exempt the holder from further examination but will not be transferable to other persons, drinking water systems or positions.

[~~4. A Specialist Certificate will be issued to those persons who have met the experience requirements and have successfully passed the written examination, but who are not in direct employment with a Utah Public Drinking Water System or in the case of requested conversion (see R309-300-8(5)).~~
~~5. An individual who currently holds a valid Utah Operator Certificate and who is no longer directly employed by a Utah drinking water system may request his Operator Certificate be converted to a Specialist Certificate with the same expiration date.~~
~~6~~]4. All certificates shall continue in effect for a period of three years unless suspended or revoked prior to that time. The certificate must be renewed every three years by payment of a renewal fee and evidence of required training (see R309-300-14). Certificates will expire on December 31, three years from the year of issuance.

[~~7. Failure to remain active in the waterworks field during the three-year life of the Operator Certificate can be cause for denial of the application renewal.~~
~~8~~]5. Requests for renewal shall be made on the forms supplied by the Division of Drinking Water.

[~~9~~]6. A lapsed certificate may be renewed within 6 months of the expiration date by making an application for renewal. A certificate that lapsed more than 6 months earlier, but less than 18 months earlier may be renewed by making application for renewal and by payment of the reinstatement fee or by passing an examination. A certificate that has lapsed 18 months or more may not be renewed and the former certificate holder will be required to meet all requirements for issuance of a new certificate.

R309-300-9. Certificate Suspension and Revocation Procedures.

1. The Secretary shall inform a certificate holder, in writing, if the certificate is being considered for suspension or revocation of an Operator's [~~or Specialist's~~]certificate. The communication shall state the reasons for considering such action and allow the individual an opportunity for a hearing.

2. Grounds for suspending or revoking an Operator's [~~or a Specialist's~~]certificate shall be any of the following:

(a) demonstrated disregard for the public health and safety;
(b) misrepresentation or falsification of figures and reports, or both, submitted to the State;
(c) cheating on a certification exam.

3. Suspension or revocation may be imposed when the circumstances and events were under the certificate holder's control. Disasters or "acts of God" which could not be reasonably anticipated will not be grounds for a suspension or a revocation action.

4. Following an appropriate hearing on these matters, the Commission will make a recommendation to the Director. The recommendation shall include a description of the findings of fact and shall be provided to the certificate holder. The information shall also outline the procedures to reapply for certification at the end of the specified disciplinary period.

5. Any suspension or revocation may be appealed as provided in R305-7.

R309-300-10. Fees.

1. Fees for operator [~~and specialist~~]certification shall be submitted in accordance with Section 63-38-3.

2. Examination fees from applicants who are rejected before examination will be returned to the applicant.

3. Application fees will not be returned.

R309-300-11. Facilities Classification System.

1. All treatment plants and distribution systems shall be classified in accordance with R309-300-19.

2. Classification will be made by either the point system or on a population-served basis, whichever results in a higher classification.

3. When the classification of a system is upgraded or added to existing system ratings, the Director shall make a determination on the timing to be allowed for operators to gain certification at the higher or different level.

R309-300-12. Qualifications of Operators.

1. Minimum qualifications are outlined in Minimum Required Qualifications for Utah Waterworks Operators, Table 5, [~~and Minimum Certification Qualifications for Water System Specialists, Table 6,~~]included with these rules (see Section R309-300-19).

2. Approved high school equivalencies can be substituted for the high school graduation requirement.

3. Education of an operator can be substituted for experience, but no more than 50 percent of the experience may be satisfied by education. Note: The exception to this is in grades I and II, where the "one year of experience" requirement cannot be reduced by any amount of education.[
~~4. Education of a specialist cannot be substituted for the required experience (see Minimum Certification Qualifications for Water System Specialists Table 6).~~]

R309-300-13. Grandparent Certification.

Some community and non-transient non-community water systems [~~that serve a population of 800 or less~~]have operators with

Grandparent Certification. Grandparent Certifications will continue to be sufficient for these operators, with the following restrictions:

1. Grandparent Certificates are valid only for the person, position, water system, and classification of water system for which they were issued;

2. A Grandparent Certification that expires and is not renewed as provided in R309-300-8(9) may not be renewed and the operator will be required to apply for certification as provided in this rule; and

3. No new Grandparent Certificates will be issued.

R309-300-14. CEUs and Approved Training.

1. CEUs will be required for renewal of all certificates (grandparent, restricted and unrestricted) according to the following schedule:

TABLE 1

CLASSIFICATION	CEUs REQUIRED IN A 3-YEAR PERIOD
Small System	2
Grade 1	2
Grade 2	2
Grade 3	3
Grade 4	3

2. Grandparent certificates are required to have 2.0 or 3.0 CEUs, as per the water system classification, for certificate renewal. [~~Grandparent certificates issued after the calendar year of 2000 are required to obtain 0.7 CEUs of an approved pre-exam training course as part of the 2.0 CEU renewal requirement.~~]These specific CEUs shall be obtained during the first renewal cycle of said certificate.

3. Groups that currently sponsor approved education activities in Utah are:

The Rural Water Association of Utah;
Salt Lake Community College
Utah Valley State College;
Utah State University at Logan;
Utah Department of Environmental Quality;
Manufacturer's Representatives;
American Water Works Association;
American Backflow Prevention Association.

4. A continuing education unit is defined as 10 contact hours of participation in, and successful completion of, an organized and approved training education experience under qualified instruction.

5. College level education is accepted in drinking water related disciplines upon approval of the Secretary to the Commission as to CEU credits (1 quarter credit hour will equal 1.0 CEU or 1 semester credit hour will equal 1.5 CEUs).

6. All CEUs for certificate renewal shall be subject to review for approval to insure that the training is applicable to waterworks operation and meets CEU criteria. Identification of approved training, appropriate CEU or credit assignment and verification of successful completion is the responsibility of the Secretary to the Commission. Training records will be maintained by the Division of Drinking Water.

7. All in-house or in-plant training which is intended to meet any part of the CEU requirements must be approved by the Secretary to the Commission in writing prior to the training.

8. In-house or in-plant training submitted to the Secretary of the Commission must meet the following general criteria to be approved:

(a) Instruction must be under the supervision of an approved instructor.

(b) An outline must be submitted of the subjects to be covered and the time to be allotted to each area.

(c) A list of the teacher's objectives shall be submitted which will document the essential points of the instruction ("need-to-know" information) and the methods used to illustrate these principles.

9. One CEU credit will be given for registration and attendance at the annual technical program meeting of the American Water Works Association (AWWA), the Intermountain Section of AWWA, the Rural Water Association of Utah, or the National Rural Water Association.

R309-300-15. Validation of Previously Issued Certificates.

1. All current certificates issued by the Director will remain in effect until their stated date of expiration and may be renewed at any time before this date in accordance with the rules established herein. Certificates will be issued for a three-year period.

2. Those individuals who were issued Grandparent Certificates and subsequently passed an examination within the same discipline, at the same grade, or a higher grade will be issued a new unrestricted certificate which will nullify the existing "Grandparent " certificate.

R309-300-16. Operator Certification Commission.

1. An Operator Certification Commission shall be appointed by the Director from recommendations made by the cooperating agencies. Cooperating agencies are the Utah Department of Environmental Quality, the Utah League of Cities and Towns, the Training Coordinating Committee of Utah, the Intermountain Section of the American Water Works Association, the Civil or Environmental Engineering Departments of Utah's Universities, and the Rural Water Association of Utah.

2. The Commission is charged with the responsibility of conducting all work necessary to promote the program, recommend certification of operators, and oversee the maintenance of records.

3. The Commission shall consist of seven members as follows:

(a) One member shall be a certified operator from a town having a population under 10,000 and will be nominated by the Rural Water Association of Utah.

(b) One member shall be at least a grade III unrestricted certified distribution operator and will be nominated by the American Water Works Association.

(c) One member shall be at least a grade III unrestricted certified water treatment plant operator and will be nominated by the American Water Works Association.

(d) One member shall represent municipal water supply management and will be nominated by the Utah League of Cities and Towns.

(e) One member shall represent the civil or environmental engineering department of a Utah university cooperating with the certification program.

(f) One member shall represent water supply trainers and will be nominated by the Training Coordinating Committee (TCC).

(g) One member shall be a representative for the Division of Drinking Water.

4. Each group represented shall designate its nominee to the Director for a three-year term. Nominations may be accepted or rejected by the Director. Persons may be renominated for successive three-year terms by their sponsor groups. The Director shall notify the sponsoring groups one year in advance of the termination of the Commission member that a nominee will be needed. An appointment to succeed a Commission member who is unable to serve his full term shall be only for the remainder of the unexpired term and shall be submitted by the sponsor groups and approved by the Director as mentioned above.

5. Each year the Commission shall elect from its membership a chairperson and vice-chairperson and such other officers as may be needed to conduct its business.

6. It shall be the duty of the Commission to advise in the preparation of examinations for various grades of operators and advise on the certification criteria used by the Secretary. In addition to these duties, the Commission shall also advertise and promote the program, distribute applications and notices, maintain a register of certified Operators [~~and Specialists~~], set examination dates and locations, and make recommendations regarding each drinking water system's compliance with these rules.

R309-300-17. Secretary to the Commission.

The Director shall designate a non-voting member of the Commission to serve as its Secretary, who shall be a senior public health representative from the Division of Drinking Water. This Secretary shall serve to coordinate the paperwork for the Commission and to bring issues before the Commission. His duties consist of the following:

1. acting as liaison between the Commission and the water suppliers, and generally promote the program;
2. maintaining records necessary to implement these rules;
3. classifying all water treatment plants and distribution systems in accordance with R309-300-19;
4. notifying sponsor groups of Commission nominations needed;
5. coordinating with Utah's Training Coordinating Committee (TCC) to ensure adequate operator training opportunities throughout the state;
6. serving as a source of public information for operator training opportunities and certified operators available for employment;
7. receiving applications for certification and screen, investigate, verify and evaluate all applications;
8. bringing issues to the Commission for their review;
9. developing and administering operator certification examinations.

R309-300-18. Non-compliance with Certification Program.

1. After appropriate consideration by the Commission, cases of non-compliance will be referred to the Director for appropriate enforcement action.

2. Non-compliance with the certification rules is a violation of R309-102-8. Whenever such a violation occurs, the water system management will be notified in writing by the Division of Drinking Water and will be required to correct the situation.

R309-300-19. Drinking Water System Classification.

This system applies only to those public water supplies operating coagulation and/or filtration treatment plants. This classification system does not apply to those systems operating only chlorination facilities on distribution systems.

....

[~~TABLE 6~~
~~Minimum Certification Qualifications~~
~~For Water System Specialists~~

~~CERTIFICATION GRADE (both Distribution and Treatment)~~	~~EXPERIENCE "Hands On" Experience (Years)~~	~~Design or Associated Experience (Years)~~
~~4~~	~~8~~	~~10~~
~~3~~	~~4~~	~~8~~
~~2~~	~~2~~	~~4~~
~~1~~	~~0~~	~~0~~

~~Note:~~
~~1. All experience must be verifiable.~~
~~2. All "hands on" experience must be in the area of operation, repair, and maintenance of a public drinking water system.~~
~~3. Associated experience may be in the design, construction, and inspection of public drinking water systems and/or direct consultation for public drinking water systems.~~
~~4. The required experience, as outlined above, must be either in the "Hands On" category or in the Design or Associated category, not in combination.~~
~~5. Persons applying for and passing the specialist exam who do not meet the minimum qualifications will be issued a restricted certificate similar to the water system operator restricted certificate.~~
~~6. Restricted Specialist Certificate shall be changed to unrestricted status upon written request of certificate holder after minimum experience qualifications have been met.~~]

KEY: drinking water, environmental protection, administrative procedures
Date of Enactment or Last Substantive Amendment: [~~November 13, 2013~~]2017
Notice of Continuation: March 13, 2015
Authorizing, and Implemented or Interpreted Law: 19-4-104; 63G-3

Environmental Quality, Drinking Water
R309-500
Facility Design and Operation: Plan Review, Operation and Maintenance Requirements

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 42052
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule is being amended to reduce the regulatory burden on public water systems and the review burden on the Division of Drinking Water. The proposed amendment is primarily intended to replace the current Plan Submittal Waiver program with a similar but simplified program of Approved Standard Installation Drawings and Specifications for construction of water transmission and distribution lines.

SUMMARY OF THE RULE OR CHANGE: Primarily, the proposed amendment would eliminate the requirement for water systems with Approved Standard Installation Drawings and Specifications to obtain Plan Submittal Waivers, individually or at year's end, from the Division for the installation of water lines. Instead, it would allow a water system with Approved Standard Installation Drawings and Specifications to install water lines up to and including 16-inches in diameter for a five-year period without any further interaction with the Division. The proposed amendment also makes minor revisions to the rule by eliminating redundant requirements, providing additional examples of public drinking water projects, providing an additional example of operation and maintenance, clarifying some plan submittal requirements, reordering some requirements, renumbering some paragraphs, and eliminating the term Plan Submittal Waivers.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: In aggregate, the proposed amendment is anticipated to have no cost or savings to the state budget. Although the amendment is expected to reduce the amount of time that the Division of Drinking Water spends reviewing plans and specifications for water line projects, the time saved would be reallocated to the review of other kinds of drinking water facilities. Therefore, it would not result in a reduction in the number of full time employees needed for plan review.

♦ LOCAL GOVERNMENTS: In aggregate, the proposed amendment is anticipated to have no cost to local governments and minor savings to a subset of local governments that own or operate public water systems and have obtained Approved Standard Installation Drawings and Specifications to install water lines. These local governments would save time and money by not submitting plans and specifications to the Division of Drinking Water and by not obtaining Plan Approval, an Operating Permit, or a Plan Submittal Waiver from the Division. The savings to a properly qualified public water system is estimated to be $150 per eligible water line project. Since May of 2014, such water systems have submitted an average of 48 Plan Submittal Waiver requests per year. Therefore, the aggregate savings per year for public water systems is estimated to be $7,200 ($150 times 48).

♦ SMALL BUSINESSES: In aggregate, the proposed amendment is anticipated to have no cost or savings to small businesses. The amendment applies only to public water systems and is anticipated to provide minor savings only to certain public water systems. Small businesses that operate their own public water systems do not typically install the number of water lines that would make Approved Standard Installation Drawings useful. Small businesses that are customers of public water systems are unlikely to see any savings as a result of the amendment because of the small savings that the water systems themselves would realize.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: In aggregate, persons other than small businesses, businesses, or local government entities are anticipated to see no cost or savings as a result of the proposed amendment. Although the proposed amendment is anticipated to provide a small savings to certain public water systems, it wouldn't be worth a water system's time to calculate the insignificant savings per customer and to pass on that savings.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendment directly affects public water systems and indirectly affects its customers. It is anticipated to have no additional compliance costs because no additional regulations are being imposed by the amendment.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting a thorough analysis, it was determined that the proposed amendment would not result in a fiscal impact to businesses. The proposed amendment would impose no costs upon businesses. Theoretically, a business that was supplied water from a public water system with Approved Standard Installation Drawings to install water lines would realize a small savings in its water bill. However, the savings would probably be so small that it would not be worthwhile for the water system to calculate the savings per customer and to pass it on. Therefore, it is reasonable to expect that in such circumstances the proposed amendment would not result in a fiscal impact to businesses. The savings to a properly qualified public water system are estimated to be $150 per eligible water line project. Since May of 2014, such water systems have submitted an average of 48 Plan Submittal Waiver requests per year. Therefore, the aggregate savings per year for public water systems are estimated to be $7,200 ($150 times 48).

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

ENVIRONMENTAL QUALITY
DRINKING WATER
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Bernie Clark by phone at 801-536-0092, or by Internet E-mail at bernieclark@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Alan Matheson, Executive Director

R309. Environmental Quality, Drinking Water.
R309-500. Facility Design and Operation: Plan Review, Operation and Maintenance Requirements.
R309-500-1. Purpose.

The purpose of this rule is to describe plan review procedures and requirements, clarify projects requiring review, and inspection requirements for drinking water projects. It is intended to be applied in conjunction with rules R309-500 through R309-550. Collectively, these rules govern the design, construction, operation and maintenance of public drinking water system facilities. These rules are intended to assure that such facilities are reliably capable of supplying adequate quantities of water which consistently meet applicable drinking water quality requirements and do not pose a threat to public health.

R309-500-2. Authority.

This rule is promulgated by the Drinking Water Board as authorized by Title 19, Environmental Quality Code, Chapter 4, Safe Drinking Water Act, Subsection 104(1)(a)(ii) of the Utah Code and in accordance with Title 63G, Chapter 3 of the same, known as the Administrative Rulemaking Act.

R309-500-3. Definitions.

Definitions for certain terms used in this rule are given in R309-110 but may be further clarified herein.

R309-500-4. General.

(1) Construction of New Facilities and Modification of Existing Facilities.

(a) Plans, specifications, and other data pertinent to new facilities, or existing facilities of public drinking water systems not previously reviewed, shall be submitted to the Director for review for conformance with rules R309-500 through R309-550. All submittals shall be from the public water system or its agent.

(b) The Director has the authority to grant an exception to R309-500 through R309-550 per R309-105-6(2)(b).

(c) [~~Construction of a public drinking water project shall not begin until complete plans and specifications have received Plan Approval or a Plan Submittal Waiver has been issued by the Director.~~]A public water system may not begin construction of a public drinking water project without Plan Approval unless it meets the requirements of R309-500-7.

(d) [~~No new public drinking water facility shall be put into operation until the Director has issued an Operating Permit or a Plan Submittal Waiver.~~]A public water system may not begin operation of a drinking water facility without an Operating Permit unless it meets the requirements of R309-500-7.

(2) Minimum Quantity and Quality Requirements for Existing Facilities.

All existing public drinking water systems shall be capable of reliably delivering water that meets current drinking water minimum quantity and quality requirements. The Director may require modification of existing systems in accordance with R309-500 through R309-550 when such modifications are needed to reliably achieve minimum quantity and quality requirements.

(3) Operation and Maintenance.

Public drinking water system facilities shall be operated and maintained in a manner that protects public health. As a minimum, operation and maintenance procedures described in R309-500 through R309-550 shall be met.

R309-500-5. Public Drinking Water Project.

(1) Definition.

A public drinking water project[~~, requiring submittal of a Project Notification Form and plans and specifications,~~] is any of the following:

(a) Construction of, [~~any facility for a proposed drinking water system.~~]

[~~(b) Any~~]addition to, or modification of[~~, the facilities of an existing~~] a public drinking water [~~system~~]facility that may affect the quality or quantity of water delivered.

([c]b) Any activity[~~, other than on-going operation and maintenance procedures,~~] that may affect the quality or quantity of water delivered by an existing public drinking water system[~~. Such activities may include~~] including:

(i) the interior re-coating or re-lining of any raw or drinking water storage tank, or water storage chamber within any treatment facility,

(ii) the in-situ re-lining of any pipeline,

(iii) a change or addition of a water treatment process,

(iv) the re-development of any spring or well source,

(v) replacement of a well pump with one of different capacity,[~~ and~~]

(vi) deepening a well[.],

(vii) well rehabilitation or cleaning using a chemical other than a disinfectant previously approved for drinking water use, and

(viii) replacement of pipeline not due to on-going operation and maintenance.

(2) On-going Operation and Maintenance Procedures.

On-going operation and maintenance procedures are not considered public drinking water projects and, accordingly, are not subject to the project notification, plan approval and operating permit requirements of this rule. However, these activities shall be carried out in accordance with all requirements contained in R309-500 through R309-550 and specifically the design, construction, disinfection, flushing, and bacteriological sampling and testing requirements before the facilities are placed back into service. The following activities are considered to be on-going operation and maintenance procedures:

(a) pipeline leak repair,

(b) replacement of [~~existing~~]deteriorated pipeline where the new pipeline segment is the same size as the old pipeline or the new

segment is upgraded to meet the minimum pipeline sizes required by R309-550-5(4) or larger sizes as determined by a hydraulic analysis in accordance with R309-550-5(3),[~~ excluding substantial distribution system upgrades that involve long-term planning and complex design,~~]

(c) tapping existing water mains with corporation stops [~~so as~~]to make connection to new service laterals to individual structures,

(d) distribution pipeline additions where the pipeline size is the same as the main supplying the addition or the pipeline addition meets the minimum pipeline sizes required by R309-550-5(4) or larger sizes as determined by a hydraulic analysis in accordance with R309-550-5(3), the length is less than 500 feet, and contiguous segments of new pipe total less than 1000 feet in any fiscal year,

(e) entry into a drinking water storage facility for the purposes of inspection, cleaning and maintenance,[~~ and~~]

(f) replacement of equipment or pipeline appurtenances with the same type, size and rated capacity (fire hydrants, valves, pressure regulators, meters, service laterals, chemical feeders and booster pumps including deep well pumps)[~~.~~], and

(g) mechanical well rehabilitation or cleaning using a disinfectant previously approved for drinking water use.

R309-500-6. Plan Approval Procedure.

(1) Project Notification.

The Division shall be notified prior to the construction of any "public drinking water project" as defined in R309-500-5(1) above. The notification may be prior to or simultaneous with submission of construction plans and specifications as required by R309-500-6(2) below. Notification shall be made on a form provided by the Division.

(2) Pre-Construction Requirements.

All of the following shall be accomplished before construction of any public drinking water project begins:

(a) Plans and specifications for a public drinking water project shall be submitted to the Division at least 30 days prior to the date on which [~~action is desired~~]Plan Approval is required.

(b) Required submittals may include engineering reports, hydraulic analyses of the existing system and additions, local requirements for fire flow and duration, proximity of sewers and other utilities, water consumption data, supporting information, evidence of rights-of-way and reference to any previously submitted master plans pertinent to the project, a description of a program for keeping existing water works facilities in operation during construction so as to minimize interruption of service, etc.

(c) Plans and specifications submitted shall be complete and sufficiently detailed for actual construction. Plans and specifications shall also adequately identify and address any conflicts or interferences.

(d) Drawings that are illegible or of unusual size will not be accepted for review.

(e) The plans and specifications shall be stamped and signed by a [~~licensed~~]professional engineer [~~as required by Section 58-22-602(2) of the Utah Code~~]licensed by the state of Utah.

(f) If construction or the ordering of substantial equipment has not commenced within one year of Plan Approval, a renewal of the Plan Approval shall be obtained prior to proceeding with construction.

[~~(3) Eligibility for Plan Submittal Waivers.~~

~~In lieu of submitting plans and specifications for Plan Approval and obtaining Operating Permits, public water systems may request Plan Submittal Waivers for two types of water line projects (excluding booster pump stations) after first becoming eligible to request the waivers. The Director will issue written notification that a public water system is eligible to request the Plan Submittal Waivers described in R309-500-6(3)(a) and (3)(b) if the information provided is acceptable.~~

~~(a) Water Line Projects Included in an Approved Master Plan. To become eligible to request this type of waiver, a public water system must submit standard installation drawings, which meet the requirements in R309-550, and a master plan, which is supported by a hydraulic analysis, to the Director for approval.~~

~~(b) Water Line Projects Included in (i) through (iii) below. To become eligible to request this type of waiver, a public water system must submit the following in writing to the Director: standard installation drawings that meet the requirements of R309-550, the name of the professional engineer responsible for design of the entire water system, and the name of the professional engineer responsible for oversight of the hydraulic analysis for the entire water system.~~

~~(i) Water lines less than or equal to 8 inches in diameter in water systems providing water to a population less than 3,300;~~

~~(ii) Water lines less than or equal to 12 inches in diameter in water systems providing water to a population between 3,300 and 50,000; or~~

~~(iii) Water lines less than or equal to 16 inches in diameter in water systems providing water to a population greater than 50,000.~~

~~Public water systems eligible for Plan Submittal Waivers per R309-500-6(3)(b) may request an after-the-fact Plan Submittal Waiver for multiple water line projects by submitting the required information to the Director annually per R309-500-6(4)(b).~~

~~(4) Using Plan Submittal Waivers.~~

~~(a) Plan Submittal Waivers Prior to Construction.~~

~~After becoming eligible to request Plan Submittal Waivers per R309-500-6(3), a public water system must complete the following when requesting a Plan Submittal Waiver for an individual water line project prior to construction:~~

~~(i) Submit a complete Project Notification Form describing the project, including pipe length, diameter, material, and joint type; project location; number of new service connections; whether minimum separation requirements between water lines and sewer lines in R309-550-7 will be met for the proposed water line project; and specifying which Plan Submittal Waiver, R309-500-6(3)(a) or R309-500-6(3)(b), is being requested;~~

~~(ii) For projects that will have a hydraulic impact, submit a certification of hydraulic analysis by a professional engineer per R309-511-6(1) indicating that the design will not result in unacceptable pressure and flow conditions (including fire flow if fire hydrants are installed);~~

~~(iii) Submit a certification by a professional engineer, who is responsible for the design and construction of the project or has been designated by the water system in writing as the professional engineer directly responsible for the design of the entire water system, indicating that design and construction will meet the requirements of R309-500 through 550, that proper flushing and disinfection will be completed according to the appropriate ANSI/AWWA standard, that satisfactory bacteriological sample results will be obtained prior to placing the facilities into service, and that the water system will receive a copy of as-built or record drawings;~~

~~(iv) Obtain a written Plan Submittal Waiver, in lieu of Plan Approval, from the Director prior to the start of construction; and~~

(v) Comply with the conditions in R309-500-6(4)(a)(iii) prior to placing the new facilities into service.

(b) After-the-Fact Plan Submittal Waivers.

After becoming eligible to request Plan Submittal Waivers per R309-500-6(3)(b), a public water system may choose to obtain an after-the-fact waiver for multiple water line projects by complying with the following requirements:

(i) Water systems shall submit a single copy of each item listed above in R309-500-6(4)(a)(i) through (iii) to the Director by January 31 of each year.

(ii) The single Project Notification Form and the required certifications shall include the information required per R309-500-6(4)(a)(i) for each water line project completed during the previous calendar year that has not received a Plan Submittal Waiver.

(iii) Water systems shall maintain an up-to-date record tracking the water line project information required per R309-500-6(4)(a)(i) through (iii) for each project completed during the year that has not received a Plan Submittal Waiver but will be included in the annual after-the-fact waiver request. Water systems shall make the water line project tracking record available for Division review upon request.](3) Changes to Approved Plans or Specifications.

(a) Changes to approved plans or specifications affecting capacity, hydraulic conditions, operating units, the functioning of water treatment processes, or the quality of water to be delivered, shall be reported to the Division before the start of construction.

(b) The Division may require revised plans and specifications be submitted for review. If required, revised plans or specifications shall be submitted to the Division in time to permit review and approval before the start of construction affected by the changes.

R309-500-7. Approval of Standard Installation Drawings and Specifications for Water Transmission and Distribution Lines.

(1) A public water system with approved standard installation drawings and specifications may install water transmission and distribution lines up to and including 16 inches in diameter and is not required to:

(a) submit project notification, plans, or specifications or obtain Plan Approval per R309-500-6;

(b) obtain an Operating Permit per R309-500-9; or

(c) submit a certification of hydraulic modeling per R309-511.

(2) To obtain or renew approved standard installation drawings and specifications, a public water system shall submit to the Director:

(a) an application form;

(b) standard installation drawings and specifications meeting the requirements of R309-550 for construction of water transmission and distribution lines;

(c) the name and license number of a professional engineer designated to oversee design of the water system;

(d) the name and license number of a professional engineer designated to oversee hydraulic analysis of the water system; and

(e) a statement from the designated water system contact acknowledging that:

(i) a hydraulic analysis will be completed for each water line project to assure compliance with minimum sizing, pressure, and flow requirements;

(ii) flushing, disinfection, and coliform sampling will be completed according to ANSI/AWWA standards for each water line before use; and

(iii) as-built or record drawings will be maintained for each water line constructed.

(3) Approved standard installation drawings and specifications are valid for construction of water transmission and distribution lines for the five-year period specified in the approval.

(4) Before or upon the expiration of approved standard installation drawings and specifications, a public water system may submit an application to renew the approval.

(5) A public water system that installs water transmission and distribution lines with approved standard installation drawings and specifications shall:

(a) construct each water line according to plans and specifications stamped and signed by a professional engineer licensed by the state of Utah;

(b) notify the Director of a change in approved standard installation drawings and specifications, a change in the designated water system contact, or a change in the designated professional engineer for system design or hydraulic analysis;

(c) obtain Plan Approval for each booster pump installed as part of a water line; and

(d) obtain an exception prior to construction for any requirement in R309-500 through R309-550 that cannot be met.

R309-500-[7]8. Inspection during Construction.

Staff from the Division, the Department of Environmental Quality, or the local health department, after reasonable notice and presentation of credentials, may make visits to the work site to assure compliance with these rules.

[R309-500-8. Change Orders.

Any deviations from approved plans or specifications affecting capacity, hydraulic conditions, operating units, the functioning of water treatment processes, or the quality of water to be delivered, shall be reported to the Director. The Director may require that revised plans and specifications be submitted for review. If required, revised plans or specifications shall be submitted to the Division in time to permit the review and approval of such plans or specifications before any construction work, which will be affected by such changes, is begun.]

R309-500-9. Operating Permit.

(1) The Division shall be informed when a public drinking water project, or a well-defined phase thereof, is at or near completion.

(2) The new or modified facility shall not be placed into service until an Operating Permit[or a Plan Submittal Waiver] is issued by the Director unless it meets the requirements of R309-500-7.

(3) The Operating Permit will not be issued until all of the following items are submitted and found to be acceptable for all projects.[Distribution lines (not including in-line booster pump stations), may be placed into service prior to submittal of all items if the professional engineer responsible for the entire system, as identified to the Director, has received items (1) and (4).]

([1]a) Certification of Rule Conformance by a professional engineer that all conditions of Plan Approval were accomplished and if applicable, changes made during construction were in conformance with rules R309-500 through 550,

([~~2~~]b) as-built or record drawings incorporating all changes to approved plans and specifications, unless no changes are made from previously submitted and approved plans during construction,

([~~3~~]c) confirmation that a copy of the as-built or record drawings has been received by the water system owner,

([~~4~~]d) evidence of proper flushing and disinfection in accordance with the appropriate ANSI/AWWA Standard,

([~~5~~]e) where appropriate, water quality data,

([~~6~~]f) all other documentation which may have been required during the plan review process, and

([~~7~~]g) confirmation that the water system owner has been provided with an Operation and Maintenance manual for the new facility if applicable.

(4) Distribution lines (not including in-line booster pump stations) requiring Plan Approval may be placed into service prior to submittal of all of the above items and receipt of an Operating Permit if the public water system has received items (3)(a) and (3)(d).

R309-500-10. Waste and Wastewater Disposal.

Approval of plans and specifications may require evidence showing that the methods of waste and wastewater disposal have been approved or accepted by the Utah Division of Water Quality, the local health agency, or the local authority for:

(1) new drinking water facilities, including discharges from treatment facilities, discharges related to construction, etc., and

(2) new drinking water facilities serving proposed developments.

R309-500-11. Fee Schedule.

The Division is authorized to assess fees according to the Department of Environmental Quality fee schedule.[~~ The fee schedule is available from the Division.~~]

R309-500-12. Other Permits.

Local, county, federal, and other state authorities may impose different, more stringent, or additional requirements for public drinking water projects. Water systems may be required to comply with other permitting requirements before beginning construction of drinking water projects or placing new facilities into service.

KEY: drinking water, plan review, operation and maintenance requirements, permits
Date of Enactment or Last Substantive Amendment: [~~November 16, 2015~~]2017
Notice of Continuation: March 13, 2015
Authorizing, and Implemented or Interpreted Law: 19-4-104

Environmental Quality, Drinking Water
R309-600-8
DWSP Plan Review

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 42056
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule is being amended to improve efficiency of the Drinking Water Source Protection (DWSP) plan review process.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment would allow the Director to authorize the designated the Division of Drinking Water (DDW) Source Protection Manager to "concur" and "concur with recommendations" with DWSP plans submitted by public water systems to DDW for review.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: In aggregate, the proposed amendment is anticipated to have no cost or savings to the state budget because it does not affect the state budget. It only affects operational procedures within DDW.
♦ LOCAL GOVERNMENTS: In aggregate, the proposed amendment is anticipated to have no cost or savings to local governments because it does not affect them. It only affects operational procedures within DDW.
♦ SMALL BUSINESSES: In aggregate, the proposed amendment is anticipated to have no cost or savings to small businesses because it does not affect them. It only affects operational procedures within DDW.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: In aggregate, the proposed amendment is anticipated to have no cost or savings to persons other than small businesses, businesses, or local government entities because it does not affect such persons. It only affects operational procedures within DDW.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendment imposes no compliance costs on anyone.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed amendment would not result in a fiscal impact to businesses because it does not affect any business; it only affects operational procedures within DDW.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
DRINKING WATER
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Melissa Noble by phone at 801-536-4224, or by Internet E-mail at mnoble@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Alan Matheson, Executive Director

R309. Environmental Quality, Drinking Water.
R309-600. Source Protection: Drinking Water Source Protection For Ground-Water Sources.
R309-600-8. DWSP Plan Review.

(1) The Director shall review each DWSP Plan submitted by PWSs and "concur," "concur with recommendations," "conditionally concur" or "disapprove" the plan. The Director may also authorize the designated DDW Source Protection Manager to issue the following actions: "concur" and "concur with recommendations."

(2) The Director may "disapprove" DWSP Plans for any of the following reasons:

(a) An inaccurate DWSP Delineation Report, a report that uses a non-applicable delineation method, or a DWSP Plan that is missing this report or any of the information and data required in it (refer to R309-600-9(6));

(b) an inaccurate Prioritized Inventory of Potential Contamination Sources or a DWSP Plan that is missing this report or any of the information required in it (refer to R309-600-10(1));

(c) an inaccurate assessment of current controls (refer to R309-600-10(2));

(d) a missing Management Program to Control Each Preexisting Potential Contamination Source which has been assessed as "not adequately controlled" by the PWS (refer to R309-600-11(1));

(e) a missing Management Program to Control or Prohibit Future Potential Contamination Sources (refer to R309-600-12);

(f) a missing or incomplete Implementation Schedule, Resource Evaluation, Recordkeeping Section, Contingency Plan, or Public Notification Plan (refer to R309-600-7(1)(e)-(g), R309-600-14, and R309-600-15).

(3) The Director may "concur with recommendations" when PWSs propose management programs to control preexisting potential contamination sources or management programs to control or prohibit future potential contamination sources for existing or new drinking water sources which appear inadequate or ineffective.

(4) The Director may "conditionally concur" with a DWSP Plan or PER. The PWS must implement the conditions and report compliance the next time the DWSP Plan is due and submitted to DDW.

KEY: drinking water, environmental health
Date of Enactment or Last Substantive Amendment: [~~November 15, 2012~~]2017
Notice of Continuation: March 13, 2015
Authorizing, and Implemented or Interpreted Law: 19-4-104(1)(a)(iv)

Environmental Quality, Drinking Water
R309-605-7
Drinking Water Source Protection (DWSP) for Surface Sources

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 42057
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule is being amended to improve efficiency of the Drinking Water Source Protection (DWSP) Plan review process.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment would allow the Director to authorize the designated the Division of Drinking Water (DDW) Source Protection Manager to "concur" with DWSP plans submitted by public water systems to DDW for review.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: In aggregate, the proposed amendment is anticipated to have no cost or savings to the state budget because it does not affect the state budget. It only affects operational procedures within DDW.

♦ LOCAL GOVERNMENTS: In aggregate, the proposed amendment is anticipated to have no cost or savings to local governments because it does not affect them. It only affects operational procedures within DDW.

♦ SMALL BUSINESSES: In aggregate, the proposed amendment is anticipated to have no cost or savings to small businesses because it does not affect them. It only affects operational procedures within DDW.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: In aggregate, the proposed amendment is anticipated to have no cost or savings to persons other than small businesses, businesses, or local government entities because it does not affect such persons. It only affects operational procedures within DDW.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendment imposes no compliance costs on anyone.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed amendment would not result in a fiscal impact to businesses because it does not affect any business; it only affects operational procedures within the Division of Drinking Water.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
DRINKING WATER
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Melissa Noble by phone at 801-536-4224, or by Internet E-mail at mnoble@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Alan Matheson, Executive Director

R309. Environmental Quality, Drinking Water.
R309-605. Source Protection: Drinking Water Source Protection for Surface Water Sources.
R309-605-7. Drinking Water Source Protection (DWSP) for Surface Sources.

(1) DWSP Plans

(a) Each PWS shall develop, submit, and implement a DWSP Plan for each of its surface water sources of drinking water.

(i) Recognizing that more than one PWS may jointly use a source from the same or nearby diversions, the Director encourages collaboration among such PWSs with joint use of a source in the development of a DWSP plan for that source. PWSs who jointly submit an acceptable DWSP plan per R309-605-7 for one surface water source above common point(s) of diversion, will be considered to have met the requirement of R309-605-7(1)(a). The deadline from R309-605-4(1) that would apply to such a collaboration would be associated with the largest population served by the individual parties to the agreement.

(b) Required Sections for DWSP Plans - DWSP Plans should be developed in accordance with the "Standard Report Format for Surface Sources". This document may be obtained from the Division. DWSP Plans must include the following eight sections:

(i) DWSP Delineation Report - A DWSP Delineation Report in accordance with R309-605-7(3) is the first section of a DWSP Plan.

(ii) Susceptibility Analysis and Determination - A susceptibility analysis and determination in accordance with R309-605-7(4) is the second section of a DWSP report.

(iii) Management Program to Control Each Preexisting Potential Contamination Source - Land management strategies to control each not adequately controlled preexisting potential contamination source in accordance with R309-605-7(5) is the third section of a DWSP Plan.

(iv) Management Program to Control or Prohibit Future Potential Contamination Sources - Land management strategies for controlling or prohibiting future potential contamination sources is the fourth section of a DWSP Plan. This must be in accordance with R309-605-7(6), must be consistent with the general provisions of this rule, and implemented to an extent allowed under the PWS's authority and jurisdiction.

(v) Implementation Schedule - The implementation schedule is the fifth section of a DWSP Plan. Each PWS shall develop a step-by-step implementation schedule which lists each of its proposed land management strategies with an implementation date for each strategy.

(vi) Resource Evaluation - The resource evaluation is the sixth section of a DWSP Plan. Each PWS shall assess the financial and other resources which may be required for it to implement each of its DWSP Plans and determine how these resources may be acquired.

(vii) Recordkeeping - Recordkeeping is the seventh section of a DWSP Plan. Each PWS shall document changes in each of its DWSP Plans as they are updated to show significant changes in conditions in the protection zones. As a DWSP Plan is executed, the PWS shall document any land management strategies that are implemented. These documents may include any of the following: ordinances, codes, permits, memoranda of understanding, public education programs, and so forth.

(viii) Public Notification - A method for, schedule for and example of the means for notifying the public water system's customers and consumers regarding the drinking water source water assessment and the results of that assessment is the last section of a DWSP plan. This must be in accordance with R309-605-7(7).

(ix) Existing watershed or resource management plans - In lieu of some or all of the report sections described in R309-605-7(1)(b), the PWS may submit watershed or resource management plans that in whole or in part meet the requirements of this rule. Such plans shall be submitted to the Director with a cover letter that fully explains how they meet the requirements of the current DWSP rules. Any required section described in R309-605-7(1)(b) that is not covered by the watershed or resource management plan must be addressed and submitted jointly. The watershed or resource management plans will be subject to the same review and approval process as any other section of the DWSP plan.

(c) DWSP Plan Administration - DWSP Plans shall be submitted, corrected, retained, implemented, updated, and revised according to the following:

(i) Submitting DWSP Plans - Each PWS shall submit a DWSP Plan to the Director in accordance with the schedule in R309-605-4(2) for each of its surface water sources of drinking water (a joint development and submittal of a DWSP plan is acceptable for PWSs with the joint use of a source, per R309-605-7(1)(a)(i).)

(ii) Correcting Deficiencies - Each PWS shall correct any deficiencies in a disapproved DWSP Plan and resubmit it to the Director within 90 days of the disapproval date.

(iii) Retaining DWSP Plans - Each PWS shall retain on its premises a current copy of each of its DWSP Plans. DWSP Plans shall be made available to the public upon request.

(iv) Implementing DWSP Plans - Each PWS shall begin implementing each of its DWSP Plans in accordance with its schedule in R309-605-7(1)(b)(v), within 180 days after submittal if they are not disapproved by the Director.

(v) Updating and Resubmitting DWSP Plans - Each PWS shall review and update its DWSP Plans as often as necessary to ensure that they show current conditions in the DWSP zones, but at least annually after the original due date (see R309-605-4(1)). Updated plans also document the implementation of land management

strategies in the recordkeeping section. Updated DWSP Plans will be resubmitted to the Director every six years from their original due date, which is described in R309-605-4.

(vi) Revising DWSP Plans - Each PWS shall submit a revised DWSP Plan to the Director within 180 days after the reconstruction or redevelopment of any surface water source of drinking water which causes changes in source construction, source development, hydrogeology, delineation, potential contamination sources, or proposed land management strategies.

(2) DWSP Plan Review.

(a) The Director shall review each DWSP Plan submitted by PWSs and "concur," "conditionally concur" or "disapprove" the plan. The Director may also authorize the designated DDW Source Protection Manager to issue the following actions: "concur."

(b) The Director may "disapprove" DWSP Plans for good cause, including any of the following reasons:

(i) A DWSP Plan that is missing the delineation report or any of the information and data required in it (refer to R309-605-7(3));

(ii) An inaccurate Susceptibility Analysis or a DWSP Plan that is missing this report or any of the information required in it (refer to R309-605-7(4));

(iii) An inaccurate Prioritized Inventory of Potential Contamination Sources or a DWSP Plan that is missing this report or any of the information required in it (refer to R309-605-7(4)(c));

(iv) An inaccurate assessment of current controls (refer to R309-605-7(4)(a)(iii)(B));

(v) A missing or incomplete Management Program to Control Each Preexisting Potential Contamination Source which has been assessed as "not adequately controlled" by the PWS (refer to R309-605-7(5));

(vi) A missing or incomplete Management Program to Control or Prohibit Future Potential Contamination Sources (refer to R309-605-7(6));

(vii) A missing Implementation Schedule, Resource Evaluation, Recordkeeping Section, or Contingency Plan (refer to R309-605-7(1)(b)(v-vii) and R309-605-9);

(viii) A missing or incomplete Public Notification Section (refer to R309-605-7(7).

(c) If the Director conditionally concurs with a DWSP Plan, the PWS must implement the conditions and report compliance the next time the DWSP Plan is due and submitted to the Director.

(3) Delineation of Protection Zones

(a) The delineation section of the DWSP plan for surface water sources may be obtained from the Division upon request. A delineation section prepared and provided by the Division would become the first section of the submittal from the PWS. The delineation section provided by the Division will consist of a map or maps showing the limits of the zones described in R309-605-7(3)(b)(i-iv), and will include an inventory of potential contamination sources on record in the Division's Geographic Information System.

(b) Alternatively, the PWS may provide their own delineation report. Such a submittal must either describe the zones as defined in R309-605-7(3)(b)(i-iv), or must comply with the requirements and definitions of R309-605-7(3)(c). The delineation report must include a map or maps showing the extent of the zones.

(i) Zone 1:

(A) Streams, rivers and canals: zone 1 encompasses the area on both sides of the source, 1/2 mile on each side measured laterally from the high water mark of the source (bank full), and from 100 feet downstream of the POD to 15 miles upstream, or to the limits of the watershed or to the state line, whichever comes first. If a natural stream or river is diverted into an uncovered canal or aqueduct for the purpose of delivering water to a system or a water treatment facility, that entire canal will be considered to be part of zone 1, and the 15 mile measurement upstream will apply to the stream or river contributing water to the system from the diversion.

(B) Reservoirs or lakes: zone 1 is considered to be the area 1/2 mile from the high water mark of the source. Any stream or river contributing to the lake/reservoir will be included in zone 1 for a distance of 15 miles upstream, and 1/2 mile laterally on both sides of the source. If a reservoir is diverted into an uncovered canal or aqueduct for the purpose of delivering water to a system or a water treatment facility, that entire canal will be considered to be part of zone 1, and the 15 mile measurement upstream will apply to the reservoir and tributaries contributing water to the system.

(ii) Zone 2: Zone 2 is defined as the area from the end of zone 1, and an additional 50 miles upstream (or to the limits of the watershed or to the state line, whichever comes first), and 1000 feet on each side measured from the high water mark of the source.

(iii) Zone 3: Zone 3 is defined as the area from the end of zone 2 to the limits of the watershed or to the state line, whichever comes first, and 500 feet on each side measured from the high water mark of the source.

(iv) Zone 4: Zone 4 is defined as the remainder of the area of the watershed (up to the state line, if applicable) contributing to the source that does not fall within the boundaries of zones 1 through 3.

(v) Special case delineations:

(A) Basin Transfer PODs: Where water supplies are received from basin transfers, the water from the extraneous basin will be treated as a separate source, and will be subject to its own DWSP plan, starting from zone 1 at the secondary POD.

(c) If the PWS is able to demonstrate that a different zone configuration is more protective than those defined in R309-605-7(3)(b), that different configuration may be used upon prior review and approval by the Director. An explanation of the method used to obtain and establish the dimensions of the zones must be provided. The delineation report must include a map or maps showing the extent of the zones. The entire watershed boundary contributing to a source must be included in the delineation.

(4) Susceptibility Analysis and Determination:

(a) Susceptibility Analysis:

(i) Structural integrity of the intake: The PWS will evaluate the structural integrity of the intake to ensure compliance with the existing source development rule (R309-515-5) on a pass or fail basis. The pass-fail rating will be determined by whether the intake meets minimum rule requirements, and whether the physical condition of the intake is adequate to protect the intake from contamination events. The integrity evaluation includes any portion of the conveyance from the point of diversion to the distribution systems that is open to the atmosphere or is otherwise vulnerable to contamination, including distribution canals, etc.

(ii) Sensitivity of Natural Setting: The PWS will evaluate the sensitivity of the source based on physiographic and/or hydrogeologic factors. Factors influencing sensitivity may include any natural or man-made feature that increases or decreases the likelihood of contamination. Sensitivity does not address the question of whether contamination is present in the watershed or recharge area.

(iii) Assessment of management of potential contamination sources:

(A) Potential Contamination Source Inventory

(I) Each PWS shall identify and list all potential contamination sources within DWSP zones 1, 2 and 3, as applicable for individual sources. The name and address of each non-residential potential contamination source is required, as well as a list of the chemical, biological, and/or radiological hazards associated with each potential contamination source. Additionally, each PWS shall identify each potential contamination source as to its location in zone one, two, or three and plot it on the map required in R309-605-7(3)(a and b). The PWS may rely on the inventory provided by the Division for zone 4.

(II) List of Potential Contamination Sources - A List of Potential Contamination Sources may be obtained from the Division. This list may be used by PWSs as an introduction to inventorying potential contamination sources within their DWSP zones. The list is not intended to be all-inclusive.

(III) Refining, Expanding, Updating, and Verifying Potential Contamination Sources - Each PWS shall update its list of potential contamination sources to show current conditions within DWSP zones according to R309-605-7(1)(c)(v). This includes adding potential contamination sources which have moved into DWSP zones, deleting potential contamination sources which have moved out, improving available data about potential contamination sources, and all other appropriate refinements.

(B) Identification and Assessment of Controls: The PWS will identify and assess the hazards at each potential contamination source, including those in the inventory provided by the Division that are located in zone 4, as "adequately controlled" or "not adequately controlled".

(I) If controls are not identified, the potential contamination source will be considered "not adequately controlled." Additionally, if the hazards at a potential contamination source cannot be or are not identified, the potential contamination source must be assessed as "not adequately controlled."

(II) Types of controls: For each hazard deemed to be controlled, one of the following controls shall be identified: regulatory, best management/pollution prevention, or physical controls. Negligible quantities of contaminants are also considered a control. The assessment of controls will not be considered complete unless the controls are completely evaluated and discussed in the DWSP report, using the following criteria:

Regulatory Controls - Identify the enforcement agency and verify that the hazard is being regulated by them; cite and/or quote applicable references in the regulation, rule or ordinance which pertain to controlling the hazard; explain how the regulatory controls affect the potential for surface water contamination; assess the hazard; and set a date to reassess the hazard. For assistance in identifying regulatory controls, refer to the "Source Protection User's Guide" Appendix D for a list of government agencies and the programs they administer to control potential contamination sources. This guide may be obtained from the Division.

Best Management/Pollution Prevention Practice Controls - List the specific best management/pollution prevention practices which have been implemented by potential contamination source management to control the hazard and indicate that they are willing to continue the use of these practices; explain how these practices affect the potential for surface water contamination; assess the hazard; and set a date to reassess the hazard.

Physical Controls - Describe the physical control(s) which have been constructed to control the hazard; explain how these controls affect the potential for contamination; assess the hazard; and set a date to reassess the hazard.

Negligible Quantity Control - Identify the quantity of the hazard that is being used, disposed, stored, manufactured, and/or transported; explain why this amount is a negligible quantity; assess the hazard; and set a date to reassess the hazard.

(III) PWSs may assess controls on Potential Contamination Sources collectively, when the Potential Contamination Sources have similar characteristics, or when the Potential Contamination Sources are clustered geographically. Examples may include, but are not limited to, abandoned mines that are part of the same mining districts, underground storage tanks that are in the same zone, or leaking underground storage tanks in the same city. However, care should be taken to avoid collectively assessing Potential Contamination Sources to the extent that the assessments become meaningless. The Director may require an individual assessment for a Potential Contamination Source if the Director determines that the collective assessment does not adequately assess controls.

(C) A potential contamination source which is covered by a permit or approval under one of the regulatory programs listed below shall be considered to be adequately controlled unless otherwise determined by the Director. The PWS must provide documentation establishing that the Potential Contamination Source is covered by the regulatory program. For all other state regulatory programs, the PWS's assessment is subject to review by the Director; as a result, a PWS's DWSP Plan may be disapproved if the Director does not concur with its assessment(s).

(I) The Utah Ground-Water Quality Protection program established by Section 19-5-104 and Rule R317-6;

(II) Closure plans or Part B permits under authority of the Resource Conservation and Recovery Act (RCRA) of 1984 regarding the monitoring and treatment of ground-water;

(III) The Utah Pollutant Discharge Elimination System (UPDES) established by Section 19-5-104 and Rule R317-8; at the discretion of the PWS, this may include Confined Animal feeding Operations/Animal Feeding Operations (CAFO/AFO) assessed under the Utah DWQ CAFO/AFO Strategy.

(IV) The Underground Storage Tank Program established by Section 19-6-403 and Rules R311-200 through R311-208; and

(V) the Underground Injection Control (UIC) Program for classes I-IV established by Sections 19-5-104 and 40-6-5 and Rules R317-7 and R649-5.

(b) Susceptibility determination:

(i) The PWS will assess the drinking water source for its susceptibility relative to each potential contamination source. The determination will be based on the following four factors: 1) the structural integrity of the intake, 2) the sensitivity of the natural setting, 3) whether a Potential Contamination Source is considered controlled or not, and 4) how the first three factors are interrelated. The PWS will provide an explanation of the method or judgement used to weigh the first three factors against each other to determine susceptibility.

(ii) Additionally, each drinking water source will be assessed by the PWS for its overall susceptibility to potential contamination events. This will result in a qualitative assessment of

the susceptibility of the drinking water source to contamination. This assessment of overall susceptibility allows the PWS and others to compare the susceptibility of one drinking water source to another.

(iii) Each surface water drinking water source in the state of Utah is initially considered to have a high susceptibility to contamination, due to the intrinsic unprotected nature of surface water sources. An assumption of high susceptibility will be used by the Director unless a PWS or a group of PWSs demonstrates otherwise, per R309-605, and receives concurrence from the Director under R309-605-7(2).

(c) Prioritized Potential Contamination Source Inventory: The PWS will prepare a prioritized inventory of potential contamination sources based on the susceptibility determinations in R309-605-7(4)(b)(i). The inventory will rank potential contamination sources based on the degree of threat posed to the drinking water source as determined in R309-605-7(4)(b)(i).

(5) Management Program to Control Each Preexisting Potential Contamination Source.

(a) PWSs are not required to plan and implement land management strategies for potential contamination source hazards that are assessed as "adequately controlled."

(b) With the first submittal of the DWSP Plan, PWSs shall include management strategies to reduce the risk of contamination from, at a minimum, each of the three highest priority uncontrolled Potential Contamination Sources in the protection zones for the source. The Director may require land management strategies for additional Potential Contamination Sources to assure adequate protection of the source. A management plan may be for one specific Potential Contamination Source (i.e., a sewage lagoon discharging into a stream), or for a group of similar or related Potential Contamination Sources that were assessed jointly under R309-605-7(4)(a)(iii)(B)(III) (i.e., one management plan for septic systems within one residential development would be acceptable, and would count as one of the three Potential Contamination Source management strategies).

PWSs shall plan land management strategies to control preexisting uncontrolled potential contamination sources in accordance with their existing authority and jurisdiction. Land management strategies must be consistent with the provisions of R309-605, designed to control or reduce the risk of potential contamination, and may be regulatory or non-regulatory. Land management strategies must be implemented according to the schedule required in R309-605-7(1)(b)(v).

(c) PWSs with overlapping protection zones may cooperate in controlling a particular preexisting potential contamination source if one PWS will agree to take the lead in planning and implementing land management strategies. The remaining PWS(s) will assess the preexisting potential contamination source as "adequately controlled."

(d) At each six year cycle for revising and resubmitting the DWSP Plan, under the schedule in R309-605-7(1)(c)(v), the PWS shall prioritize their inventory again, and shall propose a management program to control preexisting Potential Contamination Sources for the three highest priority Potential Contamination Sources, which may include uncontrolled Potential Contamination Sources not previously managed. The PWS shall also continue existing management programs, unless justification is provided that demonstrates that a Potential Contamination Source that was previously managed is now considered controlled.

(6) Management Program to Control or Prohibit Future Potential Contamination Sources for Existing Drinking Water Sources.

(a) PWSs shall plan land management strategies to control or prohibit future potential contamination sources within each of its DWSP zones consistent with the provisions of R309-605 and to the extent allowed under its authority and jurisdiction. Land management strategies must be designed to control or reduce the risk of potential contamination and may be regulatory or non-regulatory. Additionally land management strategies must be implemented according to the schedule required in R309-605-7(1)(b)(v).

(b) Protection areas may extend into neighboring cities, towns, and counties. Since it may not be possible for some PWSs to enact regulatory land management strategies outside of their jurisdiction, except for municipalities as described below, it is recommended that these PWSs contact their neighboring cities, towns, and counties to see if they are willing to implement protective ordinances to prevent surface water contamination under joint management agreements.

(c) Cities and towns have extraterritorial jurisdiction in accordance with Section 10-8-15 of the Utah Code Annotated to enact ordinances to protect a stream or "source" from which their water is taken... " for 15 miles above the point from which it is taken and for a distance of 300 feet on each side of such stream...."

(d) Zoning ordinances are an effective means to control potential contamination sources that may want to move into protection areas. They allow PWSs to prohibit facilities that would discharge contaminants directly to surface water. They also allow PWSs to review plans from potential contamination sources to ensure there will be adequate spill protection and waste disposal procedures, etc. If zoning ordinances are not used, PWSs must establish a plan to contact potential contamination sources individually as they move into protection areas, identify and assess their controls, and plan land management strategies if they are not adequately controlled.

(7) Public Notification:

Within their DWSP report, each PWS shall specify the method and schedule for notifying their customers and consumers that an assessment of their surface water source has been completed and what the results of that assessment are. Each PWS shall provide the proposed public notification material as an appendix to the DWSP report. The public notification material shall include a discussion of the general geologic and physical setting of the source, the sensitivity of the setting, general types of potential contamination sources in the area, how susceptible the drinking water source is to potential contamination and a map showing the location of the drinking water source and generalized areas of potential concern (it is not mandatory to show the location of the intake itself). The public notification material will be in plain English. The purpose of this public notification is to advise the public regarding how susceptible their drinking water source is to potential contamination sources. Examples of means of notifying the public, and examples of acceptable public notification materials, are available from the Division. The public notification materials must be approved by the Director prior to distribution.

KEY: drinking water, environmental health
Date of Enactment or Last Substantive Amendment: [~~August 27, 2001~~]2017
Notice of Continuation: March 13, 2015
Authorizing, and Implemented or Interpreted Law: 19-4-104(1)(a)(iv)

Environmental Quality, Water Quality
R317-1-8
Penalty Criteria for Civil Settlement Negotiations

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 42053
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the amendment is to add another option to the settlement process.

SUMMARY OF THE RULE OR CHANGE: A new Expedited Settlement Offer (ESO) is created for assessing penalties when violations of the Water Quality Act meet the defined criteria described in the new Subsection R317-1-8(8.6).

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-5-104(3)(h)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: Utilizing the ESO will likely result in cost savings within the Division of Water Quality due to efficiencies gained through the expedited enforcement process. Actual dollars saved will depend upon the number and type of violations incurred and enforcement actions processed.
♦ LOCAL GOVERNMENTS: As a result of this rule amendment, expedited enforcement actions administered by the Division of Water Quality to local governmental entities could result in a 40% cost savings in penalties assessed to resolve violations when compared to the previous settlement options.
♦ SMALL BUSINESSES: As a result of this rule amendment, expedited enforcement actions administered by the Division of Water Quality to small businesses could result in a 40% cost savings in penalties assessed to resolve violations when compared to the previous settlement options.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: As a result of this rule amendment, expedited enforcement actions administered by the Division of Water Quality to persons other than small businesses, businesses, or local governmental entities could result in a 40% cost savings in penalties assessed to resolve violations when compared to the previous settlement options.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs for affected persons may be approximately 40% less by using the new Expedited Settlement Offer than if a traditional enforcement action is filed against them.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: When a business qualifies for the new Expedited Settlement Offer, it can save time and money since there are reduced penalty assessments and they would not incur legal costs and fees that may be associated with negotiations of a traditional enforcement action and notice of violation.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
WATER QUALITY
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Kim Shelley by phone at 801-536-4385, by FAX at 801-536-4301, or by Internet E-mail at kshelley@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 12/01/2017

AUTHORIZED BY: Erica Gaddis, Director

R317. Environmental Quality, Water Quality.
R317-1. Definitions and General Requirements.
R317-1-8. Penalty Criteria for Civil Settlement Negotiations.

8.1 Introduction. Section 19-5-115 of the Water Quality Act provides for penalties of up to $10,000 per day for violations of the act or any permit, rule, or order adopted under it and up to $25,000 per day for willful violations. Because the law does not provide for assessment of administrative penalties, the Attorney General initiates legal proceedings to recover penalties where appropriate.

8.2 Purpose And Applicability. These criteria outline the principles used by the State in civil settlement negotiations with water pollution sources for violations of the UWPCA and/or any permit, rule or order adopted under it. It is designed to be used as a logical basis to determine a reasonable and appropriate penalty for all types of violations to promote a more swift resolution of environmental problems and enforcement actions.

To guide settlement negotiations on the penalty issue, the following principles apply: (1) penalties should be based on the nature and extent of the violation; (2) penalties should at a minimum, recover the economic benefit of noncompliance; (3) penalties should be large enough to deter noncompliance; and (4) penalties should be consistent in an effort to provide fair and equitable treatment of the regulated community.

In determining whether a civil penalty should be sought, the State will consider the magnitude of the violations; the degree of actual environmental harm or the potential for such harm created by

the violation(s); response and/or investigative costs incurred by the State or others; any economic advantage the violator may have gained through noncompliance; recidivism of the violator; good faith efforts of the violator; ability of the violator to pay; and the possible deterrent effect of a penalty to prevent future violations.

8.3 Penalty Calculation Methodology. The statutory maximum penalty should first be calculated, for comparison purposes, to determine the potential maximum penalty liability of the violator. The penalty which the State seeks in settlement may not exceed this statutory maximum amount.

The civil penalty figure for settlement purposes should then be calculated based on the following formula: CIVIL PENALTY = PENALTY + ADJUSTMENTS - ECONOMIC AND LEGAL CONSIDERATIONS

PENALTY: Violations are grouped into four main penalty categories based upon the nature and severity of the violation. A penalty range is associated with each category. The following factors will be taken into account to determine where the penalty amount will fall within each range:

A. History of compliance or noncompliance. History of noncompliance includes consideration of previous violations and degree of recidivism.

B. Degree of willfulness and/or negligence. Factors to be considered include how much control the violator had over and the foreseeability of the events constituting the violation, whether the violator made or could have made reasonable efforts to prevent the violation, whether the violator knew of the legal requirements which were violated, and degree of recalcitrance.

C. Good faith efforts to comply. Good faith takes into account the openness in dealing with the violations, promptness in correction of problems, and the degree of cooperation with the State.

Category A - $7,000 to $10,000 per day. Violations with high impact on public health and the environment to include:

1. Discharges which result in documented public health effects and/or significant environmental damage.

2. Any type of violation not mentioned above severe enough to warrant a penalty assessment under category A.

Category B - $2,000 to $7,000 per day. Major violations of the Utah Water Pollution Control Act, associated regulations, permits or orders to include:

1. Discharges which likely caused or potentially would cause (undocumented) public health effects or significant environmental damage.

2. Creation of a serious hazard to public health or the environment.

3. Illegal discharges containing significant quantities or concentrations of toxic or hazardous materials.

4. Any type of violation not mentioned previously which warrants a penalty assessment under Category B.

Category C - $500 to $2,000 per day. Violations of the Utah Water Pollution Control Act, associated regulations, permits or orders to include:

1. Significant excursion of permit effluent limits.

2. Substantial non-compliance with the requirements of a compliance schedule.

3. Substantial non-compliance with monitoring and reporting requirements.

4. Illegal discharge containing significant quantities or concentrations of non toxic or non hazardous materials.

5. Any type of violation not mentioned previously which warrants a penalty assessment under Category C.

Category D - up to $500 per day. Minor violations of the Utah Water Pollution Control Act, associated regulations, permits or orders to include:

1. Minor excursion of permit effluent limits.

2. Minor violations of compliance schedule requirements.

3. Minor violations of reporting requirements.

4. Illegal discharges not covered in Categories A, B and C.

5. Any type of violations not mentioned previously which warrants a penalty assessment under category D.

ADJUSTMENTS: The civil penalty shall be calculated by adding the following adjustments to the penalty amount determined above: 1) economic benefit gained as a result of non-compliance; 2) investigative costs incurred by the State and/or other governmental levels; 3) documented monetary costs associated with environmental damage.

ECONOMIC AND LEGAL CONSIDERATIONS: An adjustment downward may be made or a delayed payment schedule may be used based on a documented inability of the violator to pay. Also, an adjustment downward may be made in consideration of the potential for protracted litigation, an attempt to ascertain the maximum penalty the court is likely to award, and/or the strength of the case.

8.4 Mitigation Projects. In some exceptional cases, it may be appropriate to allow the reduction of the penalty assessment in recognition of the violator's good faith undertaking of an environmentally beneficial mitigation project. The following criteria should be used in determining the eligibility of such projects:

A. The project must be in addition to all regulatory compliance obligations;

B. The project preferably should closely address the environmental effects of the violation;

C. The actual cost to the violator, after consideration of tax benefits, must reflect a deterrent effect;

D. The project must primarily benefit the environment rather than benefit the violator;

E. The project must be judicially enforceable;

F. The project must not generate positive public perception for violations of the law.

8.5 Intent Of Criteria/Information Requests. The criteria and procedures in this section are intended solely for the guidance of the State. They are not intended, and cannot be relied upon to create any rights, substantive or procedural, enforceable by any party in litigation with the State.

8.6 Expedited Settlement Offer (ESO). Only enforcement cases classified as Category C or Category D violations may qualify for an ESO in lieu of the penalty process found in Subsection R317-1-8.3 Penalty Calculation Methodology. Except in cases where recidivism has been established by a pattern of non-compliance, an ESO may be used when violations are readily identifiable, readily correctable, and do not cause significant harm to human health or the environment.

A. A violator is not compelled to sign an ESO. If the violator does not sign the ESO, then the penalty will be recalculated according to Subsection R317-1-8.3.

B. The violator has 30 days total from receipt of the ESO to sign and return the ESO to the division. If the violator signs the ESO, then the violator must comply with its conditions within 15 days after receipt of the final ESO signed by the director, or as otherwise designated in the ESO. If the violator signs the ESO they agree to waive:

1. the right to contest the findings and specified penalty amount;

2. the opportunity for an administrative hearing pursuant to Section 19-1-301; and

3. the opportunity for judicial review.

C. Deficiency Form. A deficiency form is used to list the violations and corresponding penalties. Multiple violations at a site are totaled providing a final penalty commensurate with the extent of non-compliance. Penalties developed for the list of program violations on the deficiency form should be estimated at about 60% of the penalty as calculated in Subsection R317-1-8.3.

KEY: [~~water pollution, waste disposal, nutrient limits, effluent standards~~]penalty, settlement, negotiations, expedited
Date of Enactment or Last Substantive Amendment: [~~March 27~~], 2017
Notice of Continuation: August 30, 2017
Authorizing, and Implemented or Interpreted Law: 19-5

Governor, Criminal and Juvenile Justice (State Commission on)
R356-4
Juvenile Confinement

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 42055
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to establish standards and certification procedures for the detention of juveniles in adult jails and lockups consistent with the requirements of the Juvenile Justice and Delinquency Prevention Act (JJDPA).

SUMMARY OF THE RULE OR CHANGE: This rule transfers adult jail and lockup certification authority from Juvenile Justice Services (JJS) to the State Commission on Criminal and Juvenile Justice (CCJJ) and replaces Rule R547-3, Juvenile Jail Standards, and Rule R547-7, Juvenile Holding Room Standards. (EDITOR'S NOTE: A corresponding 120-day (emergency) filing for Rule R356-4 that is effective as of 09/01/2017 is under Filing No. 42054 in this issue, September 15, 2017, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-7-201 and Subsection 63M-7-204(1)(s)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: After conducting a thorough analysis, there will be no impact to the state budget.
♦ LOCAL GOVERNMENTS: After conducting a thorough analysis, there will be no impact to local government.
♦ SMALL BUSINESSES: After conducting a thorough analysis, there will be no impact to small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There will not be any other persons affected by the new rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: CCJJ will pay for any administrative costs out of existing budgets. This includes an allocation for compliance monitoring and the Juvenile Jail Removal Program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting a thorough analysis, it was determined that this proposed rule will not result in a fiscal impact to businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
GOVERNOR
CRIMINAL AND JUVENILE JUSTICE
(STATE COMMISSION ON)
SUITE 330 SENATE BUILDING
STATE CAPITOL COMPLEX
420 N STATE STREET
SALT LAKE CITY, UT 84114
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Darien Hickey by phone at 801-538-1754, or by Internet E-mail at dhickey@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Ronald Gordon, Executive Director

R356. Governor, Criminal and Juvenile Justice (State Commission on).
R356-4. Juvenile Detention or Confinement in Adult Jails and Lockups.
R356-4-1. Authority and Purpose.

(1) This rule is authorized by Sections 62A-7-201 and 63M-7-204(1)(s).

(2) The purpose of this rule is to establish standards and certification procedures for the detention or confinement of juveniles in adult jails and lockups consistent with the requirements of the JJDPA.

R356-4-2. Definitions.

Terms used in this rule include:

(1) "compliance monitor" means the Commission on Criminal and Juvenile Justice's JJDPA Compliance Monitor;

(2) "adult jail" means a locked facility, administered by State, county or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violating criminal law, pending trial, including facilities used to hold convicted adult criminal offenders sentenced for less than one year, but not including a court holding facility;

(3) "adult lockup" means a locked facility similar to an adult jail except that an adult lockup is generally a municipal or police facility of a temporary nature which does not hold persons after they have been formally charged, not including a court holding facility;

(4) "detain or confine" means to hold, keep, or restrain a person such that the person is not free to leave, or such that a reasonable person would believe that the person is not free to leave, except that a juvenile held by law enforcement solely for the purpose of returning the juvenile to the juvenile's parent or guardian or pending the juvenile's transfer to the custody of a child welfare or social service agency is not detained or confined within the meaning of this definition;

(5) "JJDPA" means the Juvenile Justice and Delinquency Prevention Act found in 42 U.S.C. Sec. 5633;

(6) "juvenile" means a child under the age of 18 years old;

(7) "juvenile facility" means a shelter, detention facility, receiving center, or other youth services center, as defined by Section 62A-7-101;

(8) "low density population" means ten or less people per square mile;

(9) "medical emergency" means any health condition, which requires immediate attention by medical professionals;

(10) "sight and sound separation" means incarcerated juveniles must be located or arranged as to be completely separated from incarcerated adults, including adult inmate trustees, by sight and sound barriers to prohibit:

(a) clear visual contact between incarcerated adults and juveniles within close proximity to each other; and

(b) direct oral communication between incarcerated adults juveniles; and

(11) "status offense" means a violation of the law that would not be a violation of the law but for the age of the offender.

R356-4-3. Detention or Confinement of a Juvenile in an Adult Jail or Lockup.

(1) A juvenile may be detained or confined in an adult jail or lockup only if:

(a) all other options for placement have been exhausted and there is no alternative that will protect the juvenile or the community;

(b) the requirements outlined in Utah Administrative Code R547-13-4 Guidelines for Admission to Secure Youth Detention Facilities are met;

(c) the adult jail or lockup provides for the sight and sound separation of juvenile and adult inmates;

(d) the purpose of the detention or confinement is:

(i) identification;

(ii) interrogation;

(iii) processing;

(iv) notification of juvenile court officials; or

(v) to allow adequate time to arrange the juvenile's:

(A) transfer to a juvenile facility if appropriate ; or

(B) release to a parent or other responsible adult; and

(e) the adult jail or lockup has been certified by the compliance monitor.

(2) A juvenile may not be detained or confined in an adult jail or lockup for any of the following reasons:

(a) ungovernable or runaway behavior;

(b) neglect, abuse, abandonment, dependency, or other situation, which requires protection of the juvenile;

(c) status offenses, not including offenses involving weapons; or

(d) attempted suicide.

(3) This rule does not apply to a juvenile:

(a) charged with a crime under Section 78A-6-701;

(b) bound over to the jurisdiction of the district court as a serious youth offender under Section 78A-6-702; or

(c) certified to stand trial as an adult pursuant to Section 78A-6-703.

(4) A juvenile under the age of 12 may not be detained or confined in an adult jail or lockup unless the juvenile:

(a) is age 10 or 11; and

(b) has been charged with a violent felony violation under Section 76-3-203.5(c).

(5)(a) A juvenile detained or confined in an adult jail or lockup shall be released to the care of a parent or other responsible adult unless:

(i) the immediate welfare or the protection of the community requires the continued detention or confinement of the juvenile; or

(ii) it is unsafe for the juvenile or the public to release the juvenile to the care of the parents, guardian or custodian.

(b) If the juvenile should continue to be detained or confined, the adult jail or lockup shall arrange for the transfer of the juvenile to an appropriate juvenile facility as soon as practicable.

(c) If a juvenile is transferred to a juvenile facility, a report shall be prepared which indicates the reason why the juvenile was not released and detention or confinement was continued.

(6) In addition to any other requirements under this rule, a juvenile may not be detained or confined in an adult jail unless:

(a) the adult jail is located in an area with a low-density population;

(b) the county in which the adult jail is located does not have a juvenile facility that meets the needs of the juvenile; and

(c) the detention is less than 6 hours.

(7) In addition to any other requirements under this rule, a juvenile may not be detained or confined in an adult lockup for more than two hours.

R356-4-4. Standards for Adult Jails and Lockups Where Juveniles Are Detained or Confined.

(1) When a juvenile is detained or confined in an adult jail or lockup, the adult jail or lockup shall:

(a) immediately notify the parents, guardian, or custodian of the juvenile's detention or confinement unless the parents, guardian, or custodian have already been notified; and

(b) arrange for the transfer or release of the juvenile as quickly as possible.

(2) An adult jail or lockup where a juvenile is detained or confined shall meet all applicable state and local:

(a) zoning laws;

(b) safety, fire, and building codes; and

(c) health codes.

(3) An adult jail or lockup shall provide to a juvenile:

(a) access to a toilet and a washbasin with hot and cold running water;

(b) shelter, heat, light, and ventilation that does not otherwise compromise security or enable escape;

(c) access to a drinking fountain; and

(d) basic furnishings, such as chairs or benches.

(4) The number of juveniles in an adult jail or lockup may not exceed the certified capacity for juveniles.

(5) There shall be no viewing devices in an adult jail or lockup, such as peepholes or mirrors, of which the juvenile is not aware.

(6) As long as classification standards are met, juveniles may be detained or confined together in an adult jail or lockup if age, compatibility, dangerousness, and other relevant factors are considered, except juveniles of different genders may not be detained or confined together.

(7) No detainee in an adult jail or lockup, whether juvenile or adult, shall be allowed to have any authority or disciplinary control over, be permitted to supervise, or provide services of any nature to a juvenile.

(8) When a juvenile is detained or confined in an adult jail or lockup, the adult jail or lockup shall:

(a) remove any items from the juvenile that could compromise the juvenile's safety, such as belts, shoelaces, and suspenders, prior to placing a juvenile in an adult jail or lockup;

(b) provide constant on-site supervision of the juvenile through visual monitoring and audio two-way communication;

(c) ensure a certified police officer or staff member who has received training about juveniles is available to provide assistance within 60 seconds should a problem or medical emergency arise with a juvenile;

(d) conduct frequent personal checks on the juvenile at least once every fifteen (15) minutes to maintain communication and prevent the juvenile from experiencing panic or feelings of isolation; and

(e) make a written record of significant incidents and activities of the juvenile.

(9) A staff member of the same gender shall supervise a juvenile's personal hygiene activities or care such as showering, using the toilet, and related activities in an adult jail or holding cell.

(10) An adult staff member of the same gender as the juvenile shall be present when a juvenile is securely detained or confined.

(11)(a) Except in an emergency, a staff member entering a juvenile's sleeping room shall be of the same gender as the juvenile.

(b) If two staff members enter a juvenile's sleeping room, there may be one male and one female staff member.

(c) When an emergency prevents a staff member of the same gender from entering the juvenile's sleeping room, at least two staff members shall be present and a written report shall be completed which indicates why a staff member of same gender was unavailable.

(12)(a) Any physical contact or examination of a juvenile conducted in an adult jail or lockup, such as a strip search, shall be done:

(i) by a staff member of the same gender;

(ii) in private; and

(iii) without camera monitoring.

(b) A strip search of a juvenile may only be performed when the following conditions exist:

(i) the juvenile is believed to be under the influence of alcohol or a controlled substance;

(ii) the juvenile is suspected of a controlled substance or weapons offense; or

(iii) there is reasonable suspicion the juvenile may be concealing contraband that could not be detected by a pat-down search or handheld metal detector.

(c) Body cavity searches are prohibited.

(13) Juveniles may not be subject to corporal or unusual punishment, humiliation, or mental abuse.

(14)(a) Restraints or physical force shall not be used to subdue a juvenile unless it is justifiable self-defense, required for the protection of persons or property, or necessary to prevent escape.

(b) Restraints or physical force may only be used to control juveniles in accordance with the principle of least restrictive action.

(c) Physical force may not be used as punishment.

(d) A written report shall be prepared following any use of force and submitted to the adult jail or lockup administrator.

(15) An adult jail or lockup shall safeguard a juvenile's health and safety by:

(a) making emergency medical services available 24 hours a day;

(b) immediately examining and treating, if appropriate, juveniles injured in an adult jail or lockup;

(c) not accepting juveniles who are unconscious, seriously injured, at risk for suicide, emotionally disturbed, or under the influence of alcohol or controlled substances and are unable to care for themselves, until they have been examined by a qualified medical practitioner or have been taken to a medical facility for appropriate diagnosis and treatment and released back to the adult jail or lockup;

(d) providing training to all staff members to recognize symptoms of mental illness;

(e) recording any medical services provided to a juvenile; and

(f) providing for detoxification of a juvenile in an adult jail or lockup only when there is no community health facility available for detoxification.

(16) An adult jail or lockup shall comply with any applicable informed consent requirements for medical care and shall seek the informed consent of a parent, guardian, or legal custodian unless otherwise ordered by a juvenile court judge or deemed a medical emergency.

(17) If a juvenile is in need of hospitalization, a staff member shall remain with the juvenile if otherwise permitted by medical personnel or until an adult family member or legal guardian arrives to remain with the juvenile.

(18) A juvenile in an adult jail or lockup shall have the same legal and civil rights, including the right to the same number of telephone calls, as an adult inmate held for the same amount of time.

(19) A juvenile's visitors in an adult jail or lockup should be limited to the juvenile's attorney, clergy, and officers of the court unless the juvenile is to be transferred to a juvenile facility in which case an effort shall be made to provide for visitation by the juvenile's parents, guardian, or custodian prior to the transfer.

(20) If a juvenile is detained or confined during daylight hours, the juvenile should be allowed access to reading materials, physical exercise, recreation, radio or television if feasible.

(21) When a juvenile arrives at an adult jail or lockup, a juvenile shall be informed of the steps in the detention process.

(22) Upon admission to an adult jail or lockup, a referral or intake form must be completed for the juvenile, which includes:

(a) the date and time of the admission and release;

(b) the name, nicknames, and any aliases of the juvenile;

(c) the juvenile's last known address;

(d) information regarding the officer who admitted the juvenile, including the officer's name, title, and law enforcement agency;

(e) the allegations upon which the juvenile is being detained;

(f) the juvenile's gender;

(g) the juvenile's date and place of birth;

(h) the juvenile's race or nationality;

(i) any medical problems of the juvenile;

(j) the juvenile's parents, guardian, or a responsible adult to notify in case of emergency, including addresses and telephone numbers;

(k) any additional remarks, such as any open wounds or sores requiring treatment, evidence of disease or body vermin, or tattoos; and

(l) the juvenile's probation officer or caseworker, if assigned.

(23)(a) When a juvenile is released or transferred from an adult jail or lockup, the adult jail or lockup shall create a release or transfer report, which documents the following information:

(i) the juvenile's physical and emotional condition upon release; and

(ii) whether the juvenile was released from custody or was transferred to a different facility.

(b) If the juvenile was transferred to a juvenile facility, the release or transfer report shall document:

(i) the name of the facility to which the juvenile was transferred; and

(ii) the name and agency of the individual who transferred the juvenile.

(c) If the juvenile was released from custody the release or transfer report shall document:

(i) the name and relationship of the adult assuming the responsibility of the juvenile;

(ii) the form of identification used by the adult assuming responsibility of the juvenile; and

(iii) the signature of the adult assuming responsibility for the juvenile, indicating the adult is:

(A) aware of the juvenile's physical and emotional condition;

(B) understands the reason for detaining or confining the juvenile in custody; and

(C) agrees to take the juvenile to court at a time to be set by the court.

(24) Upon release or transfer of a juvenile from an adult jail or lockup, the adult jail or lockup shall verify:

(a) identity;

(b) the release papers; and

(c) property belonging to the adult jail or lockup or other residents does not leave the jail or holding cell with the juvenile.

(25) A case record shall be securely maintained on each juvenile, which contains:

(a) the initial intake information form;

(b) documentation of why the juvenile was detained or confined in the adult jail or lockup and released or transferred;

(c) a copy of any incident reports;

(d) a record of any of the juvenile's cash or valuables held by the jail or holding cell;

(e) documentation of all visitors' names and the dates of the visit;

(f) documentation of any medical/health care issues or conditions exhibited during the detention;

(g) record of any medical treatment or medications administered while the juvenile was detained or confined;

(h) consent for necessary medical or surgical care, signed by parent, person acting in loco parentis, juvenile court judge, or facility official; and

(i) the final release or transfer report.

R356-4-5. Certification of Adult Jails or Lockups Where Juveniles Are Detained or Confined.

(1) An adult jail or lockup seeking to be certified to detain or confine juveniles shall send a completed JJDPA Facility Certification Application to the compliance monitor.

(2) The compliance monitor shall conduct an on-site visit at any adult jail or lockup, which applies to be certified to detain or confine juveniles.

(3) During the on-site visit, the compliance monitor shall:

(a) review all of the policies and procedures of the adult jail or lockup, which relate to the detention or confinement of juveniles to ensure they meet the requirements of this rule;

(b) tour the adult jail or lockup to ensure compliance with the requirements of this rule; and

(c) meet with all individuals involved in overseeing and completing records related to the detention or confinement of juveniles.

(4) If an adult jail or lockup meets the requirements of this rule, the compliance monitor shall issue a certificate to the adult jail or lockup, which is good for one year.

(5) Once an adult jail or lockup is certified, the adult jail or lockup shall submit a Juvenile Confinement Monthly Report to the compliance monitor at the conclusion of each month, which documents the number of juveniles, detained or confined in the adult jail or lockup during the preceding month and provides information on each juvenile.

(6) Prior to an adult jail or lockup's certification expiring, the compliance monitor shall initiate a recertification visit to the adult jail or lockup.

(7) During a recertification visit, the compliance monitor shall:

(a) review any changes or updates to the policies and procedures of the adult jail or lockup related to the detention or confinement of juveniles;

(b) tour the adult jail or lockup to ensure continued compliance with the requirements of this rule;

(c) meet with all individuals involved in overseeing and completing records for the detention or confinement of juveniles; and

(d) review the adult jail or lockup's Juvenile Confinement Monthly Reports for the past twelve months to ensure compliance with the requirements of this rule.

(8) If an adult jail or lockup meets all of the requirements for recertification, the compliance monitor shall issue a new certificate, which shall be valid for one year.

(9) If the certification of an adult jail or lockup has been expired for more than two years, the adult jail or lockup shall re-initiate the certification process.

KEY: juvenile detention in adult jails; juvenile confinement in adult jails; juvenile detention in lockups; juvenile confinement in lockups
Date of Enactment or Last Substantive Amendment: 2017
Authorizing, and Implemented or Interpreted Law: 62A-7-201; 63M-7-204

Health, Health Care Financing, Coverage and Reimbursement Policy
R414-99
Chiropractic Services

NOTICE OF PROPOSED RULE
(Repeal)
DAR FILE NO.: 42049
FILED: 08/30/2017

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Department of Health needs to repeal this rule because it defers to the Chiropractic Medicine Provider Manual, which will no longer exist effective October 2017.

SUMMARY OF THE RULE OR CHANGE: This rule is repealed in its entirety. Existing policies for chiropractic services will be moved to the Child Health Evaluation and Care (CHEC) Provider Manual and to the Extended Services for Pregnant Women section of the Physician Services Provider Manual.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no impact to the state budget because this rule repeal only moves existing policy from one provider manual to other provider manuals. It neither affects service coverage to Medicaid members nor reimbursement to Medicaid providers.
♦ LOCAL GOVERNMENTS: There is no budget impact to local governments because they do not fund chiropractic services under the Medicaid program.
♦ SMALL BUSINESSES: There is no impact to small businesses because this rule repeal only moves existing policy from one provider manual to other provider manuals. It neither affects service coverage to Medicaid members nor reimbursement to Medicaid providers.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no impact to Medicaid providers or to Medicaid members because this rule repeal only moves existing policy from one provider manual to other provider manuals. It neither affects service coverage nor provider reimbursement.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid member because this rule repeal only moves existing policy from one provider manual to other provider manuals. It neither affects service coverage nor provider reimbursement.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting a thorough analysis, it was determined that this proposed rule will not result in a fiscal impact to businesses.

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov or mail at PO Box 143102, Salt Lake City, UT 84114-3102

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Joseph Miner, MD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.
[~~R414-99. Chiropractic Services.~~
~~R414-99-1. Introduction.~~
~~The Chiropractic Services program provides a scope of services for Medicaid recipients in accordance with the Chiropractic Medicine Utah Medicaid Provider Manual and Attachment 4.19-B of the Medicaid State Plan, as incorporated into Section R414-1-5.~~

~~KEY: Medicaid, chiropractic services~~
~~Date of Enactment or Last Substantive Amendment: July 11, 2014~~
~~Notice of Continuation: December 2, 2013~~
~~Authorizing, and Implemented or Interpreted Law: 26-18~~]

Health, Health Care Financing, Coverage and Reimbursement Policy
R414-504-3
Principles of Facility Case Mix Rates and Other Payments

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 42050
FILED: 08/30/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to update and clarify Medicaid policy in relation to a nursing facility's response to a request for information.

SUMMARY OF THE RULE OR CHANGE: This amendment updates and clarifies Medicaid policy in relation to a nursing facility's response to a request for information.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3 and Title 26, Chapter 35a

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no impact to the state budget because this change only clarifies Medicaid policy in relation to nursing facilities.
♦ LOCAL GOVERNMENTS: There is no budget impact to local governments because this change only clarifies Medicaid policy in relation to nursing facilities.
♦ SMALL BUSINESSES: There is no impact to small businesses because this change only clarifies Medicaid policy in relation to nursing facilities.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no impact to Medicaid providers or to Medicaid members because this change only clarifies Medicaid policy in relation to nursing facilities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid member because this change only clarifies Medicaid policy in relation to nursing facilities.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting a thorough analysis, it was determined that this proposed rule will not result in a fiscal impact to businesses.

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov or mail at PO Box 143102, Salt Lake City, UT 84114-3102

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 11/01/2017

AUTHORIZED BY: Joseph Miner, MD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.
R414-504. Nursing Facility Payments.
R414-504-3. Principles of Facility Case Mix Rates and Other Payments.
The following principles apply to the payment of freestanding and provider based nursing facilities for services rendered to nursing care level I, II, and III Medicaid patients, as defined in Rule R414-502. This rule does not affect the system for reimbursement for intensive skilled Medicaid patient add-on amounts.

(1) Approximately 59% of total payments in aggregate to nursing facilities for nursing care level I, II and III Medicaid patients are based on a prospective facility case mix rate. In addition, these facilities shall be paid a flat basic operating expense payment equal to approximately 29% of the total payments. The balance of the total payments will be paid in aggregate to facilities as required by Section R414-504-3 based on other authorized factors, including property and behaviorally complex residents, in the proportion that the facility qualifies for the factor.

(2) Each quarter, the Department shall calculate a new case mix index for each nursing facility. The case mix index is based on three months of MDS assessment data. The newly calculated case mix index is applied to a new rate at the beginning of a quarter according to the following schedule:

(a) January, February and March MDS assessments are used for July 1 rates.

(b) April, May and June MDS assessments are used for October 1 rates.

(c) July, August and September MDS assessments are used for January 1 rates.

(d) October, November and December MDS assessments are used for April 1 rates.

(3) MDS data is used in calculating each facility's case mix index. This information is submitted by each facility and, as such, each facility is responsible for the accuracy of its data. The Department may exclude inaccurate or incomplete MDS data from the calculation.

(4) MDS assessments for recipients who are eligible for the "Intensive Skilled" add-on are excluded from the case mix calculation. A facility with less than 20 percent of its total census days as Medicaid days, as reported on its FCP or FRV data report, is excluded from the state case mix average. The state average case mix index is used to set the rate for that facility.

(5) A facility may apply for a special add-on rate for behaviorally complex residents by filing a written request with the Division of Health Care Financing. The Department may approve an add-on rate if an assessment of the acuity and needs of the patient demonstrates that the facility is not adequately reimbursed by the RUGS score for that patient. The rate is added on for the specific resident's payment and is not subsumed as part of the facility case mix rate. Utah's Bureau of Health Facility Licensure, Certification and Resident Assessment will make the determination as to qualification for any additional payment. The Division of Health Care Financing shall determine the amount of any add-on.

(6) Property costs are paid separately from the RUGS rate.

(7) Reimbursement for nursing home rates is in accordance with Attachment 4.19-D of the Utah Medicaid State Plan, which is incorporated by reference in Rule R414-1.

(8) A sole community provider that is financially distressed may apply for a payment adjustment above the case mix index established rate. The maximum increase will be 7.5% above the average of the most recent Medicaid daily rate for all Medicaid residents in all freestanding nursing facilities in the state. The maximum duration of this adjustment is for no more than a total of 12 months per facility in any five-year period.

(a) The application shall propose what the adjustment should be and include a financial review prepared by the facility documenting:

(i) the facility's income and expenses for the past 12 months; and

(ii) specific steps taken by the facility to reduce costs and increase occupancy.

(b) Financial support from the local municipality and county governing bodies for the continued operation of the facility in the community is a necessary prerequisite to an acceptable application. The Department, the facility and the local governing bodies may negotiate the amount of the financial commitment from the governing bodies, but in no case may the local commitment be less than 50% of the state share required to fund the proposed adjustment. Any continuation of the adjustment beyond 6 months requires a local commitment of 100% of the state share for the rate increase above the base rate. The applicant shall submit letters of commitment from the applicable municipality or county, or both, committing to make an intergovernmental transfer for the amount of the local commitment.

(i) If the governmental agency receives donations in order to provide the financial contribution, it must document that the donations are "bona fide" as set forth in 42 CFR 433.54.

(c) The Department may conduct its own independent financial review of the facility prior to making a decision whether to approve a different payment rate.

(d) If the Department determines that the facility is in imminent peril of closing, it may make an interim rate adjustment for up to 90 days.

(e) The Department's determination shall be based on maintaining access to services and maintaining economy and efficiency in the Medicaid program.

(f) If the facility desires an adjustment for more than 90 days, it must demonstrate that:

(i) the facility has taken all reasonable steps to reduce costs, increase revenue and increase occupancy;

(ii) despite those reasonable steps the facility is currently losing money and forecast to continue losing money; and

(iii) the amount of the approved adjustment will allow the facility to meet expenses and continue to support the needs of the community it serves, without unduly enriching any party.

(g) If the Department approves an interim or other adjustment, it shall notify the facility when the adjustment is scheduled to take effect and how much contribution is required from the local governing bodies. Payment of the adjustment is contingent on the facility obtaining a fully executed binding agreement with local governing bodies to pay the contribution to the Department.

(h) The Department may withhold or deny payment of the interim or other adjustment if the facility fails to obtain the required agreement prior to the scheduled effective date of the adjustment.

(9) A provider may challenge the rate set pursuant to this rule using the appeal in Rule R410-14. This applies to which rate methodology is used as well as to the specifics of implementation of the methodology. A provider must exhaust administrative remedies before challenging rates in any other forum.

(10) In developing payment rates, the Department may adjust urban and non-urban rates to reflect differences in urban and non-urban labor costs. The urban labor costs reimbursement cannot exceed 106% of the non-urban labor costs. Labor costs are as reported on the most recent FCP but do not include FCP-reported management, consulting, director, and home office fees.

(11) The Department reimburses swing beds, transitional care unit beds, and small health care facility beds that are used as nursing facility beds, using the prior calendar year state-wide average of the daily nursing facility rate.

(12) Withholding of Title XIX payments

(a) Unless specified otherwise, [~~T~~]the Department may withhold Title XIX payments from providers if:

(i) there is a shortage in a resident trust account managed by the facility;

(ii) the facility fails to submit a complete and accurate FCP as required by Utah State Plan Attachment 4.19-D, Section 332;

(iii) the facility fails to submit timely, accurate Minimum Data Set (MDS) data;

(iv) the facility owes money to the Division of Health Care Financing because of an overpayment, nursing care facility assessment, civil money penalty, or other offset; or

(v) the facility fails to respond within [~~ten~~]10 business days to a written request[~~s~~] for information.[~~relating to desk review or audit findings relating to the facility's submitted FCP or FRV Data Report.~~]

(13) The Department shall provide written notice before withholding payments.

(14) When the Department rescinds withholding of payments to a provider, it will, without notice, resume payments according to the regular claims payment cycle.

(b) For ongoing operations, the Department will provide notice before withholding payments. The Department and provider may negotiate a repayment schedule acceptable to the Department for monies owed to the Department listed in subsection (a)(iv). The repayment schedule may not exceed 180 days.

(c) When the Department rescinds withholding of payments to a facility, it will resume payments according to the regular claims payment cycle.

KEY: Medicaid
Date of Enactment or Last Substantive Amendment: [~~February 15~~], 2017
Notice of Continuation: November 14, 2012
Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-35a

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Health, Health Care Financing, Coverage and Reimbursement Policy
R414-517
Inpatient Hospital Provider Assessments

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 42051
FILED: 08/31/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to implement provisions of the Inpatient Hospital Assessment Act set forth in Title 26, Chapter 36b.

SUMMARY OF THE RULE OR CHANGE: This rule implements provisions of the Inpatient Hospital Assessment Act (IHAA), and includes details and procedures for administrative purposes.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3 and Title 26, Chapter 36b

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no impact to the state budget because appropriations have already been allocated for implementation through the IHAA. This rule also implements certain procedures without additional administrative costs.
♦ LOCAL GOVERNMENTS: There is no budget impact to local governments because they do not reimburse hospital providers under the Medicaid program.
♦ SMALL BUSINESSES: There is no impact to small businesses because appropriations have already been allocated for implementation through the IHAA. This rule also implements certain procedures without additional administrative costs.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no impact to Medicaid providers because appropriations have already been allocated for implementation through the IHAA. This rule also implements certain procedures without additional administrative costs, and Medicaid members do not incur further expenses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider because appropriations have already been allocated for implementation through the IHAA. This rule also implements certain procedures without additional administrative costs, and a single Medicaid member does not incur further expenses.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting a thorough analysis, it was determined that this proposed rule will not result in a fiscal impact to businesses.

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov or mail at PO Box 143102, Salt Lake City, UT 84114-3102

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 11/01/2017

AUTHORIZED BY: Joseph Miner, MD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.
R414-517. Inpatient Hospital Provider Assessments.
R414-517-1. Introduction and Authority.

This rule defines the scope of hospital provider assessment. This rule is authorized under Title 26, Chapter 36b.

R414-517-2. Definitions.

The definitions in Section 26-36b-103 apply to this rule.

R414-517-3. Audit of Hospitals.

(1) For hospitals that do not file a Medicare cost report for the time frames outlined in Section 26-36b-205, the Department of Health shall audit the hospital's records to determine the correct discharges for the assessment.

(2) Hospitals subject to the assessment shall make their records available for reasonable inspection upon written request from the Department. Failure to make the records available shall be considered non-compliance and subject the hospital to penalties set forth in Section R414-517-5.

R414-517-4. Change in Hospital Status.

(1) If a hospital's status changes during any given year and it no longer falls under the definition of a hospital that is subject to the assessment outlined in Section 26-36b-205, the hospital must submit in writing to the Division of Medicaid and Health Financing (DMHF) a notice of the status change and the effective date of that change. The notice must be mailed to the correct address, as follows, and is only effective upon receipt by the Reimbursement Unit:

Via United States Postal Service:
Utah Department of Health
DMHF, BCRP
Attn: Reimbursement Unit
P.O. Box 143102
Salt Lake City, UT 84114-3102

Via United Parcel Service, Federal Express, and similar:
Utah Department of Health
DMHF, BCRP
Attn: Reimbursement Unit
288 North 1460 West
Salt Lake City, UT 84116-3231

(2) For any period where a hospital is no longer subject to the assessment and notice has been given under Subsection R414-517-4(1):

(a) the Department shall require payment of the assessment from that hospital for the full quarter in which the status change occurred and the hospital will receive full payment, as outlined in Section 26-36b-210, for the applicable quarter; and

(b) the hospital is exempt from future assessment and not eligible for payment under this rule.

(3) For State Fiscal Year 2018 and subsequent years, the Department shall determine if new providers are eligible to receive payments as allowed under Section 26-36b-210. The new providers will also be subject to the assessment beginning that same state fiscal year as they become eligible to receive the payments as allowed under Section 26-36b-210. New providers identified will be added prospectively beginning with that new state fiscal year.

R414-517-5. Penalties and Interest.

(1) If DMHF audits a hospital's records to determine the correct discharges for the assessment for a hospital that is required to file a Medicare cost report, but failed to provide its Medicare cost report within the timeline required, DMHF shall fine the hospital five percent of its annual calculated assessment. The fine is payable within 30 days of invoice.

(2) If DMHF audits a hospital's records to determine the correct discharges for the assessment because the hospital does not file a Medicare cost report and did not submit its discharges and supporting documentation within the timeline required, DMHF shall fine the hospital five percent of its annual calculated assessment. The fine is payable within 30 days of invoice.

(3) If a hospital fails to fully pay its assessment on or before the due date, DMHF shall fine the hospital five percent of its quarterly calculated assessment. The fine is payable within 30 days of invoice.

(4) On the last day of each quarter, if a hospital has any unpaid assessment or penalty, DMHF shall fine the hospital five percent of the unpaid amount. The fine is payable within 30 days of invoice.

R414-517-6. Rule Repeal.

The Department shall repeal this rule in conjunction with the repeal of the Hospital Provider Assessment Act outlined in Section 26-36b-211.

KEY: Medicaid
Date of Enactment or Last Substantive Amendment: 2017
Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-18-3; 26-36b

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Human Services, Substance Abuse and Mental Health
R523-15
Drug Testing Requirements

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 42042
FILED: 08/25/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule establishes drug testing procedures for agencies associated with the Division of Substance Abuse and Mental Health (DSAMH) through contracts or certifications, which are consistent with science and best practice.

SUMMARY OF THE RULE OR CHANGE: The rule: 1) defines a drug screen, drug test, confirmation test, and participants; 2) requires all agencies receiving public funds to provide substance use treatment, to have written policies and procedures on drug testing, and a requirement to allow review of those policies and procedures by the Division; 3) requires agencies to notify participants of: the purpose of a drug screen, who will have access to results, the potential consequence of testing positive, and their right to request confirmation testing; 4) requires testing methodologies to meet the scientific standards developed by the Substance Abuse and Mental Health Services Administration; 5) establishes testing frequencies; 6) sets cut-off levels; 7) prescribes requirements for positive results; 8) prescribes sanctions; 9) requires agencies to not bill for confirmation tests that are returned as negative; 10) recommends that duplicate drug testing among the Department of Human Services' divisions should be avoided; 11) recommends addition methods to fully monitor treatment compliance; and 12) recommends the use of Medication Assisted Treatment.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-15-105

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: This rule has existed as a Division directive for many years. Recent discussions within the Division have led to a decision to move this directive into rule because the directive is mainly designed to give guidance to the publicly-funded agencies with whom the Division contracts for substance use and mental health services. Over the past couple of years, the Division has been legislatively directed to interact more fully with private treatment providers with the passage of H.B. 348, also known as the Justice Reinvestment Initiative (JRI), in the 2015 General Session, and H.B. 259 in the 2016 General Session. These bills in part require the Division, to establish minimum standards for the treatment of substance use disorders that would apply to all treatment providers regardless of public or private funding sources. Drug testing criteria is part of those standards that have been created and it seems more logical to create a rule that would apply to all agencies rather than refer non-contracted private agencies to a directive that is more applicable to publicly funded programs. This requirement is already in force and monitoring for compliance remains within current funding and will not impact future budgets.

♦ LOCAL GOVERNMENTS: No costs are associated with this rule other than those that already exist from the initial establishment of the Division directive on drug testing. Local governments have been complying with the standards set forth in this rule for many years, and their budgets are already established around the anticipated costs of drug testing in each fiscal year.

♦ SMALL BUSINESSES: It is anticipated that some small businesses will have costs associated with the implementation of this rule. The Division surveyed 70 small businesses that would be required to comply with this rule. Of the 70 contacted, 13 responded to the request for information. Ten agencies or 77% of the agencies responding claimed no cost associated with the conditions of this rule. The following is a list of the potential cost identified by the other 23% of respondents: one agency claimed a $50 cost increase every month; one agency claimed a onetime cost to bring charge of custody into compliance and a $0.55 cost increase for 320 tests, which will effect 213 people; and one agency claimed an increase cost of $50 per client at $20,000 per year. The Division acknowledges at least 23% of the small businesses that will be required to comply with this rule will have a cost increase between $0.55 and $50 per client per month.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: This rule may cause a person receiving services from 23% of the small businesses providing services to justice involved individuals to have a possible cost of $0.55 to $50 passed on to them or their insurance, if the agency they receive treatment from is not able to absorb the increase in compliance costs to their operating costs. The size of the potentially affected population can be at least as large as 30,099 individuals. This number was derived from the Key JRI Quarterly Performance Measures created by the Utah Commission on Criminal and Juvenile Justice. This number represents all felony and class A and B misdemeanors filed in district and justice courts, where the charge is alcohol or drug relate, with FY 2016 as the time frame.

COMPLIANCE COSTS FOR AFFECTED PERSONS: A firm compliance cost cannot be provided, but there is a potential that at least 23% of all affected persons would have to pay up to $50 per month, $600 per year, in compliance costs.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting a thorough analysis, it was determined that this proposed rule will result in a fiscal impact to businesses.

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

HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH
195 N 1950 W
SALT LAKE CITY, UT 84116
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Thomas Dunford by phone at 801-538-4181, by FAX at 801-538-4696, or by Internet E-mail at tdunford@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Doug Thomas, Director

R523. Human Services, Substance Abuse and Mental Health.
R523-15. Drug Testing Requirements.
R523-15-1. Authority.

This rule is authorized by 62A-15-105 and establishes procedures and standards for drug testing services provided by substance use disorder and mental health service providers receiving public funds or certified by the Division of Substance Abuse and Mental Health (DSAMH).

R523-15-2. Purpose.

This rule is designed to ensure that drug testing practices of agencies contracted with the DSAMH are consistent with science and best practice.

R523-15-3. Definitions.

(1) Drug screen means a method for identifying the presence of one or more drugs of abuse that typically involves the use of immunoassay technology, a laboratory technique that makes use of the binding between an antigen and its homologous antibody to identify and quantify the specific antigen or antibody in a sample.

(2) Drug Test means any test administered to detect the presence of alcohol and other drugs from a blood, saliva, urine sample or other accepted scientific methodology.

(3) Confirmation test means a quantitative test used by laboratories to distinguish the presence of a specific drug and/or metabolite and determine the drug's concentration. This is typically accomplished through the use of gas chromatography/mass spectrometry (GC/MS) technology.

(4) Participants means the individuals receiving substance use disorder treatment and who are required to receive drug screenings and tests.

R523-15-4. Required Written Policy and Procedures.

(1) All DSAMH programs, contractors, subcontractors and providers who perform drug testing shall have written policies and procedures that address:

(a) Selection of participants to be tested,

(b) Frequency of testing,

(c) Screening and confirmation methodologies,

(d) Collection and handling of specimens,

(e) Procedure for verifying integrity of sample that includes checks for tampering, adulteration and dilution,

(f) Chain of custody procedures,

(g) Documentation standards,

(h) Training requirements for all direct service staff that includes training on principles of trauma informed care,

(i) Disclosure of results or other information related to drug screen participation,

(j) Potential consequences for testing positive,

(k) The participant's right to request confirmation testing, and

(l) Procedures to ensure the physical and emotional safety of staff and participants.

(m) All policies and procedures are subject to review and approval by the Department of Human Services (DHS).

R523-15-5. Drug Testing Program Requirements.

(1) Prior to administration participants shall be informed of:

(a) The purpose of a drug screen,

(b) Who will have access to the results,

(c) The potential consequence of testing positive, and

(d) Their right to request confirmation testing of a sample using accepted methodologies such as GC/MS technology.

(2) Testing methodologies with scientific standards developed by SAMHSA shall be used for all drug screens. For this reason, urine and saliva are the preferred testing specimens. If other methodologies such as testing of hair, sweat, or meconium are used, additional information regarding the specific detection window of the methodology and any other limitations shall be communicated along with the results.

(3) DSAMH does not recommend random drug testing more frequently than an average of three times a week; however, testing to confirm suspicion of use is always permissible.

(4) Cut-off levels for drug screens shall conform to the Substance Abuse and Mental Health Services Administration (SAMHSA) recommended levels. If the screen is for a substance that SAMSHA has not identified a cutoff level, the industry standard shall be applied.

(5) A drug screen shall not be considered positive unless:

(a) A participant admits to use, or

(b) The sample screen has been confirmed by a SAMSHA certified laboratory using scientifically accepted methodologies such as GC/MS technology.

(6) Drug testing procedures shall not be used as a rationale to:

(a) Bar participants from participation in a program or service; or

(b) To discontinue the use of a lawfully prescribed or court ordered medication.

(7) Sanctions may be imposed based on the results of a drug screen if applied in a manner consistent with the participant's due process rights.

(8) Confirmation testing is required for any contested drug screen if:

(a) Sanctions outside of treatment will be imposed, or

(b) The result is being used for evidentiary purposes.

(9) Participants receiving treatment from a publicly funded agency shall not be responsible to pay for a confirmation test if the result is negative. Agencies providing treatment to persons who are justice involved shall not practice balance billing to offset cost associated with a conformation test if the test is negative.

(10) Testing frequency should be based on the participant's circumstances and the purpose of the test. Factors to consider include:

(a) The participant's history of drug use,

(b) Drug of choice,

(c) Third party reports,

(d) Treatment progress,

(e) Personal observations,
(f) Special circumstances/transitions, and
(g)..Other factors as needed.
(11) Duplicate drug testing among DHS divisions should be avoided. With signed participant consent consistent with 42 CFR, DHS agencies may share results. The following information shall also be shared with results:
(a) The cut-off level(s) used with the drug screen,
(b) A description of how sample was collected,
(c) As the collection observed or unobserved
(d) The specific panel of drugs included in the screen,
(e) Whether the sample was checked for adulteration, tampering and dilution,
(f) Whether the participant admitted to use or not, and
(g) Whether the result(s) is from a drug screen or a confirmation test.
(12) Drug testing should not be the only means to detect substance use or monitor treatment compliance. DSAMH encourages all divisions, agencies, providers, and contractors to evaluate a participant's progress using:
(a) Validated assessments,
(b) Clinical evaluations,
(c) Reports from substance use disorder treatment providers and third parties, and
(e) Personal observation through regular contact.
(13) DSAMH recommends the use of medication-assisted drug treatments such as the use of Methadone, Bupinorphine, and Naltrexone for individuals who meet clinical criteria for their use.

KEY: MAT, drug screening and testing, compliance verification, confirmation tests
Date of Enactment or Last Substantive Amendment: 2017
Authorizing, and Implemented or Interpreted Law: 62A-15-105

Insurance, Administration
R590-275
Qualified Health Plan Alternate Enrollment

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 42041
FILED: 08/24/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to: 1) select an alternate enrollment system for PPACA qualified health plans, as provided in 45 CFR 155.335(j)(3) which applies to situations where an issuer will have no individual Federal Exchange enrollment option for the upcoming plan year; 2) take action in order to preserve state control over Utah's health insurance market by direction of the U.S. Department of Health and Human Services to follow Utah's alternate enrollment process; and 3) provide an alternate enrollment system that assists consumers in the most appropriate plan.

SUMMARY OF THE RULE OR CHANGE: The rule establishes a state-directed process for the purpose of defining the hierarchy when an issuer leaves the individual Federal Marketplace as provided in 45 CFR 155.335(j)(3). Failure of the state to direct the alternate enrollment process will result in Utah enrollees' plan enrollments being directed by a default federal hierarchy. (EDITOR'S NOTE: A corresponding 120-day (emergency) filing for Rule R590-275 that is effective as of 08/24/2017 is under Filing No. 42038 in this issue, September 15, 2017, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-2-201 and Subsection 31A-22-212(5)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no anticipated cost or savings to the state budget. This rule does not affect the workload or budget of the state.
♦ LOCAL GOVERNMENTS: There is no anticipated cost or savings to local governments. This rule does not affect the workloads or budgets of local governments.
♦ SMALL BUSINESSES: While the rule itself does not have direct cost or savings to small businesses, there is a potential cost to small businesses who are health care providers that contract with an issuer who will no longer offer a qualified health plan on the individual Federal Exchange. Such small businesses may see a decrease in patients. The Department of Insurance is unable to determine the potential decrease due to other underlying factors, including an enrollee's ability to switch to another plan that offers the same provider network; or in cases where the plan assigned by the alternate enrollment process may include the enrollee's current health care providers.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: While the rule does not have direct cost or savings to any individual, partnership, association, government entity, or public organization, it may affect a corporation or private organization that offers health insurance based on the use of a state-defined process rather than defaulting to the federal process. The cost or savings cannot be calculated at this time because it is not known which individuals will enroll in the default plan based on the rule's hierarchy; nor is it possible to know the health status of those individuals.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for any affected persons as a result of this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I. WHETHER A FISCAL IMPACT TO BUSINESS IS EXPECTED AS A RESULT OF THE PROPOSED RULE AND, IF SO, A DESCRIPTION OF WHY: While the rule does not

have a direct cost or savings to any individual, partnership, association, government entity, or public organization, it may affect a corporation or private organization that offers health insurance based on the use of a state-defined process rather than defaulting to the federal process. The cost or savings cannot be calculated at this time because it is not known which individuals will enroll in the default plan based on the rule's hierarchy; nor is it possible to know the health status of those individuals. Because the rule establishes a process to assign businesses, there is a potential cost to small businesses who are health care providers that contract with an issuer who will no longer offer a qualified health plan on the individual Federal Exchange; such small businesses may see a decrease in patients. The Department is unable to determine the potential decrease due to other underlying factors, including an enrollee's ability to switch to another plan that offers the same provider network; or in cases where the plan assigned by the alternate enrollment process may include the enrollee's current health care providers. II. AN ESTIMATE OF THE TOTAL NUMBER OF BUSINESS ESTABLISHMENTS IN UTAH EXPECTED TO BE IMPACTED: The Department is unable to determine the number of business establishments in Utah that may be affected by this rule. This rule may have an indirect impact on a portion of Utah's healthcare system, including physicians, clinics, health care facilities, and pharmacies, if an enrollee fails to select a new plan that includes their current health care providers. It is unknown how many enrollees will select which plans. III. AN ESTIMATE OF THE SMALL BUSINESS ESTABLISHMENTS IN UTAH EXPECTED TO BE IMPACTED: The Department is unable to determine the number of business establishments in Utah that may be affected by this rule. This rule may have an indirect impact on a portion of Utah's healthcare system, including physicians, clinics, health care facilities, and pharmacies, if an enrollee fails to select a new plan that includes their current health care providers. It is unknown how many enrollees will select which plans. IV. A DESCRIPTION OF THE SOURCES OF COST OR SAVINGS AS WELL AS THE EXPECTED NET SAVINGS OR COST TO BUSINESS ESTABLISHMENTS AND SMALL BUSINESS ESTABLISHMENTS AS A RESULT OF THE PROPOSED RULE OVER A ONE-YEAR PERIOD, IDENTIFYING ONE-TIME AND ONGOING COSTS: The Department is unable to determine the number of business establishments in Utah that may be affected by this rule. This rule may have an indirect impact on a portion of Utah's healthcare system, including physicians, clinics, health care facilities, and pharmacies, if an enrollee fails to select a new plan that includes their current health care providers. It is unknown how many enrollees will select which plans. V. DEPARTMENT HEAD'S COMMENTS ON THE ANALYSIS: When possible, Utah's leadership has always chosen to invoke the state's right to define processes required by the Affordable Care Act. In the past, the state has chosen its own Essential Health Benefit Plan, selected to run a SHOP Exchange, chosen not to expand Medicaid, and selected to perform plan management review, amongst other things. This rule invokes the state's right to define the alternate enrollment hierarchy based on the Utah marketplace. This rule preserves private competition in the marketplace, rather than federal assignment.

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 Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 10/16/2017

THIS RULE MAY BECOME EFFECTIVE ON: 10/23/2017

AUTHORIZED BY: Steve Gooch, Information Specialist

R590. Insurance, Administration.
R590-275. Qualified Health Plan Alternate Enrollment.
R590-275-1. Authority.

This rule is promulgated pursuant to Section 31A-2-201 and Subsection 31A-2-212(5) wherein the commissioner may make rules to implement the provisions of Title 31A and preserve state control over the health insurance market.

R590-275-2. Purpose and Scope.

(1) The purpose of this rule is to select an alternate enrollment system for a PPACA qualified health plan as provided in 45 CFR 155.335(j)(3).

(2) This rule applies:

(a) when a carrier will have no qualified health plans available to individuals on the Federal Exchange for the upcoming plan year;

(b) to a carrier who offers a qualified health plan to an individual on the Federal Exchange; and

(c) to the Federal Exchange.

R590-275-3. Definitions.

In addition to the definitions in Sections 31A-1-301 and 31A-30-103, the following definitions shall apply for the purpose of this rule.

(1) "Federal Exchange" means the exchange established and operated by the United States Department of Health and Human Services that makes individual qualified health plans available to qualified enrollees.

(2) "Qualified Health Plan" means a health benefit plan that is certified to meet the standards recognized by the Federal Exchange.

R590-275-4. Alternate enrollment process.

(1) Pursuant to 45 CFR 155.335(j)(3), the Federal Exchange

requires a defined alternate enrollment for an enrollee in an individual qualified health plan, QHP, where the carrier will have no exchange option available for the upcoming plan year due to a carrier no longer offering an individual QHP in a particular service area in which it previously offered coverage on the Federal Exchange.

(2) At renewal, if an enrollee does not have an individual QHP available from the same carrier through the Federal Exchange in which to enroll, the Federal Exchange shall direct enrollment for an enrollee to a QHP issued by a different carrier based on the hierarchy in Subsection (3), subject to a carrier's ability to absorb new enrollment.

(3)(a) The enrollee's coverage will be matched to a QHP in the same service area:

(i) at the same metal level; or

(ii) if more than one QHP is available the coverage will be matched to a QHP at the same metal level with the lowest premium.

(b) If no QHP is available at the same metal level in the same service area, the enrollee will be matched to a QHP in the same service area:

(i) that is one metal level lower than the enrollee's current QHP; or

(ii) if more than one QHP is available, coverage will be matched to a QHP at one metal level lower with the lowest premium.

(c) If no QHP is available at the same metal level or one metal level lower and in the same service area, the enrollee will be matched to a QHP that is:

(i) one metal level higher than the enrollee's current QHP; or

(ii) if more than one QHP is available at one metal level higher, coverage will be matched to a QHP at one metal level higher with the lowest premium.

(d) If no QHP is available at the same metal level, one metal level lower, or one metal level higher in the same service area, the enrollee will be matched to any QHP at any metal at the lowest premium in the same service area.

(4) The alternate enrollment hierarchy in Subsection (3) does not apply to an enrollee who terminates coverage, including termination of coverage in connection with voluntarily selecting a different QHP in accordance with 45 CFR 155.430.

R590-275-5. Penalties.

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

R590-275-6. Enforcement Date.

The commissioner will begin enforcing this rule September 1, 2017.

R590-275-7. Severability.

If any provision of this rule or its application to any person or circumstances is for any reason held to be invalid, the remainder of the rule and the application of the provision to other persons or circumstances shall not be affected thereby.

KEY: insurance, enrollment
Date of Enactment or Last Substantive Amendment: 2017
Authorizing, and Implemented or Interpreted Law: 31A-2-201; 31A-22-212(5)

End of the Notices of Proposed Rules Section

NOTICES OF
120-DAY (EMERGENCY) RULES

An agency may file a **120-Day (Emergency) Rule** when it finds that regular rulemaking procedures would:

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

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

Following the **Rule Analysis**, the text of the **120-Day Rule** is printed. New text is underlined (example) and text to be deleted is struck out with brackets surrounding the deleted text ([~~example~~]). An emergency rule that is new is entirely underlined. Likewise, an emergency rule that repeals an existing rule shows the text completely struck out. A row of dots in the text (**. . . . . . .**) indicates that unaffected text was removed to conserve space.

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

The law does not require a public comment period for **120-Day Rules**. However, when an agency files a **120-Day Rule**, it may file a **Proposed Rule** at the same time, to make the requirements permanent.

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

Governor, Criminal and Juvenile Justice (State Commission on)
R356-4
Juvenile Confinement

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 42054
FILED: 09/01/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to establish standards and certification procedures for the detention of juveniles in adult jails and lockups consistent with the requirements of the Juvenile Justice and Delinquency Prevention Act (JJDPA).

SUMMARY OF THE RULE OR CHANGE: This rule transfers adult jail and lockup certification authority from Juvenile Justice Services (JJS) to the State Commission on Criminal and Juvenile Justice (CCJJ) and replaces Rule R547-3, Juvenile Jail Standards, and Rule R547-7, Juvenile Holding Room Standards. (EDITOR'S NOTE: A corresponding proposed new Rule R356-4 is under Filing No. 42055 in this issue, September 15, 2017, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-7-201 and Subsection 63M-7-204(1)(s)

EMERGENCY RULE REASON AND JUSTIFICATION:
REGULAR RULEMAKING PROCEDURES WOULD place the agency in violation of federal or state law.
JUSTIFICATION: Without this rule, the state of Utah may be in violation of the Juvenile Justice and Delinquency Prevention Act (JJDPA), as amended in 2002.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: After conducting a thorough analysis, there will be no impact to the state budget.
♦ LOCAL GOVERNMENTS: After conducting a thorough analysis, there will be no impact to local government.
♦ SMALL BUSINESSES: After conducting a thorough analysis, there will be no impact to small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: After conducting a thorough analysis, there will not be any other persons affected by the new rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: CCJJ will pay for any administrative costs out of existing budgets. This includes an allocation for compliance monitoring and for the Juvenile Jail Removal Program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After conducting on a thorough analysis, it was determined that this proposed rule will not result in a fiscal impact to businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
GOVERNOR
CRIMINAL AND JUVENILE JUSTICE (STATE COMMISSION ON)
SUITE 330 SENATE BUILDING
STATE CAPITOL COMPLEX
420 N STATE STREET
SALT LAKE CITY, UT 84114
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Darien Hickey by phone at 801-538-1754, or by Internet E-mail at dhickey@utah.gov

EFFECTIVE: 09/01/2017

AUTHORIZED BY: Ronald Gordon, Executive Director

R356. Governor, Criminal and Juvenile Justice (State Commission on).
R356-4. Juvenile Detention or Confinement in Adult Jails and Lockups.
R356-4-1. Authority and Purpose.

(1) This rule is authorized by Sections 62A-7-201 and 63M-7-204(1)(s).

(2) The purpose of this rule is to establish standards and certification procedures for the detention or confinement of juveniles in adult jails and lockups consistent with the requirements of the JJDPA.

R356-4-2. Definitions.

Terms used in this rule include:

(1) "compliance monitor" means the Commission on Criminal and Juvenile Justice's JJDPA Compliance Monitor;

(2) "adult jail" means a locked facility, administered by State, county or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violating criminal law, pending trial, including facilities used to hold convicted adult criminal offenders sentenced for less than one year, but not including a court holding facility;

(3) "adult lockup" means a locked facility similar to an adult jail except that an adult lockup is generally a municipal or police facility of a temporary nature which does not hold persons after they have been formally charged, not including a court holding facility;

(4) "detain or confine" means to hold, keep, or restrain a person such that the person is not free to leave, or such that a reasonable person would believe that the person is not free to leave, except that a juvenile held by law enforcement solely for the purpose of returning the juvenile to the juvenile's parent or guardian or pending the juvenile's transfer to the custody of a child welfare or social service agency is not detained or confined within the meaning of this definition;

(5) "JJDPA" means the Juvenile Justice and Delinquency Prevention Act found in 42 U.S.C. Sec. 5633;

(6) "juvenile" means a child under the age of 18 years old;

(7) "juvenile facility" means a shelter, detention facility, receiving center, or other youth services center, as defined by Section 62A-7-101;

(8) "low density population" means ten or less people per square mile;

(9) "medical emergency" means any health condition, which requires immediate attention by medical professionals;

(10) "sight and sound separation" means incarcerated juveniles must be located or arranged as to be completely separated from incarcerated adults, including adult inmate trustees, by sight and sound barriers to prohibit:

(a) clear visual contact between incarcerated adults and juveniles within close proximity to each other; and

(b) direct oral communication between incarcerated adults juveniles; and

(11) "status offense" means a violation of the law that would not be a violation of the law but for the age of the offender.

R356-4-3. Detention or Confinement of a Juvenile in an Adult Jail or Lockup.

(1) A juvenile may be detained or confined in an adult jail or lockup only if:

(a) all other options for placement have been exhausted and there is no alternative that will protect the juvenile or the community;

(b) the requirements outlined in Utah Administrative Code R547-13-4 Guidelines for Admission to Secure Youth Detention Facilities are met;

(c) the adult jail or lockup provides for the sight and sound separation of juvenile and adult inmates;

(d) the purpose of the detention or confinement is:

(i) identification;

(ii) interrogation;

(iii) processing;

(iv) notification of juvenile court officials; or

(v) to allow adequate time to arrange the juvenile's:

(A) transfer to a juvenile facility if appropriate ; or

(B) release to a parent or other responsible adult; and

(e) the adult jail or lockup has been certified by the compliance monitor.

(2) A juvenile may not be detained or confined in an adult jail or lockup for any of the following reasons:

(a) ungovernable or runaway behavior;

(b) neglect, abuse, abandonment, dependency, or other situation, which requires protection of the juvenile;

(c) status offenses, not including offenses involving weapons; or

(d) attempted suicide.

(3) This rule does not apply to a juvenile:

(a) charged with a crime under Section 78A-6-701;

(b) bound over to the jurisdiction of the district court as a serious youth offender under Section 78A-6-702; or

(c) certified to stand trial as an adult pursuant to Section 78A-6-703.

(4) A juvenile under the age of 12 may not be detained or confined in an adult jail or lockup unless the juvenile:

(a) is age 10 or 11; and

(b) has been charged with a violent felony violation under Section 76-3-203.5(c).

(5)(a) A juvenile detained or confined in an adult jail or lockup shall be released to the care of a parent or other responsible adult unless:

(i) the immediate welfare or the protection of the community requires the continued detention or confinement of the juvenile; or

(ii) it is unsafe for the juvenile or the public to release the juvenile to the care of the parents, guardian or custodian.

(b) If the juvenile should continue to be detained or confined, the adult jail or lockup shall arrange for the transfer of the juvenile to an appropriate juvenile facility as soon as practicable.

(c) If a juvenile is transferred to a juvenile facility, a report shall be prepared which indicates the reason why the juvenile was not released and detention or confinement was continued.

(6) In addition to any other requirements under this rule, a juvenile may not be detained or confined in an adult jail unless:

(a) the adult jail is located in an area with a low-density population;

(b) the county in which the adult jail is located does not have a juvenile facility that meets the needs of the juvenile; and

(c) the detention is less than 6 hours.

(7) In addition to any other requirements under this rule, a juvenile may not be detained or confined in an adult lockup for more than two hours.

R356-4-4. Standards for Adult Jails and Lockups Where Juveniles Are Detained or Confined.

(1) When a juvenile is detained or confined in an adult jail or lockup, the adult jail or lockup shall:

(a) immediately notify the parents, guardian, or custodian of the juvenile's detention or confinement unless the parents, guardian, or custodian have already been notified; and

(b) arrange for the transfer or release of the juvenile as quickly as possible.

(2) An adult jail or lockup where a juvenile is detained or confined shall meet all applicable state and local:

(a) zoning laws;

(b) safety, fire, and building codes; and

(c) health codes.

(3) An adult jail or lockup shall provide to a juvenile:

(a) access to a toilet and a washbasin with hot and cold running water;

(b) shelter, heat, light, and ventilation that does not otherwise compromise security or enable escape;

(c) access to a drinking fountain; and

(d) basic furnishings, such as chairs or benches.

(4) The number of juveniles in an adult jail or lockup may not exceed the certified capacity for juveniles.

(5) There shall be no viewing devices in an adult jail or lockup, such as peepholes or mirrors, of which the juvenile is not aware.

(6) As long as classification standards are met, juveniles may be detained or confined together in an adult jail or lockup if age, compatibility, dangerousness, and other relevant factors are considered, except juveniles of different genders may not be detained or confined together.

(7) No detainee in an adult jail or lockup, whether juvenile or adult, shall be allowed to have any authority or disciplinary control over, be permitted to supervise, or provide services of any nature to a juvenile.

(8) When a juvenile is detained or confined in an adult jail or lockup, the adult jail or lockup shall:

(a) remove any items from the juvenile that could compromise the juvenile's safety, such as belts, shoelaces, and suspenders, prior to placing a juvenile in an adult jail or lockup;

(b) provide constant on-site supervision of the juvenile through visual monitoring and audio two-way communication;

(c) ensure a certified police officer or staff member who has received training about juveniles is available to provide assistance within 60 seconds should a problem or medical emergency arise with a juvenile;

(d) conduct frequent personal checks on the juvenile at least once every fifteen (15) minutes to maintain communication and prevent the juvenile from experiencing panic or feelings of isolation; and

(e) make a written record of significant incidents and activities of the juvenile.

(9) A staff member of the same gender shall supervise a juvenile's personal hygiene activities or care such as showering, using the toilet, and related activities in an adult jail or holding cell.

(10) An adult staff member of the same gender as the juvenile shall be present when a juvenile is securely detained or confined.

(11)(a) Except in an emergency, a staff member entering a juvenile's sleeping room shall be of the same gender as the juvenile.

(b) If two staff members enter a juvenile's sleeping room, there may be one male and one female staff member.

(c) When an emergency prevents a staff member of the same gender from entering the juvenile's sleeping room, at least two staff members shall be present and a written report shall be completed which indicates why a staff member of same gender was unavailable.

(12)(a) Any physical contact or examination of a juvenile conducted in an adult jail or lockup, such as a strip search, shall be done:

(i) by a staff member of the same gender;

(ii) in private; and

(iii) without camera monitoring.

(b) A strip search of a juvenile may only be performed when the following conditions exist:

(i) the juvenile is believed to be under the influence of alcohol or a controlled substance;

(ii) the juvenile is suspected of a controlled substance or weapons offense; or

(iii) there is reasonable suspicion the juvenile may be concealing contraband that could not be detected by a pat-down search or handheld metal detector.

(c) Body cavity searches are prohibited.

(13) Juveniles may not be subject to corporal or unusual punishment, humiliation, or mental abuse.

(14)(a) Restraints or physical force shall not be used to subdue a juvenile unless it is justifiable self-defense, required for the protection of persons or property, or necessary to prevent escape.

(b) Restraints or physical force may only be used to control juveniles in accordance with the principle of least restrictive action.

(c) Physical force may not be used as punishment.

(d) A written report shall be prepared following any use of force and submitted to the adult jail or lockup administrator.

(15) An adult jail or lockup shall safeguard a juvenile's health and safety by:

(a) making emergency medical services available 24 hours a day;

(b) immediately examining and treating, if appropriate, juveniles injured in an adult jail or lockup;

(c) not accepting juveniles who are unconscious, seriously injured, at risk for suicide, emotionally disturbed, or under the influence of alcohol or controlled substances and are unable to care for themselves, until they have been examined by a qualified medical practitioner or have been taken to a medical facility for appropriate diagnosis and treatment and released back to the adult jail or lockup;

(d) providing training to all staff members to recognize symptoms of mental illness;

(e) recording any medical services provided to a juvenile; and

(f) providing for detoxification of a juvenile in an adult jail or lockup only when there is no community health facility available for detoxification.

(16) An adult jail or lockup shall comply with any applicable informed consent requirements for medical care and shall seek the informed consent of a parent, guardian, or legal custodian unless otherwise ordered by a juvenile court judge or deemed a medical emergency.

(17) If a juvenile is in need of hospitalization, a staff member shall remain with the juvenile if otherwise permitted by medical personnel or until an adult family member or legal guardian arrives to remain with the juvenile.

(18) A juvenile in an adult jail or lockup shall have the same legal and civil rights, including the right to the same number of telephone calls, as an adult inmate held for the same amount of time.

(19) A juvenile's visitors in an adult jail or lockup should be limited to the juvenile's attorney, clergy, and officers of the court unless the juvenile is to be transferred to a juvenile facility in which case an effort shall be made to provide for visitation by the juvenile's parents, guardian, or custodian prior to the transfer.

(20) If a juvenile is detained or confined during daylight hours, the juvenile should be allowed access to reading materials, physical exercise, recreation, radio or television if feasible.

(21) When a juvenile arrives at an adult jail or lockup, a juvenile shall be informed of the steps in the detention process.

(22) Upon admission to an adult jail or lockup, a referral or intake form must be completed for the juvenile, which includes:

(a) the date and time of the admission and release;

(b) the name, nicknames, and any aliases of the juvenile;

(c) the juvenile's last known address;

(d) information regarding the officer who admitted the juvenile, including the officer's name, title, and law enforcement agency;

(e) the allegations upon which the juvenile is being detained;

(f) the juvenile's gender;

(g) the juvenile's date and place of birth;

(h) the juvenile's race or nationality;

(i) any medical problems of the juvenile;

(j) the juvenile's parents, guardian, or a responsible adult to notify in case of emergency, including addresses and telephone numbers;

(k) any additional remarks, such as any open wounds or sores requiring treatment, evidence of disease or body vermin, or tattoos; and

(l) the juvenile's probation officer or caseworker, if assigned.

(23)(a) When a juvenile is released or transferred from an adult jail or lockup, the adult jail or lockup shall create a release or transfer report, which documents the following information:

(i) the juvenile's physical and emotional condition upon release; and

(ii) whether the juvenile was released from custody or was transferred to a different facility.

(b) If the juvenile was transferred to a juvenile facility, the release or transfer report shall document:

(i) the name of the facility to which the juvenile was transferred; and

(ii) the name and agency of the individual who transferred the juvenile.

(c) If the juvenile was released from custody the release or transfer report shall document:

(i) the name and relationship of the adult assuming the responsibility of the juvenile;

(ii) the form of identification used by the adult assuming responsibility of the juvenile; and

(iii) the signature of the adult assuming responsibility for the juvenile, indicating the adult is:

(A) aware of the juvenile's physical and emotional condition;

(B) understands the reason for detaining or confining the juvenile in custody; and

(C) agrees to take the juvenile to court at a time to be set by the court.

(24) Upon release or transfer of a juvenile from an adult jail or lockup, the adult jail or lockup shall verify:

(a) identity;

(b) the release papers; and

(c) property belonging to the adult jail or lockup or other residents does not leave the jail or holding cell with the juvenile.

(25) A case record shall be securely maintained on each juvenile, which contains:

(a) the initial intake information form;

(b) documentation of why the juvenile was detained or confined in the adult jail or lockup and released or transferred;

(c) a copy of any incident reports;

(d) a record of any of the juvenile's cash or valuables held by the jail or holding cell;

(e) documentation of all visitors' names and the dates of the visit;

(f) documentation of any medical/health care issues or conditions exhibited during the detention;

(g) record of any medical treatment or medications administered while the juvenile was detained or confined;

(h) consent for necessary medical or surgical care, signed by parent, person acting in loco parentis, juvenile court judge, or facility official; and

(i) the final release or transfer report.

R356-4-5. Certification of Adult Jails or Lockups Where Juveniles Are Detained or Confined.

(1) An adult jail or lockup seeking to be certified to detain or confine juveniles shall send a completed JJDPA Facility Certification Application to the compliance monitor.

(2) The compliance monitor shall conduct an on-site visit at any adult jail or lockup, which applies to be certified to detain or confine juveniles.

(3) During the on-site visit, the compliance monitor shall:

(a) review all of the policies and procedures of the adult jail or lockup, which relate to the detention or confinement of juveniles to ensure they meet the requirements of this rule;

(b) tour the adult jail or lockup to ensure compliance with the requirements of this rule; and

(c) meet with all individuals involved in overseeing and completing records related to the detention or confinement of juveniles.

(4) If an adult jail or lockup meets the requirements of this rule, the compliance monitor shall issue a certificate to the adult jail or lockup, which is good for one year.

(5) Once an adult jail or lockup is certified, the adult jail or lockup shall submit a Juvenile Confinement Monthly Report to the compliance monitor at the conclusion of each month, which documents the number of juveniles, detained or confined in the adult jail or lockup during the preceding month and provides information on each juvenile.

(6) Prior to an adult jail or lockup's certification expiring, the compliance monitor shall initiate a recertification visit to the adult jail or lockup.

(7) During a recertification visit, the compliance monitor shall:

(a) review any changes or updates to the policies and procedures of the adult jail or lockup related to the detention or confinement of juveniles;

(b) tour the adult jail or lockup to ensure continued compliance with the requirements of this rule;

(c) meet with all individuals involved in overseeing and completing records for the detention or confinement of juveniles; and

(d) review the adult jail or lockup's Juvenile Confinement Monthly Reports for the past twelve months to ensure compliance with the requirements of this rule.

(8) If an adult jail or lockup meets all of the requirements for recertification, the compliance monitor shall issue a new certificate, which shall be valid for one year.

(9) If the certification of an adult jail or lockup has been expired for more than two years, the adult jail or lockup shall re-initiate the certification process.

KEY: juvenile detention in adult jails; juvenile confinement in adult jails; juvenile detention in lockups; juvenile confinement in lockups
Date of Enactment or Last Substantive Amendment: September 1, 2017
Authorizing, and Implemented or Interpreted Law: 62A-7-201; 63M-7-204

Insurance, Administration
R590-275
Qualified Health Plan Alternate Enrollment

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 42038
FILED: 08/24/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to: select an alternate enrollment system for PPACA qualified health plans, as provided in 45 CFR 155.335(j)(3) which applies to situations where an issuer will have no individual Federal Exchange enrollment option for the upcoming plan year; take action in order to preserve state control over Utah's health insurance market by direction of the U.S. Department of Health and Human Services to follow Utah's alternate enrollment process; and provide an alternate enrollment system that assists consumers in the most appropriate plan.

SUMMARY OF THE RULE OR CHANGE: The rule establishes a state-directed process for the purpose of defining the hierarchy when an issuer leaves the individual Federal Marketplace as provided in 45 CFR 155.335(j)(3). Failure for a state to direct the alternate enrollment process will result in Utah enrollees' plan enrollments being directed by a default federal hierarchy. (EDITOR'S NOTE: The corresponding proposed new Rule R590-275 is under Filing No. 42041 in this issue, September 15, 2017, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-2-201 and Subsection 31A-22-212(5)

EMERGENCY RULE REASON AND JUSTIFICATION:
REGULAR RULEMAKING PROCEDURES WOULD cause an imminent peril to the public health, safety, or welfare.
JUSTIFICATION: On 08/02/2017, Molina Healthcare of Utah (Molina) announced it would no longer offer qualified health plans on the individual Federal Exchange as of 01/01/2018; this action leaves only two insurers on the Federal Exchange for 2018. It is estimated that Molina has about 40% of the enrollees who purchased their coverage on the Federal Exchange. In 2016, the U.S. Department of Health and Human Services (HHS) enacted an alternate enrollment

hierarchy for enrollees whose plans will not be made available in the following plan year, but it also provides for a state-directed hierarchy. The Department of Insurance (Department) did not have a need to define such a hierarchy until the announcement was made by Molina in August. Once the Department was able to determine that the federal hierarchy was at odds with Utah's defined terms for network plans, the Department worked quickly to identify what type of hierarchy could be established. During this shortened process, the Department met with various stakeholders and carefully considered the process that would provide the greatest consumer protection, while preserving market competition. Utah must define the state hierarchy no later than 09/01/2017. However, the Department did not receive answers to all of the questions posed to HHS until 08/24/2017. Failure to enact a state hierarchy will further erode Utah's ability to regulate Utah's insurance markets, disrupt the core of private market competition, and cause imminent peril to the public's ability to address their own healthcare needs. The emergency rule must be made in order to meet the 09/01/2017 deadline.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no anticipated cost or savings to the state budget. This rule does not affect the workload or budget of the state.
♦ LOCAL GOVERNMENTS: There is no anticipated cost or savings to local governments. This rule does not affect the workloads or budgets of local governments.
♦ SMALL BUSINESSES: While the rule itself does not have direct cost or savings to small businesses, there is a potential cost to small businesses who are health care providers that contract with an issuer who will no longer offer a qualified health plan on the individual Federal Exchange. Such small businesses may see a decrease in patients. The Department is unable to determine the potential decrease due to other underlying factors, including an enrollee's ability to switch to another plan that offers the same provider network; or in cases where the plan assigned by the alternate enrollment process may include the enrollee's current health care providers.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: While the rule does not have direct cost or savings to any individual, partnership, association, government entity, or public organization, it may affect a corporation or private organization that offers health insurance based on the use of a state-defined process rather than defaulting to the federal process. The cost or savings cannot be calculated at this time because it is not known which individuals will enroll in the default plan based on the rule's hierarchy; nor is it possible to know the health status of those individuals.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for any affected persons as a result of this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I. WHETHER A FISCAL IMPACT TO BUSINESS IS EXPECTED AS A RESULT OF THE PROPOSED RULE AND, IF SO, A DESCRIPTION OF WHY: While the rule does not have a direct cost or savings to any individual, partnership, association, government entity, or public organization, it may affect a corporation or private organization that offers health insurance based on the use of a state-defined process rather than defaulting to the federal process. The cost or savings cannot be calculated at this time because it is not known which individuals will enroll in the default plan based on the rule's hierarchy; nor is it possible to know the health status of those individuals. Because the rule establishes a process to assign businesses, there is a potential cost to small businesses who are health care providers that contract with an issuer who will no longer offer a qualified health plan on the individual Federal Exchange; such small businesses may see a decrease in patients. The Department is unable to determine the potential decrease due to other underlying factors, including an enrollee's ability to switch to another plan that offers the same provider network; or in cases where the plan assigned by the alternate enrollment process may include the enrollee's current health care providers. II: AN ESTIMATE OF THE TOTAL NUMBER OF BUSINESS ESTABLISHMENTS IN UTAH EXPECTED TO BE IMPACTED: The Department is unable to determine the number of business establishments in Utah that may be affected by this rule. This rule may have an indirect impact on a portion of Utah's healthcare system, including physicians, clinics, health care facilities, and pharmacies, if an enrollee fails to select a new plan that includes their current health care providers. It is unknown how many enrollees will select which plans. III: AN ESTIMATE OF THE SMALL BUSINESS ESTABLISHMENTS IN UTAH EXPECTED TO BE IMPACTED: The Department is unable to determine the number of business establishments in Utah that may be affected by this rule. This rule may have an indirect impact on a portion of Utah's healthcare system, including physicians, clinics, health care facilities, and pharmacies, if an enrollee fails to select a new plan that includes their current health care providers. It is unknown how many enrollees will select which plans. IV. A DESCRIPTION OF THE SOURCES OF COST OR SAVINGS AS WELL AS THE EXPECTED NET SAVINGS OR COST TO BUSINESS ESTABLISHMENTS AND SMALL BUSINESS ESTABLISHMENTS AS A RESULT OF THE PROPOSED RULE OVER A ONE-YEAR PERIOD, IDENTIFYING ONE-TIME AND ONGOING COSTS: The Department is unable to determine the number of business establishments in Utah that may be affected by this rule. This rule may have an indirect impact on a portion of Utah's healthcare system, including physicians, clinics, health care facilities, and pharmacies, if an enrollee fails to select a new plan that includes their current health care providers. It is unknown how many enrollees will select which plans. V. DEPARTMENT HEAD'S COMMENTS ON THE ANALYSIS: When possible, Utah's leadership has always chosen to invoke the state's right to define processes required by the Affordable Care Act. In the past, the state has chosen its own Essential Health Benefit Plan, selected to run a SHOP

Exchange, chosen not to expand Medicaid, and selected to perform plan management review, amongst other things. This rule invokes the state's right to define the alternate enrollment hierarchy based on the Utah marketplace. This rule preserves private competition in the marketplace, rather than federal assignment.

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 Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

EFFECTIVE: 08/24/2017

AUTHORIZED BY: Steve Gooch, Information Specialist

R590. Insurance, Administration.
R590-275. Qualified Health Plan Alternate Enrollment.
R590-275-1. Authority.

This rule is promulgated pursuant to Section 31A-2-201 and Subsection 31A-2-212(5) wherein the commissioner may make rules to implement the provisions of Title 31A and preserve state control over the health insurance market.

R590-275-2. Purpose and Scope.

(1) The purpose of this rule is to select an alternate enrollment system for a PPACA qualified health plan as provided in 45 CFR 155.335(j)(3).

(2) This rule applies:

(a) when a carrier will have no qualified health plans available to individuals on the Federal Exchange for the upcoming plan year;

(b) to a carrier who offers a qualified health plan to an individual on the Federal Exchange; and

(c) to the Federal Exchange.

R590-275-3. Definitions.

In addition to the definitions in Sections 31A-1-301 and 31A-30-103, the following definitions shall apply for the purpose of this rule.

(1) "Federal Exchange" means the exchange established and operated by the United States Department of Health and Human Services that makes individual qualified health plans available to qualified enrollees.

(2) "Qualified Health Plan" means a health benefit plan that is certified to meet the standards recognized by the Federal Exchange.

R590-275-4. Alternate enrollment process.

(1) Pursuant to 45 CFR 155.335(j)(3), the Federal Exchange requires a defined alternate enrollment for an enrollee in an individual qualified health plan, QHP, where the carrier will have no exchange option available for the upcoming plan year due to a carrier no longer offering an individual QHP in a particular service area in which it previously offered coverage on the Federal Exchange.

(2) At renewal, if an enrollee does not have an individual QHP available from the same carrier through the Federal Exchange in which to enroll, the Federal Exchange shall direct enrollment for an enrollee to a QHP issued by a different carrier based on the hierarchy in Subsection (3), subject to a carrier's ability to absorb new enrollment.

(3)(a) The enrollee's coverage will be matched to a QHP in the same service area:

(i) at the same metal level; or

(ii) if more than one QHP is available the coverage will be matched to a QHP at the same metal level with the lowest premium.

(b) If no QHP is available at the same metal level in the same service area, the enrollee will be matched to a QHP in the same service area:

(i) that is one metal level lower than the enrollee's current QHP; or

(ii) if more than one QHP is available, coverage will be matched to a QHP at one metal level lower with the lowest premium.

(c) If no QHP is available at the same metal level or one metal level lower and in the same service area, the enrollee will be matched to a QHP that is:

(i) one metal level higher than the enrollee's current QHP; or

(ii) if more than one QHP is available at one metal level higher, coverage will be matched to a QHP at one metal level higher with the lowest premium.

(d) If no QHP is available at the same metal level, one metal level lower, or one metal level higher in the same service area, the enrollee will be matched to any QHP at any metal at the lowest premium in the same service area.

(4) The alternate enrollment hierarchy in Subsection (3) does not apply to an enrollee who terminates coverage, including termination of coverage in connection with voluntarily selecting a different QHP in accordance with 45 CFR 155.430.

R590-275-5. Penalties.

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

R590-275-6. Enforcement Date.

The commissioner will begin enforcing this rule September 1, 2017.

R590-275-7. Severability.

If any provision of this rule or its application to any person or circumstances is for any reason held to be invalid, the remainder of the rule and the application of the provision to other persons or circumstances shall not be affected thereby.

KEY: insurance, enrollment
Date of Enactment or Last Substantive Amendment: August 24, 2017
Authorizing, and Implemented or Interpreted Law: 31A-2-201; 31A-22-212(5)

Natural Resources, Wildlife Resources
R657-19
Taking Nongame Mammals

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 42031
FILED: 08/17/2017

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this emergency rule is to regulate the taking of Nongame mammals.

SUMMARY OF THE RULE OR CHANGE: The proposed revisions to this rule make it consistent with new guidelines issued by the federal Fish and Wildlife Service in regards to the management of Utah Prairie Dogs. (EDITOR'S NOTE: The 120-day (emergency) filing for Rule R657-70 that is effective as of 08/17/2017 is under Filing No. 42032 in this issue, September 15, 2017, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 16 U.S.C. 1531 et seq. and 50 CFR 17.40(g) and Section 23-13-3 and Section 23-14-18 and Section 23-14-19

EMERGENCY RULE REASON AND JUSTIFICATION:
REGULAR RULEMAKING PROCEDURES WOULD place the agency in violation of federal or state law.
JUSTIFICATION: The Utah Prairie Dog is listed as "threatened" under the Endangered Species Act, and its management has been the subject of ongoing litigation in the case People for the Ethical Treatment of Property Owners v. U.S. Fish and Wildlife Service, et al. and Friends of Animals (Case No. 2:13-cv-00278). In November 2014, Judge Dee Benson issued a decision declaring that the species could not be listed under the Endangered Species Act on non-federal lands, and as such the State of Utah held management authority in those circumstances. This prompted the development of a specific rule for management of Utah prairie dogs (Rule R657-70) and modification of the Division of Wildlife Resources' nongame rule (Rule R657-19). The 10th Circuit Court of Appeals recently overturned the district court decision returning full management authority to the federal government. As some provisions of Rule R657-70 may violate terms of the Endangered Species Act, repealing that rule is necessary. Rule R657-19 will largely be restored to the format it was in prior to the issuance of the district court decision, with two substantive changes: one in Subsection R657-19-7(5) and one in Subsection R657-19-7(6). These changes are necessary to be consistent with the federal rules regulating the taking of Utah Prairie Dogs. The first specifies the dates of allowable taking for Utah Prairie Dogs, and the second specifies the totals for range-wide take of Utah Prairie Dogs. The remaining differences between this version of Rule R657-19 and its format prior to the issuance of the district court decision are nonsubstantive, i.e. changes in zip codes, but are necessary to ensure proper administration of the rule and associated permits.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal laws. The Division of Wildlife Resources (DWR) determines that this emergency rule will not create any cost or savings impact to the state budget or DWR's budget, and all changes in workload can be carried out within their existing budget, however changes to federal Law may have a financial impact which is unknown at this time.
♦ LOCAL GOVERNMENTS: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal laws. While this emergency rule alone does not create any direct cost impact to local governments, it is anticipated that the transition to federal management authority mandated by the district court decision may increase costs and burdens on local government.
♦ SMALL BUSINESSES: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal rules. While the emergency rule alone does not create any direct cost impact to small businesses, it is anticipated that the transition to federal management authority necessitating the emergency rule may increase costs and burdens on local governments and citizens affected by Utah Prairie Dogs.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal rules. While the emergency rule alone does not create any direct cost impact to other persons, it is anticipated that the transition to federal management authority necessitating the emergency rule may increase costs and burdens on local governments and citizens affected by Utah Prairie Dogs.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The federal management authority has oversight and costs for federal compliance is unknown at this time.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The federal management authority has oversight and costs for federal compliance is unknown at this time.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at staciccoons@utah.gov

EFFECTIVE: 08/17/2017

AUTHORIZED BY: Mike Fowlks, Deputy Director

R657. Natural Resources, Wildlife Resources.
R657-19. Taking Nongame Mammals.
R657-19-1. Purpose and Authority.

(1) Under authority of Sections 23-13-3, 23-14-18 and 23-14-19, this rule provides the standards and requirements for taking and possessing nongame mammals.

(2) A person capturing any live nongame mammal for a personal, scientific, educational, or commercial use must comply with R657-3 Collection, Importation, Transportation and Subsequent Possession of Zoological Animals.

R657-19-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Immediate family" means the landowner's or lessee's spouse, children, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchildren, and grandchildren.

(b) "Nongame mammal" means:

(i) any species of bats;

(ii) any species of mice, rats, or voles of the families Heteromyidae, Cricetidae, or Zapodidae;

(iii) opossum of the family Didelphidae;

(iv) pikas of the family Ochotonidae;

(v) porcupine of the family Erethizontidae;

(vi) shrews of the family Soricidae; and

(vii) squirrels, prairie dogs, and marmots of the family Sciuridae, excluding Utah prairie dogs, *Cynomys parvidens*.

R657-19-3. General Provisions.

(1) A person may not purchase or sell any nongame mammal or its parts.

(2)(a) The live capture of any nongame mammals is prohibited under this rule.

(b) The live capture of nongame mammals species may be allowed as authorized under Rule R657-3.

(3) Section 23-20-8 does not apply to the taking of nongame mammal species covered under this rule.

R657-19-4. Nongame Mammal Species - Certificate of Registration Required.

(1) A certificate of registration is required to take any of the following species of nongame mammals:

(a) bats of any species; and

(b) pika - Ochotona princeps.

(2) A certificate of registration is required to take any shrew - Soricidae, all species.

(3) A certificate of registration is required to take a Utah prairie dog, Cynomys parvidens, as provided in Sections R657-[~~70.~~]19-6, R657-19-7, R657-19-8 and R657-19-9.

(4) A certificate of registration is required to take any of the following species of nongame mammals in Washington County:

(a) cactus mouse - Peromyscus eremicus;

(b) kangaroo rats - Dipodomys, all species;

(c) Southern grasshopper mouse - Onychomys torridus; and

(d) Virgin River montane vole - Microtus montanus rivularis, which occurs along stream-side riparian corridors of the Virgin River.

(5) A certificate of registration is required to take any of the following species of nongame mammals in San Juan and Grand counties:

(a) Abert squirrel - Sciurus aberti;

(b) Northern rock mouse - Peromyscus nasutus; and

(c) spotted ground squirrel - Spermophilus spilosoma.

(6) The division may deny a certificate of registration to any applicant, if:

(a) the applicant has violated any provision of:

(i) Title 23 of the Utah Code;

(ii) Title R657 of the Utah Administrative Code;

(iii) a certificate of registration;

(iv) an order of the Wildlife Board; or

(v) any other law that bears a reasonable relationship to the applicant's ability to safely and responsibly perform the activities that would be authorized by the certificate of registration;

(b) the applicant misrepresents or fails to disclose material information required in connection with the application;

(c) taking the nongame mammal as proposed in the application violates any federal, state or local law;

(d) the application is incomplete or fails to meet the issuance criteria set forth in this rule; or

(e) the division determines the activities sought in the application may significantly damage or are not in the interest of wildlife, wildlife habitat, serving the public, or public safety.

R657-19-5. Nongame Mammal Species - Certificate of Registration Not Required.

(1) All nongame mammal species not listed in Section R657-19-4 as requiring a certificate of registration, may be taken:

(a) without a certificate of registration;

(b) year-round, 24-hours-a-day; and

(c) without bag or possession limits.

(2) A certificate of registration is not required to take any of the following species of nongame mammals, however, the taking is subject to the provisions provided under Section R657-19-10:

(a) White-tailed prairie dog, Cynomys leucurus; and

(b) Gunnison prairie dog, Cynomys gunnisoni.

R657-19-6. Utah Prairie Dog Provisions.

(1)(a) A person may not take a Utah Prairie dog, Cynomys parvidens, without first obtaining a certificate of registration from the division.

(b) A certificate of registration for taking Utah prairie dogs may be issued as provided in Subsection (i) or Subsection (ii), or Subsection (iii), if the taking will not further endanger the existence of the species:

(i) in cases where Utah Prairie dogs are causing damage to agricultural lands as provided in the rules of the U.S. Fish and Wildlife Service; or

(ii) as provided in a valid Incidental Take permit issued by the U.S. Fish and Wildlife Service under an approved Habitat Conservation Plan; or

(iii) as provided under a valid Incidental Take permit issued by the U.S. Fish and Wildlife Service allowing take of Utah prairie dogs on specified private lands as part of an approved conservation agreement enacted between the U.S. Fish and Wildlife Service and the owner of those private lands.

(c) A person may apply for a certificate of registration at the division's southern regional office, 1470 North Airport Road, Suite 1, Cedar City, Utah 84721.

(d) A landowner, lessee, or their immediate family member, or an employee on a regular payroll and not hired specifically to take Utah prairie dogs, may apply for a certificate of registration.

(e)(i) A person, other than those listed in Subsection (d), may apply for a certificate of registration to take Utah prairie dogs as a designee of the landowner or lessee provided the application includes:

(A) an explanation of the need for the certificate of registration to be issued;

(B) justification for utilization of the designee; and

(C) the landowner or lessee's signature.

(ii) A maximum of two designee certificates of registration may be issued per landowner or lessee.

(iii) Each designee application shall be considered individually based upon the explanation and justification provided.

(f) An application for a certificate of registration must include:

(i) full name;

(ii) complete mailing address;

(iii) phone number;

(iv) date of birth;

(v) weight and height;

(vi) gender;

(vii) color of hair and eyes;

(viii) social security number;

(ix) driver's license number, if issued;

(x) proof of hunter education certification if the applicant was born after December 31, 1965; and

(xi) the township, range, section and 1/4 section of the agricultural lands where the prairie dogs will be taken.

(g) An applicant must be at least 14 years of age at the time of application and must abide by the provisions for children being accompanied by adults while hunting with a weapon pursuant to Section 23-20-20.

(h) After review of the application, a certificate of registration may be issued.

(i) A maximum of four certificates of registration may be issued to any landowner or lessee, including those issued to the landowner or lessee's designees.

(j) A certificate of registration shall be issued on an individual basis and shall be valid only for the person to whom the certificate of registration is issued.

(k) A certificate of registration is not transferrable and must be signed by the holder prior to use.

(l) If the application and permitting process is accomplished by U.S. Mail, the certificate of registration shall only become valid after a copy of the signed certificate of registration is received by the division's southern regional office.

(2)(a) A person may take Utah prairie dogs with a firearm during daylight hours or by trapping as specified on the certificate of registration.

(b) A person may not use any chemical toxicant to take Utah prairie dogs.

(c) In addition to the requirements of this rule, any person taking Utah prairie dogs must comply with state laws, and local ordinances and laws.

(d) A person at least 14 years of age and under 16 years of age who takes Utah Prairie dogs must be accompanied by an adult with a valid certificate of registration to take Utah Prairie dogs on the same property.

R657-19-7. Areas Open to Taking Utah Prairie Dogs -- Dates Open --Limits on Number of Utah Prairie Dogs Taken.

(1) A person who obtains a valid certificate of registration may take Utah prairie dogs only on private lands within the following counties:

(a) Beaver;

(b) Garfield;

(c) Iron;

(d) Kane;

(e) Millard;

(f) Piute;

(g) Sanpete;

(h) Sevier;

(i) Washington; and

(j) Wayne.

(2) Taking of a Utah prairie dog on any land or by any method, other than as provided in the valid certificate of registration, including any public land, is a violation of state and federal law.

(3) Any person, who is specifically named on a valid certificate of registration, may remove Utah prairie dogs, as provided in the certificate of registration.

(4) The taking of any Utah prairie dog outside the areas provided in this section is prohibited, except by division employees while acting in the performance of their assigned duties.

(5) The taking of Utah prairie dogs is limited to the dates designated on the certificate of registration. All dates are confined to June 15 through December 31, except as provided in Subsection R657-19-6(1)(b)(iii).

(6)(a) A person may take only the total number of Utah prairie dogs designated in the certificate of registration, except as provided in Subsection R657-19-6(1)(b)(iii).

(b) The total annual range-wide take of Utah prairie dogs and the total annual take of Utah prairie dogs on agricultural lands is governed by federal law.

(c) If the division determines that taking Utah prairie dogs has an adverse effect on conservation of the species, taking shall be further restricted or prohibited.

R657-19-8. Monthly Reports of Take of Utah Prairie Dogs.

(1) The following information must be reported to the division's southern regional office, 1470 North Airport Road, Suite 1, Cedar City, Utah 84721, every 30 days:

(a) the name and signature of the certificate of registration holder;
(b) the person's certificate of registration number;
(c) the number of Utah prairie dogs taken; and
(d) the location, method of take, and method of disposal of each Utah prairie dog taken during the 30-day period.
(2) Failure to report the information required in Subsection (1), within 30 days, may result in the denial of future applications for a certificate of registration to take Utah prairie dogs.

R657-19-9. Unlawful Possession of Utah Prairie Dogs.
A person may not possess a Utah prairie dog or its parts, without first obtaining a valid certificate of registration and a federal permit.

R657-19-10. White-tailed and Gunnison Prairie Dogs.
(1)(a) A license or certificate of registration is not required to take either white-tailed or Gunnison prairie dogs.
(b) There are no bag limits for white-tailed or Gunnison prairie dogs for which there is an open season.
(2)(a) White-tailed prairie dogs, Cynomys leucurus, may be taken in the following counties from January 1 through March 31, and June 16 through December 31:
(i) Carbon County;
(ii) Daggett County;
(iii) Duchesne County;
(iv) Emery County;
(v) Morgan;
(vi) Rich;
(vii) Summit County;
(viii) Uintah County, except in the closed area as provided in Subsection (2)(b)(i);
(ix) Weber; and
(x) all areas west and north of the Colorado River in Grand and San Juan counties.
(b) White-tailed prairie dogs, Cynomys leucurus, may not be taken in the following closed area in order to protect the reintroduced population of black-footed ferrets, Mustela nigripes:
(i) Boundary begins at the Utah/Colorado state line and Uintah County Road 403, also known as Stanton Road, northeast of Bonanza; southwest along this road to SR 45 at Bonanza; north along this highway to Uintah County Road 328, also known as Old Bonanza Highway; north along this road to Raven Ridge, just south of US 40; southeast along Raven Ridge to the Utah/Colorado state line; south along this state line to point of beginning.
(3) The taking of White-tailed prairie dogs, Cynomys leucurus, is prohibited from April 1 through June 15, except as provided in Subsection (5).
(4)(a) The taking of Gunnison prairie dogs, Cynomys gunnisoni, is prohibited in all areas south and east of the Colorado River, and north of the Navajo Nation in Grand and San Juan counties from April 1 through June 15.
(b) Gunnison prairie dogs may be taken in the area provided in Subsection (4)(a) from June 16 through March 31.
(5) Gunnison prairie dogs and White-tailed prairie dogs causing agricultural damage or creating a nuisance on private land may be taken at any time, including during the closed season from April 1 through June 15.

R657-19[-7.]11. Violation.
(1) Any violation of this rule is a Class C misdemeanor as provided in Section 23-13-11(2).
(2) In addition to this rule any animal designated as a threatened or endangered species is governed by the Endangered Species Act and the unlawful taking of these species may also be a violation of federal law and rules promulgated thereunder.
(3) Pursuant to Section 23-19-9, the division may suspend a certificate of registration issued under this rule.

KEY: wildlife, game laws
Date of Enactment or Last Substantive Amendment: August 17, 2017
Notice of Continuation: August 5, 2013
Authorizing, and Implemented or Interpreted Law: 23-13-3; 23-14-18; 23-14-19

Natural Resources, Wildlife Resources
R657-70
Taking Utah Prairie Dogs

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 42032
FILED: 08/17/2017

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this emergency rule is to regulate the taking of Utah Prairie Dogs.

SUMMARY OF THE RULE OR CHANGE: The proposed revisions to this rule make it consistent with new guidelines issued by the Federal Fish and Wildlife Service in regards to the management of Utah Prairie Dogs. (EDITOR'S NOTE: The 120-day (emergency) filing for Rule R657-19 that is effective as of 08/17/2017 is under Filing No. 42031 in this issue, September 15, 2017, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 16 U.S.C. 1531 et seq. and 50 CFR 17.40(g) and Section 23-13-3 and Section 23-14-18 and Section 23-14-19

EMERGENCY RULE REASON AND JUSTIFICATION:
REGULAR RULEMAKING PROCEDURES WOULD place the agency in violation of federal or state law.
JUSTIFICATION: The Utah Prairie Dog is listed as "threatened" under the Endangered Species Act, and its management has been the subject of ongoing litigation in the case People for the Ethical Treatment of Property Owners v. U.S. Fish and Wildlife Service, et al. and Friends of Animals

(Case No. 2:13-cv-00278). In November 2014, Judge Dee Benson issued a decision declaring that the species could not be listed under the Endangered Species Act on non-federal lands, and as such the State of Utah held management authority in those circumstances. This prompted the development of a specific rule for management of the Utah Prairie Dog (Rule R657-70) and modification of the Division of Wildlife Resources' nongame rule (Rule R657-19). The 10th Circuit Court of Appeals recently overturned the district court decision, returning full management authority to the federal government. As some provisions of Rule R657-70 may violate terms of the Endangered Species Act, repealing the rule is necessary. Rule R657-19 will largely be restored to the format it was in prior to the issuance of the district court decision, with two substantive changes: one in Subsection R657-19-7(5) and one in Subsection R657-19-7(6). These changes are necessary to be consistent with the federal rules regulating the taking of Utah Prairie Dogs. The first specifies the dates of allowable take for Utah Prairie Dogs, and the second specifies the totals for range-wide take of Utah Prairie Dogs. The remaining differences between this version of Rule R657-19 and its format prior to the issuance of the district court decision are nonsubstantive, i.e. changes in zip codes, but are necessary to ensure proper administration of the rule and associated permits.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal laws. The Division of Wildlife Resources (DWR) determines that this emergency rule will not create any cost or savings impact to the state budget or DWR's budget, and all changes in workload can be carried out within their existing budget, however changes to Federal Law may have a financial impact which is unknown at this time.
♦ LOCAL GOVERNMENTS: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal laws. While the emergency rule alone does not create any direct cost impact to local governments, it is anticipated that the transition to federal management authority mandated by the district court decision may increase costs and burdens on local government.
♦ SMALL BUSINESSES: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal rules. While the emergency rule alone does not create any direct cost impact to small businesses, it is anticipated that the transition to federal management authority necessitating the emergency rule may increase costs and burdens on local governments and citizens affected by Utah Prairie Dogs.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The emergency rule is necessary to align the state rule to a recent court decision and applicable federal rules. While the emergency rule alone does not create any direct cost impact to other persons, it is anticipated that the transition to federal management authority necessitating the emergency rule may increase costs and burdens on local governments and citizens affected by Utah Prairie Dogs.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The federal management authority has oversight and costs for federal compliance is unknown at this time.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The federal management authority has oversight and costs for federal compliance is unknown at this time.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

EFFECTIVE: 08/17/2017

AUTHORIZED BY: Mike Fowlks, Deputy Director

R657. Natural Resources, Wildlife Resources.
[~~R657-70. Taking Utah Prairie Dogs.~~
~~R657-70-1. Purpose and Authority.~~
~~(1) Under authority of Sections 23-14-1, 23-14-3, 23-14-18 and 23-14-19, this rule provides the standards and requirements for taking Utah prairie dogs.~~
~~(2) A person capturing any live Utah prairie dog for a personal, scientific, educational, or commercial use must comply with rule R657-3, Collection, Importation, Transportation and Possession of Animals.~~

~~R657-70-2. Definitions.~~
~~(1) Terms used in this rule are defined in Section 23-13-2.~~
~~(2) Additional terms used in this rule are defined as follows:~~
~~(a) "Agriculture land" means any mapped, non-federal property that is used or has been used in the previous five (5) years for production of a cultivated crop or irrigated pasture that is harvested or grazed.~~
~~(b) "Certificate of registration" means a document issued by the division authorizing a person or entity to take a Utah prairie dog.~~
~~(c) "Developed land" means any mapped, non-federal property that is:~~
~~(i) developed or improved for public use and where Utah prairie dogs threaten human health, safety or welfare, including parks, playgrounds, public facilities, sports fields, golf courses, school yards, churches, areas of cultural or religious significance, improved roads, transportation systems, etc.; or~~
~~(ii) within 50 feet of an occupied, residential or commercial structure, or greater distance where prairie dogs threaten human health, safety or welfare on developed curtilage, including lawns, landscaping, gardens, driveways, etc.~~

~~(d) "Developable land" means any mapped, non-federal property that does not have structures or improvements on the surface of the property, excluding utilities, on which construction of permanent structures or improvements is proposed.~~

~~(e) "Division" means the Utah Division of Wildlife Resources.~~

~~(f) "Federal land" means all lands in the State of Utah owned by the United States government, including Forest Service, Bureau of Land Management, Bureau of Reclamation, Department of Defense, National Park Service, Bureau of Indian Affairs, National Monument, and National Recreation Area lands.~~

~~(g) "Immediate family" means a landowner's or lessee's spouse, child, son-in-law, daughter-in-law, father, mother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, stepchild, and grandchild.~~

~~(h) "Landowner" means the person(s) or entity holding fee title to real property impacted by Utah prairie dogs.~~

~~(i) "Lessee" means the person(s) or entity leasing or renting under written contract real property impacted by Utah prairie dogs.~~

~~(j) "Mapped" means areas within the state identified and documented since 1972 by the division as currently or historically occupied by Utah prairie dogs, excluding mapped areas with a spring count of zero (0) animals in the current year and the preceding four (4) years.~~

~~(k) "Non-federal lands" means all lands in the State of Utah that are not owned by the United States government.~~

~~(l) "Productivity" means the segment of a population represented by young of the year; and is calculated by multiplying the spring count (animals observed) by 2 (animals underground), and multiplying that figure by 67% (percent females in the population), and multiplying that figure by 97% (percent females that breed), and multiplying that figure by 4 (average litter size).~~

~~(m) "Protected land" means federal and non-federal property that is set aside for the preservation of Utah prairie dogs and protected specifically or primarily for that purpose. Protective mechanisms can include conservation easements, fee title purchases, regulatory designations, etc.~~

~~(n) "Rangeland" means any mapped, non-federal property that is used or has been used in the previous five (5) years for grazing livestock, and is neither cultivated nor irrigated.~~

~~(o) "Recovery unit" means one of the three geographic areas established by the Utah Prairie Dog Recovery Team for the protection and management of Utah prairie dogs - West Desert Recovery Unit, Paunsaugunt Recovery Unit, and Awapa Plateau Recovery Unit. Maps and boundaries of these units may be obtained from the division.~~

~~(p) "Unmapped" means any area of the state on non-federal land that is not classified as mapped by the division.~~

~~(q) "Utah prairie dog" or "prairie dog" means the genus and species *Cynomys parvidens*.~~

~~R657-70-3. Legal Status of Utah Prairie Dog.~~

~~(1) On federal land, the Utah prairie dog is listed as threatened under the Endangered Species Act of 1973 and subject to the federal laws, authorities and jurisdictions applicable to listed species.~~

~~(a) A person may not take a prairie dog on federal land, except as authorized by the:~~

~~(i) United States Fish and Wildlife Service and the federal regulations applicable to the species; and~~

~~(ii) division pursuant to this rule.~~

~~(2) On non-federal land, the Utah prairie dog is not subject to the Endangered Species Act of 1973 and is managed by State of Utah through the division.~~

~~(a) A person may not take a prairie dog on non-federal land, except as authorized by the Wildlife Code and this rule.~~

~~R657-70-4. Take of Utah Prairie Dogs on Federal Land.~~

~~(1) A person may not take a Utah prairie dog on federal land:~~

~~(a) except as authorized by the U.S. Fish and Wildlife Service and federal regulation; and~~

~~(b) without obtaining a certificate of registration from the division.~~

~~(2) Notwithstanding Subsection (1)(b), a certificate of registration is not required when a person receives an incidental take permit from the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.~~

~~R657-70-5. Take of Utah Prairie Dogs in Inhabited Structures on Non-federal Land.~~

~~(1)(a) Notwithstanding R657-70-13, any person, with the consent of the owner or lessee, may take a Utah prairie dog on non-federal land that is within the interior of a structure inhabited or occupied by people.~~

~~(b) For purposes of this section, an inhabited or occupied structure means a building where people live, work, or visit, such as a home, apartment, hotel, commercial or public office, public building, church, store, warehouse, business, work shop, restaurant, etc.~~

~~(2) A certificate of registration or prior notice to the division is not required to take a prairie dog under this section.~~

~~(3) A person that takes a prairie dog under this section is required to submit a monthly report to the division under R657-70-15.~~

~~R657-70-6. Take of Utah Prairie Dogs on Unmapped Land.~~

~~(1) A person may not take a Utah prairie dog on unmapped land, except as provided in this section and R657-70-8.~~

~~(2) A landowner or lessee of unmapped land may take a prairie dog on that land without a certificate of registration, provided:~~

~~(a) the division is notified prior to take and the property where take will occur is confirmed by the division to be unmapped land;~~

~~(b) take is performed exclusively by the individuals and under the conditions set forth in R657-70-13;~~

~~(c) take is restricted to the unmapped land owned by the landowner, or leased by the lessee; and~~

~~(d) the methods utilized to take prairie dogs are consistent with the limitations in R657-70-14;~~

~~(3) Prairie dogs may be taken pursuant to this section year-round and without numerical limitation.~~

~~(4) A person that takes a prairie dog under this section shall submit a monthly report to the division, as provided in R657-70-15.~~

~~R657-70-7. Take of Utah Prairie Dogs on Developed Land.~~

~~(1) A person may not take a Utah prairie dog on developed land, excepted as provided in this section and R657-70-8.~~

~~(2) A landowner or lessee of developed land may take a prairie dog on that land without a certificate of registration, provided:~~

~~(a) The division is notified prior to take and the property where take will occur is confirmed by the division to be developed land;~~

~~(b) Take is performed exclusively by the individuals and under the conditions set forth in R657-70-13;~~

~~(c) Take is restricted to the developed land owned by the landowner, or leased by the lessee; and~~

~~(d) The methods utilized to take prairie dogs are consistent with the limitations in R657-70-14;~~

~~(3) Prairie dogs may be taken pursuant to this section year around and without numerical limitation.~~

~~(4) A person that takes a prairie dog under this section shall submit a monthly report to the division, as provided in R657-70-15.~~

~~R657-70-8. Local Law Enforcement Take of Utah Prairie Dogs on Non-federal Land.~~

~~(1)(a) Upon request of a county, the division may issue a certificate of registration to the sheriff and deputies of that county authorizing them to take Utah prairie dogs threatening public health, safety or welfare on non-federal land within the municipal boundaries of any city or town in the county.~~

~~(b) Upon request of a city or town, the division may issue a certificate of registration to the law enforcement authority of that city or town authorizing it to take Utah prairie dogs threatening public health, safety or welfare on non-federal land within the municipal boundaries of the city or town.~~

~~(2) A certificate of registration issued to a law enforcement authority under this section may permit lethal take or live trapping and relocation to a division approved release site.~~

~~(3) A county sheriff or the municipal law enforcement authority issued a certificate of registration under this section will report annually or upon request by the division, the number of prairie dogs lethally removed and the number captured and relocated, including the release site locations.~~

~~R657-70-9. Range-wide Take Limit for Developable Land, Agriculture Land, and Rangeland.~~

~~(1) Except as provided in Subsection (2), no more than 6,000 Utah prairie dogs will be authorized for range-wide take annually on developable land, agriculture land, and rangeland.~~

~~(2)(a) When the range-wide spring count of adult prairie dogs on non-federal/non-protected lands exceeds 6,000 individuals, the annual 6,000 range-wide take limit will be increased by 1/2 the number counted in excess of 6,000.~~

~~(b) When, and as long as, the three year average spring count of adult prairie dogs on protected land in a single recovery unit reaches 2,000 individuals, all certificate of registration requirements and numerical take limitations on non-federal/non-protected land in that recovery unit will be removed.~~

~~(i) All other restrictions on prairie dog take in the recovery unit will remain in place and enforceable.~~

~~(3) Prairie dog take on unmapped land, developed land, and inhabited structures does not count against the 6,000 animal annual limit.~~

~~R657-70-10. Take of Utah Prairie Dogs on Developable Land.~~

~~(1) A person may not take a Utah prairie dog on developable land without first obtaining a certificate of registration from the division.~~

~~(2)(a)(i) A person may obtain a certificate of registration to take prairie dogs on developable land when:~~

~~(A) a construction project is proposed for a parcel of developable land; and~~

~~(B) construction on the project is imminent.~~

~~(ii) The project proponent must notify the division prior to disturbing the surface of the ground or building a structure on developable land.~~

~~(b) Upon receiving notice of the proposed construction project, the division will survey the subject property for the presence of prairie dogs.~~

~~(i) If the property is not occupied by prairie dogs, the division will issue a written notification to the project proponent authorizing the project to proceed.~~

~~(ii) If prairie dogs are discovered on the property, the division will first attempt to trap and relocate the animals to the extent feasible and in coordination with the project proponent.~~

~~(A) Prairie dogs trapped and relocated from July 1 through October 1 are not counted against the range-wide prairie dog limit in R657-70-9.~~

~~(iii) If the project proponent declines to delay the project for trapping, or when trapping is determined complete, the division will issue a certificate of registration to the project proponent authorizing take of all prairie dogs present or remaining on the property.~~

~~(A) All take is counted against the range-wide prairie dog limit in R657-70-9.~~

~~(3) Notwithstanding the limitations in R657-70-13, take may be performed by any person authorized by the project proponent.~~

~~(4) Take is allowed only on the property proposed for the project and identified in the certificate of registration.~~

~~(5) Prairie dogs may be taken pursuant to this section year around.~~

~~R657-70-11. Take of Utah Prairie Dogs on Agriculture Land.~~

~~(1) A person may not take a Utah prairie dog on agriculture land without first obtaining a certificate of registration from the division, except as provided in R657-70-7.~~

~~(2) A landowner or lessee of agriculture land may apply to the division for a certificate of registration to take prairie dogs damaging their agriculture land.~~

~~(a) The application shall include the:~~

~~(i) applicant's full name, mailing address, and phone number;~~

~~(ii) applicant's status as an owner or lessee of the property;~~

~~(iii) landowner's signature, and consent when the applicant is a lessee;~~

~~(iv) name and identifying information for each individual designated by the applicant and eligible under R657-70-13 to take prairie dogs on the property; and~~

~~(v) township, range, section, 1/4 section, and parcel number of the agricultural land where the prairie dogs will be taken.~~

~~(b) An application for a certificate of registration must be submitted to the division's southern region office at 1470 North Airport Road, Suite 1, Cedar City, Utah 84721, or online when available.~~

~~(c) Upon receipt of an application, the division will determine the maximum number of Utah prairie dogs that may be taken on the property under a certificate of registration.~~

~~(i) The division will calculate the yearly maximum take using the following criteria:~~

~~(A) 50% of prairie dog productivity on the property may be authorized for take when the three year average spring count on protected land in the recovery unit is 999 or less;~~

~~(B) 100% of prairie dog productivity on the property may be authorized for take when the three year average spring count on protected land in the recovery unit is between 1,000 and 1,249;~~

~~(C) 100% of prairie dog productivity and 33% of spring count on the property may be authorized for take when three year average spring count on protected land in the recovery unit is between 1,250 and 1,499;~~

~~(D) 100% of prairie dog productivity and 66% of spring count on the property may be authorized for take when three year average spring count on protected land in the recovery unit is between 1,500 and 1,999; and~~

~~(E) Unlimited take is authorized without a certificate of registration when the three year average spring count on protected land in the recovery unit is 2,000 or greater.~~

~~(3)(a) After review of the application and determining the maximum take limit for the property, a certificate of registration may be issued.~~

~~(b) The certificate of registration will identify:~~

~~(i) the name of the property owner, lessee, or other person authorized to take prairie dogs on the property;~~

~~(ii) the maximum number of prairie dogs that may be taken on the property; and~~

~~(iii) a general description of the location and boundaries of the subject property.~~

~~(c) A certificate of registration shall be issued on an individual basis and shall be valid only for the person to whom it is issued.~~

~~(d) A certificate of registration is not transferrable and must be signed by the holder prior to use.~~

~~(e) If the application and permitting process is accomplished by U.S. Mail, the certificate of registration shall only become valid after a copy of the signed certificate of registration is received by the division's southern regional office.~~

~~(4) Prairie dogs allowed by the landowner or lessee to be trapped on the property and relocated by the division between July 1 and October 1 - before lethal take - will not count against the range-wide prairie dog limit in R657-70-9 or the property's maximum take limit identified on the certificate of registration unless the landowner or leesee is enrolled in the damage compensation program.~~

~~(5)(a) A landowner or lessee that obtains a certificate of registration to take prairie dogs on agriculture land and thereafter agrees with the division to allow trapping and relocation efforts on the property before lethally taking prairie dogs, may receive compensation for the damage caused by prairie dogs during the trapping period.~~

~~(i) Participation in the damage compensation program is voluntary on the part of the landowner or lessee and discretionary on the part of the division.~~

~~(ii) Only properties with a spring count of 50 or more prairie dogs are eligible for participation in the program.~~

~~(iii) Compensation will be based on the number of prairie dogs on the property and the associated damage estimate between May 1 and September 30.~~

~~(b)(i) A landowner or lessee must apply to participate in the damage compensation program by submitting a written application to the division that includes:~~

~~(A) the applicant's full name, mailing address; and phone number;~~

~~(B) the township, range, section, 1/4 section and parcel number of the agricultural land where the prairie dogs will trapped;~~

~~(C) proof that the applicant is the fee title owner or lessee of the agricultural land where the prairie dogs will be trapped; and~~

~~(D) the landowner's signature, or the lessee's and landowner's signature when the applicant is the lessee.~~

~~(ii) An application to participate in the damage compensation program must be submitted:~~

~~(A) to the division's southern region office at 1470 North Airport Road, Suite 1, Cedar City, Utah 8472, or online when available; and~~

~~(B) by May 15 of the year for which compensation is requested.~~

~~(iii) Applications for damage compensation will be evaluated by the division and granted based on the:~~

~~(A) availability of compensation funding;~~

~~(B) number and density of prairie dogs that the division determines are present on the property;~~

~~(C) ease and efficiency by which prairie dogs can be trapped and relocated;~~

~~(D) availability of release sites;~~

~~(E) availability of division personnel and funding to trap and relocate; and~~

~~(F) degree of expected damage during the trapping period.~~

~~(iv) Nothing herein shall be construed as guaranteeing that an application to participate in the damage compensation program will be granted or that all persons desiring to participate in the program will have the opportunity to do so.~~

~~(c) Compensation for prairie dog damage will be based on the following criteria, regardless of the crop involved:~~

~~(i) the estimated number of prairie dogs on the property where trapping will occur;~~

~~(A) the division will estimate prairie dog numbers by counting visible prairie dogs on the property in the spring, doubling that number to account for adults below ground, and multiplying the result by 2.6 to account for juvenile production.~~

~~(ii) each adult prairie dog consuming 0.75 pounds of alfalfa a day and each juvenile 0.375 pounds a day;~~

~~(iii) adult prairie dogs causing damage five months per year and juveniles four months per year;~~

~~(iv) the market price of the alfalfa at the time the contract referenced in Subsection (d) is executed; and~~

~~(v) an additional 10% for damage to farming equipment and fences.~~

~~(d) The division will enter into a written contract with successful applicants possessing eligible property and a certificate of registration to take prairie dogs on their agriculture land that:~~

~~(i) suspends lethal removal efforts by the landowner or lessee until the division completes prairie dog trapping on the property; and~~

~~(ii) identifies the monetary compensation the landowner or lessee will receive from the division for seasonal prairie dog damage anticipated to occur.~~

~~(e) All prairie dogs trapped and relocated under a compensation agreement will count against the range-wide prairie dog limit in R657-70-9 and the property's maximum take limit identified on the certificate of registration.~~

~~(f) Once trapping is completed, the division will deduct the number of trapped prairie dogs from the certificate of registration's original take limit and notify the landowner or lessee:~~

~~(i) of the adjusted take limit; and~~

~~(ii) that removing prairie dogs from the property pursuant to the terms of the adjusted certificate of registration is permitted.~~

~~(6) The division may issue a certificate of registration authorizing a landowner or lessee to take prairie dogs dispersing from the property targeted for trapping under Subsections (4) or (5) to other areas of the property or adjacent properties that do not have a preexisting colony.~~

~~(7)(a) Only those people specifically identified in R657-70-13 and on a certificate of registration to take prairie dogs on agriculture land may do so.~~

~~(b) Take is restricted to the agriculture land owned by the landowner, or leased by the lessee.~~

~~(c) Prairie dogs may be taken on agriculture land only with firearms, archery equipment, and kill traps.~~

~~(d) Prairie dogs may be taken under this section from June 1 to December 31, and in number not to exceed that identified on the certificate of registration.~~

~~(8) A person that takes a prairie dog under this section shall submit a monthly report to the division, as provided in R657-70-15.~~

~~R657-70-12. Take of Utah Prairie Dogs on Rangeland.~~

~~(1) A person may not take a Utah prairie dog on rangeland without first obtaining a certificate of registration from the division.~~

~~(2) A landowner or lessee of rangeland may apply for and obtain a certificate of registration from the division to take prairie dogs damaging rangeland under the same procedures and conditions provided in R657-70-11 for taking prairie dogs on agriculture land, except monetary compensation is not available for rangeland damage.~~

~~R657-70-13. Individuals Authorized to Take Utah Prairie Dogs on Federal and Non-federal Lands.~~

~~(1) Except as provided in R657-70-8 and R657-70-10(3), only the following individuals may take a Utah prairie dog when take is authorized under the provisions of this chapter:~~

~~(a) landowner;~~

~~(b) lessee, when authorized by the landowner to take prairie dogs on the property;~~

~~(c) immediate family member of the landowner or lessee, when authorized by the landowner to take prairie dogs on the property;~~

~~(d) employee of the landowner or lessee that is on a regular payroll and not hired specifically to take prairie dogs, when authorized by the landowner to take prairie dogs on the property; and~~

~~(e) designee of the landowner or lessee that possesses a certificate of registration from the division, as provided in Subsection (2).~~

~~(2)(a) A person other than a landowner, lessee, or their immediate family member, or an employee on a regular payroll not hired specifically to take prairie dogs, may apply for a certificate of registration to take prairie dogs as a designee of the landowner or lessee, provided the application includes:~~

~~(i) the applicant's:~~

~~(A) full name;~~

~~(B) complete mailing address;~~

~~(C) phone number;~~

~~(D) date of birth;~~

~~(E) weight and height;~~

~~(F) gender; and~~

~~(G) color of hair and eyes;~~

~~(ii) the township, range, section, 1/4 section and parcel number of the agricultural lands where the prairie dogs will be taken;~~

~~(iii) justification for utilization of the designee;~~

~~(iv) the landowner's signature or the lessee's and landowner's signature when the applicant is the lessee's designee; and~~

~~(v) verification that the designee will not pay or receive any form of compensation for taking prairie dogs on the landowner's or lessee's property.~~

~~(b) An application for a certificate of registration must be submitted to the division's southern region office at 1470 North Airport Road, Suite 1, Cedar City, Utah 84721 or online when available.~~

~~(c) A maximum of two designee certificates of registration may be issued per landowner and lessee each year.~~

~~(d) Each designee application shall be considered individually based upon the information, explanation and justification provided.~~

~~(e) An applicant must be at least 14 years of age at the time of application and must abide by the provisions for children being accompanied by adults while hunting with a weapon pursuant to Section 23-20-20.~~

~~(f)(i) After review of the application, a certificate of registration may be issued.~~

~~(ii) A certificate of registration shall be issued on an individual basis and shall be valid only for the person to whom it is issued.~~

~~(iii) A certificate of registration is not transferrable and must be signed by the holder prior to use.~~

~~(g) If the application and permitting process is accomplished by U.S. Mail, the certificate of registration shall only become valid after a copy of the signed certificate of registration is received by the division's southern regional office.~~

~~**R657-70-14. Methods of Take.**~~

~~(1)(a) A person authorized to take a Utah prairie dog under this chapter may lethally remove the animal using any means permitted by state, local, and federal law.~~

~~(b) Environmental Protection Agency regulations currently prohibit the use of toxicants and fumigants on Utah prairie dogs.~~

~~(2) Except as provided in R657-70-8 or as authorized by the division in a certificate of registration, a person may not:~~

~~(a) capture or attempt to capture a prairie dog alive;~~

~~(b) possess a live prairie dog; or~~

~~(c) release a prairie dog to the wild.~~

~~**R657-70-15. Monthly Reports on Take of Utah Prairie Dogs.**~~

~~(1) The following information must be reported every 30 days to the division's southern region office at 1470 North Airport Road, Suite 1, Cedar City, Utah 84720, or online when available:~~

~~(a) the name and signature of the landowner, lessee, or certificate of registration holder;~~

~~(b) the person's certificate of registration number (where applicable);~~

~~(c) the number of prairie dogs taken; and~~

~~(d) the location and method of disposal of each prairie dog taken during the 30-day period.~~

~~(2) Failure to report the information required in Subsection (1), within 30 days, may result in the denial of future opportunity to take prairie dogs.~~

~~**R657-70-16. Take on Protected Land.**~~

~~(1) Notwithstanding any other provision in this chapter authorizing take of prairie dogs, a person may not take a Utah prairie dog on protected land set aside by contractual agreement or law for the protection and conservation of Utah prairie dogs.~~

~~**KEY: wildlife, game laws**~~

~~**Date of Enactment or Last Substantive Amendment: August 7, 2015**~~

~~**Authorizing, and Implemented or Interpreted Law: 23-14-1; 23-14-3; 23-14-18; 23-14-19**~~**]**

End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **Proposed Rule**; continue the rule as it is by filing a **Five-Year Notice of Review and Statement of Continuation (Review)**; or amend the rule by filing a **Proposed Rule** and by filing a **Review.** By filing a **Review**, the agency indicates that the rule is still necessary.

A **Review** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at https://rules.utah.gov/. The rule text may also be inspected at the agency or the Office of Administrative Rules. **Reviews** are effective upon filing.

Reviews are governed by Section 63G-3-305.

Environmental Quality, Water Quality
R317-1
Definitions and General Requirements

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42048
FILED: 08/30/2017

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsection 19-5-104(3)(e) authorizes the Utah Water Quality Board (Board) to establish and conduct a continuing planning process for control of water pollution, including the specification and implementation of maximum daily loads of pollutants. Subsection 19-5-104(1) authorizes the Board to make rules which implement or effectuate the powers and duties of the Board. Section R317-1-10 governs the process for implementation of Section 19-5-105.3 that provides for a permittee to challenge a decision by the Division of Water Quality (DWQ) through an Independent Peer Review process. In addition, this rule outlines the process for conducting an Independent Scientific Review when the Director determines that an assessment may have a significant financial impact on stakeholders or when an action may be precedent-setting or controversial.

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 has been amended since the last five-year review. New definitions have been added. Subsection R317-1-3(3.3) has been replaced with new procedures for determining limits to pollution of water bodies from excessive nutrients; and Section R317-1-7 has been amended five times since the last five-year review. The limited comments which were received during those rulemaking actions addressed technical issues and were generally of a noncontroversial nature. A new Section R317-1-10 adds a provision for the DWQ to initiate an Independent Scientific Review when the Director determines that an issue may have a significant financial impact on stakeholders or when an action may be precedent-setting or controversial. Comments received during hearings and the public comment periods for the rule changes have been addressed through preparation of responsiveness summaries by DWQ staff and presented to the Water Quality Board for consideration during the rulemaking process.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule provides definitions and general requirements for implementation of the Utah Water Quality Act. It is central to the implementation of the Act, in that it provides the general framework for control of water pollution, including the requirements for construction permits, compliance with state Water Quality Standards, and requirements for waste discharges. Section R317-1-7 defines which waterbodies have TMDL determinations completed for them and adopts by reference the limits and recommendations contained therein. Incorporating TMDLs into rule by reference is important for implementing pollution controls and attaining water quality standards including the regulatory requirements set forth in stormwater and wastewater discharge permits and voluntary implementation of best management practices for nonpoint sources of pollution. Section R317-1-10 is required by Section 19-5-105.3 and provides a clear and consistent process for the Division to engage in independent scientific review. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
WATER QUALITY
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Judy Etherington by phone at 801-536-4344, by FAX at 801-536-4301, or by Internet E-mail at jetherington@utah.gov

AUTHORIZED BY: Erica Gaddis, Director

EFFECTIVE: 08/30/2017

Health, Health Care Financing, Coverage and Reimbursement Policy

R414-2B

Inpatient Intensive Physical Rehabilitation Services

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42046
FILED: 08/29/2017

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 26-1-5 grants the Department of Health (Department) the authority to adopt, amend, or rescind rules as necessary to implement the Medicaid program. In addition, Section 26-18-3 requires the Department to implement the Medicaid program through administrative rules.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department did not receive any written or oral comments regarding this rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The Department will continue this rule because it implements inpatient intensive physical rehabilitation services for Medicaid members as described in the Hospital Services Provider Manual and in the Medicaid State Plan.

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

AUTHORIZED BY: Joseph Miner, MD, Executive Director

EFFECTIVE: 08/29/2017

Health, Health Care Financing, Coverage and Reimbursement Policy

R414-29

Client Review/Education and Restriction Policy

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42036
FILED: 08/22/2017

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 26-18-3 requires the Department of Health (Department) to implement Medicaid policy through administrative rules. In addition, 42 CFR 431.54(e) authorizes restrictions on Medicaid members who over utilize Medicaid services, and 42 CFR 456.3 requires the Department to implement safeguards that prevent unnecessary or inappropriate use of Medicaid services.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: After filing a proposed change to this rule near the end of 2012, the Department received comments from the Utah Office of Inspector General (OIG) that expressed concern over a provision which allowed members of the Restriction Program to make verbal requests to change their Pharmacy or Restriction Case Manager. OIG objected to this provision because it felt that only written

requests are appropriate and necessary to create an audit trail to prevent overutilization of services and subsequent waste and abuse. Thus, to provide flexibility with tighter controls, OIG submitted its own proposed language to define emergency circumstances that would allow a Medicaid member to make a verbal request. This language, in effect, allowed a pharmacy to provide an emergency three-day supply of any prescription at any time as long as the member's verbal request met one of the criterion of a qualifying emergency as outlined in OIG's proposed language.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: In its response, the Department emphasized that verbal requests are only "requests" and not verbal "changes". The Department still maintains notes in the Medicaid Managed Care System (MMCS) to record requests and actions by case workers. In addition, the case worker is required to evaluate and investigate circumstances surrounding the request and to make a decision as to the appropriateness of the change. The Department also emphasized that the requirement for written requests may present access-to-care problems that a simple member phone call would prevent. The Department further stated that the emergency changes proposed by OIG are actually too lenient and provide even less control over pharmacies by allowing pharmacies to provide an emergency three-day supply of any prescription at any time, thus giving pharmacies more latitude in dispensing drugs. OIG was satisfied with the Department's response and did not pursue the suggested changes. Regardless, the Department filed a change to the proposed rule in 2013 to clarify restriction policies and procedures based on the Department's own internal review. The Department will continue this rule because it implements a restriction program for Medicaid members who overutilize Medicaid services, and allows the Department to provide cost effective and medically necessary services to all Medicaid members.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

AUTHORIZED BY: Joseph Miner, MD, Executive Director

EFFECTIVE: 08/22/2017

Health, Health Care Financing, Coverage and Reimbursement Policy

R414-70

Medical Supplies, Durable Medical Equipment, and Prosthetic Devices

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 42037
FILED: 08/22/2017

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 26-18-3 requires the Department of Health (Department) to implement Medicaid policy through administrative rules, and 42 CFR 440.70 authorizes the use of medical supplies and durable medical equipment (DME) as home health services.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department did not receive any written or oral comments regarding this rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The Department will continue this rule because it implements policy for Medicaid members to receive medical supplies, DME, and prosthetic devices as either optional services, mandatory services, or services provided in long-term care facilities.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

AUTHORIZED BY: Joseph Miner, MD, Executive Director

EFFECTIVE: 08/22/2017

Insurance, Administration
R590-96
Rule to Recognize New Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42034
FILED: 08/18/2017

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 31A-2-201 authorizes the Insurance Commissioner to make rules to implement the provisions of the Insurance Code, Title 31A. Section 31A-17-505 authorizes the Commissioner to make rules to approve mortality tables used in determining the minimum standard of valuation for annuity contracts. The rule approves specific mortality tables for individual group annuity or pure endowment contracts.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department of Insurance has not received any written comments regarding this rule during the past five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is necessary because it sets reserving standards. In the absence of the rule, an insurer would be able to hold lower, inadequate reserves that could result in the insolvency of the insurance company. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
INSURANCE
ADMINISTRATION
ROOM 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY, UT 84114-1201
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 08/18/2017

Insurance, Administration
R590-216
Standards for Safeguarding Customer Information

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42035
FILED: 08/18/2017

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsections 31A-2-202(1), 31A-2-201(2), and 31A-2-201(3)(a) authorize the Insurance Commissioner to administer, enforce, and make administrative rules to implement the provisions of the Insurance Code, Title 31A. Title V, Section 505 (15 U.S.C. 6805) authorizes the Commissioner to enforce Subtitle A of Title V of the Gramm-Leach-Bliley Act of 1999 (15 U.S.C. 6801 through 6820). Title V, Section 505 (15 U.S.C. 6805(b)(2)) authorizes the Commissioner to issue rules to implement the requirements of Title V, Section 501(b) of the federal act. Subsection 31A-23a-417(3) authorizes the Commissioner to adopt rules implementing the requirements of Title V, Section 501(b) of the federal act.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department of Insurance has received no written comments regarding this rule during the past five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule implements the requirements of federal law regarding the disclosure of nonpublic personal information. It establishes standards applicable to department licensees to assist them in developing and implementing administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of customer information. As long as the federal law regarding the privacy of non-public personal information is in force, and as long as the insurance industry continues to collect this type of information regarding their customers, this rule will be necessary. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
INSURANCE
ADMINISTRATION
ROOM 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY, UT 84114-1201
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 08/18/2017

Natural Resources, Parks and Recreation
R651-227
Boating Safety Course Fees

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42045
FILED: 08/28/2017

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 governed by Subsection 73-18-15.2(7) which states the Division of Utah Parks and Recreation may collect fees set by the board in accordance with Section 63J-1-504 from each person who takes the Division of Utah Parks and Recreation's boating safety course to help defray the cost of the boating safety course.

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 or collected.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Boating safety course fees are a necessity to defray the cost of the course. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
PARKS AND RECREATION
ROOM 116
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Tammy Wright by phone at 801-538-7359, by FAX at 801-538-7378, or by Internet E-mail at tammywright@utah.gov

AUTHORIZED BY: Fred Hayes, Director

EFFECTIVE: 08/28/2017

Natural Resources; Forestry, Fire and State Lands
R652-121
Wildland Fire Suppression Fund

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 42044
FILED: 08/28/2017

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 implements Article XVIII of the Utah Constitution and Section 65A-8-204 and provides for administration of the Wildland Fire Suppression Fund under the authority of Section 65A-8-207. The Wildland Fire Suppression Fund may be used to pay the costs of wildland fire suppression on state-owned land and for wildland fire suppression costs except initial attack costs on non-federal land within the jurisdiction of a county, municipality, or other eligible entity that has entered into a cooperative agreement with the Division and is complying with the terms of the cooperative agreement.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Division has received no written comments regarding this rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is essential for the continued statutory application of the Wildland Fire Suppression Fund and the health of the Wildland Fire Program. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
FORESTRY, FIRE AND STATE LANDS
1594 W NORTH TEMPLE STE 3520
SALT LAKE CITY, UT 84116-3154
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Jamie Phillips-Barnes by phone at 801-538-5421, by FAX at 801-533-4111, or by Internet E-mail at jamiebarnes@utah.gov

AUTHORIZED BY: Brian Cottam, Director

EFFECTIVE: 08/28/2017

End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF
FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **Notice of Five-Year Review Extension** (**Extension**) with the Office of Administrative Rules. The **Extension** permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed **Extensions** for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date.

Extensions are governed by Subsection 63G-3-305(6).

Governor, Energy Development (Office of)
R362-1
Qualification for the Alternative Energy Development Tax Credit

FIVE-YEAR REVIEW EXTENSION
DAR FILE NO.: 42043
FILED: 08/28/2017

EXTENSION REASON AND NEW DEADLINE: The Office of Energy Development is requesting this extension to provide the needed time to fully consider amending and/or repealing and rewriting this administrative rule. The new deadline is 01/22/2018.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Robert Simmons by phone at 801-657-2867, or by Internet E-mail at rsimmons@utah.gov

AUTHORIZED BY: Laura Nelson, Executive Director

EFFECTIVE: 08/28/2017

Governor, Energy Development (Office of)
R362-2
Renewable Energy Systems Tax Credits

FIVE-YEAR REVIEW EXTENSION
DAR FILE NO.: 42039
FILED: 08/24/2017

EXTENSION REASON AND NEW DEADLINE: The Office of Energy Development is requesting this extension to provide the needed time to fully consider amending and/or repealing and rewriting this administrative rule. The new deadline is 12/28/2017.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Robert Simmons by phone at 801-657-2867, or by Internet E-mail at rsimmons@utah.gov

AUTHORIZED BY: Laura Nelson, Executive Director

EFFECTIVE: 08/24/2017

Governor, Energy Development (Office of)
R362-3
Energy Efficiency Fund

FIVE-YEAR REVIEW EXTENSION
DAR FILE NO.: 42040
FILED: 08/24/2017

EXTENSION REASON AND NEW DEADLINE: The Office of Energy Development is requesting this extension to provide the needed time to fully consider amending and/or repealing and rewriting this administrative rule. The new deadline is 12/28/2017.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Robert Simmons by phone at 801-657-2867, or by Internet E-mail at rsimmons@utah.gov

AUTHORIZED BY: Laura Nelson, Executive Director

EFFECTIVE: 08/24/2017

NOTICES OF
RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **Proposed Rules** or **Changes in Proposed Rules** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **Changes in Proposed Rules** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **Notice of Effective Date** within 120 days from the publication of a **Proposed Rule** or a related **Change in Proposed Rule** the rule lapses.

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

Notices of Effective Date are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Abbreviations
AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal & Reenact
REP = Repeal

Commerce
Occupational and Professional Licensing
No. 41843 (AMD): R156-22. Professional Engineers and Professional Land Surveyors Licensing Act Rule
Published: 07/15/2017
Effective: 08/21/2017

Health
Disease Control and Prevention, Epidemiology
No. 41831 (AMD): R386-703. Injury Reporting Rule
Published: 07/01/2017
Effective: 08/23/2017

Human Resource Management
Administration
No. 41805 (AMD): R477-1. Definitions
Published: 07/01/2017
Effective: 08/30/2017

No. 41806 (AMD): R477-2. Administration
Published: 07/01/2017
Effective: 08/30/2017

No. 41808 (AMD): R477-8. Working Conditions
Published: 07/01/2017
Effective: 08/30/2017

Human Services
Child and Family Services
No. 41842 (AMD): R512-205. Child Protective Services, Investigation of Domestic Violence Related Child Abuse
Published: 07/15/2017
Effective: 08/28/2017

Insurance
Administration
No. 41867 (NEW): R590-274. Submission and Required Disclosures of Public Adjuster Contracts
Published: 07/15/2017
Effective: 08/23/2017

Money Management Council
Administration
No. 41866 (AMD): R628-4. Bonding of Public Treasurers
Published: 07/15/2017
Effective: 08/21/2017

No. 41862 (AMD): R628-15. Certification as an Investment Adviser
Published: 07/15/2017
Effective: 08/21/2017

Natural Resources
Wildlife Resources
No. 41853 (AMD): R657-20. Falconry
Published: 07/15/2017
Effective: 08/21/2017

Transportation
Program Development
No. 41884 (AMD): R926-11. Clean Fuel Vehicle Decal Program
Published: 07/15/2017
Effective: 08/23/2017

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, 2017 through September 01, 2017. The Rules Index is published in the Utah State Bulletin and in the annual Utah Administrative Rules Index of Changes. Nonsubstantive changes, while not published in the Bulletin, do become part of the Utah Administrative Code (Code) and are included in this Index, as well as 120-Day (Emergency) rules that do not become part of the Code. The rules are indexed by Agency (Code Number) and Keyword (Subject).

Questions regarding the index and the information it contains should be addressed to the Office of Administrative Rules (801-538-3003).

A copy of the **Rules Index** is available for public inspection at the Office of Administrative Rules (5110 State Office Building, Salt Lake City, UT), or may be viewed online at the Office's web site (https://rules.utah.gov/).

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

AMD = Amendment (Proposed Rule)
CPR = Change in Proposed Rule
EMR = 120-Day (Emergency) Rule
EXD = Expired Rule
EXP = Expedited Rule
EXT = Five-Year Review Extension
GEX = Governor's Extension
LNR = Legislative Nonreauthorization
NEW = New Rule (Proposed Rule)
NSC = Nonsubstantive Rule Change
R&R = Repeal and Reenact (Proposed Rule)
REP = Repeal (Proposed Rule)
5YR = Five-Year Notice of Review and Statement of Continuation

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ADMINISTRATIVE SERVICES					
Debt Collection					
R21-1	Transfer of Collection Responsibility of State Agencies	41374	NSC	04/10/2017	Not Printed
R21-1	Transfer of Collection Responsibility of State Agencies	41743	5YR	06/07/2017	2017-13/229
R21-2	Office of State Debt Collection Administrative Procedures	41376	5YR	03/17/2017	2017-8/59
R21-3	Debt Collection Through Administrative Offset	41377	5YR	03/17/2017	2017-8/59
Facilities Construction and Management					
R23-1	Procurement Rules with Numbering Related to the Procurement Code	41266	5YR	02/01/2017	2017-4/57
R23-3	Planning, Programming, Request for Capital Development Projects and Operation and Maintenance Reporting	40947	AMD	01/20/2017	2016-23/6
R23-3	Planning, Programming, Request for Capital Development Projects and Operation and Maintenance Reporting for State Owned Facilities	41578	AMD	07/12/2017	2017-11/6
R23-3-4	Authorization of Programs	41666	NSC	07/19/2017	Not Printed
R23-19	Facility Use Rules	41267	5YR	02/01/2017	2017-4/57
R23-20	Free Speech Activities	41268	5YR	02/01/2017	2017-4/58
R23-30	State Facility Energy Efficiency Fund	40946	AMD	01/20/2017	2016-23/11
Finance					
R25-5	Payment of Per Diem to Boards	41796	NSC	06/29/2017	Not Printed
R25-7	Travel-Related Reimbursements for State Employees	41127	EMR	01/06/2017	2017-3/71
R25-7	Travel-Related Reimbursements for State Employees	41147	AMD	03/10/2017	2017-3/2
R25-7	Travel-Related Reimbursements for State Employees	41797	EMR	07/01/2017	2017-13/221
R25-7	Travel-Related Reimbursements for State Employees	41798	AMD	08/07/2017	2017-13/8
R25-14	Payment of Attorney's Fees in Death Penalty Cases	41124	5YR	01/06/2017	2017-3/79
R25-20	Indigent Defense Funds Board, Procedures for Electronic Meetings	41327	5YR	02/21/2017	2017-6/29
Fleet Operations					
R27-1	Definitions	41105	AMD	02/21/2017	2017-2/4
R27-3	Vehicle Use Standards	41106	AMD	02/21/2017	2017-2/6
R27-4	Vehicle Replacement and Expansion of State Fleet	41107	AMD	02/21/2017	2017-2/12

R27-7	Safety and Loss Prevention of State Vehicles	41609	AMD	07/11/2017	2017-11/11

Inspector General of Medicaid Services (Office of)

R30-1	Office of Inspector General of Medicaid Services	41487	5YR	04/21/2017	2017-10/163

Purchasing and General Services

R33-1	Utah Procurement Rule, General Procurement Provisions	41534	AMD	06/21/2017	2017-10/4
R33-4	Supplemental Procurement Procedures	41535	AMD	06/21/2017	2017-10/7
R33-4-101b	Vendors with Exclusive Authorization to Bid	41292	NSC	03/06/2017	Not Printed
R33-5	Other Standard Procurement Processes	41536	AMD	06/21/2017	2017-10/10
R33-5	Other Standard Procurement Processes	41665	NSC	06/26/2017	Not Printed
R33-6	Bidding	41539	AMD	06/21/2017	2017-10/15
R33-7	Request for Proposals	41540	AMD	06/21/2017	2017-10/18
R33-8	Exceptions to Standard Procurement Process	41544	AMD	06/21/2017	2017-10/27
R33-8-102	Adding Additional Funds to a Contract	41023	AMD	02/02/2017	2016-24/4
R33-9	Cancellations, Rejections, and Debarment	41545	AMD	06/21/2017	2017-10/31
R33-11	Form of Bonds	41546	AMD	06/21/2017	2017-10/35
R33-12	Terms and Conditions, Contracts, Change Orders and Costs	41547	AMD	06/21/2017	2017-10/37
R33-13	General Construction Provisions	41548	AMD	06/21/2017	2017-10/43
R33-15	Procurement of Design Profession Services	41549	AMD	06/21/2017	2017-10/47
R33-16	Protests	40898	AMD	01/20/2017	2016-22/10
R33-16	Protests	41550	AMD	06/21/2017	2017-10/48
R33-17	Procurement Appeals Board	41551	AMD	06/21/2017	2017-10/51
R33-18	Appeals to Court and Court Proceedings	41552	AMD	06/21/2017	2017-10/54
R33-19-101	Encouraged to Obtain Legal Advice From Legal Counsel	41553	AMD	06/21/2017	2017-10/55
R33-21-201e	Division May Charge Administrative Fees on State Cooperative Contracts - Prohibition Against Other Procurement Units Charging Fees on State Contracts	41554	AMD	06/21/2017	2017-10/56
R33-25	Executive Branch Insurance Procurement	41555	AMD	06/21/2017	2017-10/57

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R35-1-2	Procedures for Appeal Hearings	41478	AMD	06/22/2017	2017-9/2
R35-2-2	Declining Requests for Hearings	41479	AMD	06/22/2017	2017-9/4

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R37-1	Risk Management General Rules	41601	5YR	05/05/2017	2017-11/209
R37-2	Risk Management State Workers' Compensation Insurance Administration	41602	5YR	05/05/2017	2017-11/210
R37-3	Risk Management Adjudicative Proceedings	41603	5YR	05/05/2017	2017-11/210
R37-4	Adjusted Utah Governmental Immunity Act Limitations on Judgments	41604	5YR	05/05/2017	2017-11/211

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R51-2	Administrative Procedures for Informal Proceedings Before the Utah Department of Agriculture and Food	41120	5YR	01/03/2017	2017-2/45

Animal Industry

R58-1	Admission, Identification, and Inspection of Livestock, Poultry, and Other Animals	41168	5YR	01/12/2017	2017-3/79
R58-3	Brucellosis Vaccination Requirements	41164	5YR	01/12/2017	2017-3/80
R58-6	Poultry	41165	5YR	01/12/2017	2017-3/80
R58-11	Slaughter of Livestock and Poultry	40951	AMD	01/12/2017	2016-23/16
R58-11	Slaughter of Livestock and Poultry	41372	NSC	04/05/2017	Not Printed
R58-11	Slaughter of Livestock and Poultry	41467	NSC	05/15/2017	Not Printed
R58-18	Elk Farming	41162	5YR	01/12/2017	2017-3/81
R58-19	Compliance Procedures	41194	5YR	01/18/2017	2017-4/58
R58-21	Trichomoniasis	41471	AMD	06/14/2017	2017-9/5
R58-22	Equine Infectious Anemia (EIA)	41163	5YR	01/12/2017	2017-3/81
R58-23	Equine Viral Arteritis (EVA)	41167	5YR	01/12/2017	2017-3/82

Horse Racing Commission (Utah)

R52-7	Horse Racing	41102	AMD	03/06/2017	2017-1/4

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R65-5	Utah Red Tart and Sour Cherry Marketing Order	41860	5YR	06/29/2017	2017-14/53
R65-11	Utah Sheep Marketing Order	41859	5YR	06/29/2017	2017-14/53

Plant Industry

R68-15	Quarantine Pertaining to Japanese Beetle, (Popillia Japonica)	41997	5YR	08/03/2017	2017-17/211
R68-19	Compliance Procedures	41195	5YR	01/18/2017	2017-4/59
R68-23	Utah Firewood Quarantine	41675	NEW	08/03/2017	2017-12/8

Regulatory Services

R70-101	Bedding, Upholstered Furniture and Quilted Clothing	40918	AMD	01/26/2017	2016-22/12
R70-101	Bedding, Upholstered Furniture and Quilted Clothing	41371	NSC	04/05/2017	Not Printed
R70-201	Compliance Procedures	41160	5YR	01/12/2017	2017-3/82
R70-320	Minimum Standards for Milk for Manufacturing Purposes, Its Production and Processing	41166	5YR	01/12/2017	2017-3/83
R70-350	Ice Cream and Frozen Dairy Food Standards	41159	5YR	01/12/2017	2017-3/83
R70-360	Procedure for Obtaining a License to Test Milk for Payment	41161	5YR	01/12/2017	2017-3/84
R70-520	Standard of Identity and Labeling Requirements for Honey	41861	5YR	06/29/2017	2017-14/54
R70-530	Food Protection	41344	5YR	03/06/2017	2017-7/81
R70-530	Food Protection	41370	NSC	04/05/2017	Not Printed
R70-550	Utah Inland Shellfish Safety Program	41158	5YR	01/12/2017	2017-3/84
R70-560	Inspection and Regulation of Cottage Food Production Operations	41157	5YR	01/12/2017	2017-3/85

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Administration

R81-3-14	Type 5 Package Agencies	40922	AMD	01/03/2017	2016-22/16
R81-4	Retail Licenses	40924	NEW	01/03/2017	2016-22/17
R81-8	Manufacturer Licenses (Distillery, Winery, Brewery)	40923	AMD	01/03/2017	2016-22/19

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Administration

R105-1	Attorney General's Selection of Outside Counsel, Expert Witnesses and Other Litigation Support Services	40950	AMD	01/20/2017	2016-23/19
R105-1	Attorney General's Selection of Outside Counsel, Expert Witnesses and Other Litigation Support Services	41466	5YR	04/10/2017	2017-9/41
R105-1-6	Small Purchases	41295	NSC	03/06/2017	Not Printed

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R123-3	State Auditor Adjudicative Proceedings	41764	5YR	06/07/2017	2017-13/230
R123-4	Public Petitions for Declaratory Orders	41765	5YR	06/07/2017	2017-13/230
R123-5	Audit Requirements for Audits of Political Subdivisions and Nonprofit Organizations	41766	5YR	06/07/2017	2017-13/231

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R131-3	Use of Magnetometers on Capitol Hill	41573	5YR	05/02/2017	2017-11/211

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R152-34	Postsecondary Proprietary School Act Rules	41610	5YR	05/08/2017	2017-11/212
Occupational and Professional Licensing					
R156-1	General Rule of the Division of Occupational and Professional Licensing	41299	AMD	04/11/2017	2017-5/8
R156-5a	Podiatric Physician Licensing Act Rule	41047	AMD	02/07/2017	2017-1/11
R156-11a	Barber, Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act Rule	41198	5YR	01/19/2017	2017-4/59
R156-11a	Barber, Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act Rule	41260	AMD	03/27/2017	2017-4/4
R156-16a	Optometry Practice Act Rule	41275	5YR	02/02/2017	2017-5/61
R156-16a-304	Continuing Education	41110	AMD	02/21/2017	2017-2/18
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rule	41706	5YR	05/30/2017	2017-12/35
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rule	41843	AMD	08/21/2017	2017-14/7
R156-22-302c	Qualifications for Licensure - Experience Requirements	41286	NSC	03/06/2017	Not Printed
R156-24b-102	Definitions	41474	AMD	06/08/2017	2017-9/8
R156-31b-502	Unprofessional Conduct	41308	NSC	03/06/2017	Not Printed
R156-31b-703b	Scope of Nursing Practice Implementation	41113	NSC	01/18/2017	Not Printed
R156-37	Utah Controlled Substances Act Rule	41289	5YR	02/06/2017	2017-5/61
R156-37f-301	Access to Database Information	41339	NSC	04/05/2017	Not Printed
R156-37f-303	Access to Opioid Prescription Information Via an Electronic Data System	41265	NSC	02/23/2017	Not Printed
R156-38b	State Construction Registry Rule	41349	AMD	05/08/2017	2017-7/4
R156-40	Recreational Therapy Practice Act Rule	41705	AMD	07/25/2017	2017-12/10
R156-42a-304	Continuing Education	41473	AMD	06/08/2017	2017-9/9
R156-44a-601	Delegation of Nursing Tasks	41340	NSC	04/05/2017	Not Printed
R156-46b-202	Informal Adjudicative Proceedings	41169	AMD	03/13/2017	2017-3/8
R156-46b-202	Informal Adjudicative Proceedings	41354	NSC	04/05/2017	Not Printed
R156-47b	Massage Therapy Practice Act Rule	41436	5YR	04/04/2017	2017-9/41
R156-55a	Utah Construction Trades Licensing Act Rule	41348	AMD	05/08/2017	2017-7/6
R156-55b-102	Definitions	41261	AMD	03/27/2017	2017-4/5
R156-55b-302a	Qualifications for Licensure - Education and Experience Requirements	41917	NSC	08/01/2017	Not Printed
R156-55c	Plumber Licensing Act Rule	41298	AMD	04/10/2017	2017-5/12
R156-55c-302a	Qualification for Licensure - Training and Instruction Requirement	41918	NSC	08/01/2017	Not Printed
R156-55d	Burglar Alarm Licensing Rule	41199	5YR	01/19/2017	2017-4/60
R156-56	Building Inspector and Factory Built Housing Licensing Act Rule	41144	5YR	01/10/2017	2017-3/85
R156-64	Deception Detection Examiners Licensing Act Rule	41145	5YR	01/10/2017	2017-3/86
R156-67	Utah Medical Practice Act Rule	41111	AMD	02/21/2017	2017-2/20
R156-68-304	Qualified Continuing Professional Education	41112	AMD	02/21/2017	2017-2/22
R156-76	Professional Geologist Licensing Act Rule	41279	5YR	02/02/2017	2017-5/62
R156-76-501	Administrative Penalties - Unlawful Conduct	41346	AMD	05/08/2017	2017-7/14
R156-76-501	Administrative Penalties - Unlawful Conduct	41606	NSC	05/23/2017	Not Printed
R156-78B	Prelitigation Panel Review Rule	41146	5YR	01/10/2017	2017-3/87
Real Estate					
R162-2c	Utah Residential Mortgage Practices and Licensing Rules	41618	AMD	07/11/2017	2017-11/15
R162-2f	Real Estate Licensing and Practices Rules	40952	AMD	01/19/2017	2016-23/26
R162-2f	Real Estate Licensing and Practices Rules	41350	AMD	05/10/2017	2017-7/15
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R164-5	Broker-Dealer and Investment Adviser Books and Records	41887	5YR	07/03/2017	2017-15/28
R164-6	Denial, Suspension or Revocation of a License	41888	5YR	07/03/2017	2017-15/28
R164-9	Registration by Coordination	41718	5YR	06/02/2017	2017-13/231
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R164-14	Exemptions	41722	5YR	06/02/2017	2017-13/233
R164-14-2b	Manual Listing Exemption	41465	AMD	06/08/2017	2017-9/10
R164-15	Federal Covered Securities	41723	5YR	06/02/2017	2017-13/233
R164-15-4	Notice Filings for Offerings Made Under Federal Crowdfunding Provisions	41470	AMD	06/30/2017	2017-9/13
R164-18	Procedures	41889	5YR	07/03/2017	2017-15/29
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R164-26	Consent to Service of Process	41726	5YR	06/02/2017	2017-13/234
R164-101	Securities Fraud Reporting Program Act	41293	5YR	02/07/2017	2017-5/63

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R251-107	Executions	41495	NSC	05/15/2017	Not Printed
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R251-305	Visiting at Community Correctional Centers	41460	AMD	08/15/2017	2017-9/14
R251-306	Sponsors in Community Correctional Centers	41451	5YR	04/05/2017	2017-9/43
R251-401	Supervision Fees	41707	5YR	05/31/2017	2017-12/36
R251-703	Vehicle Direction Station	41450	5YR	04/05/2017	2017-9/43
R251-703	Vehicle Direction Station	41461	NSC	05/15/2017	Not Printed
R251-704	North Gate	41449	5YR	04/05/2017	2017-9/44
R251-705	Inmate Mail Procedures	41448	5YR	04/05/2017	2017-9/44
R251-705	Inmate Mail Procedures	41621	NSC	05/31/2017	Not Printed
R251-706	Inmate Visiting	41457	5YR	04/06/2017	2017-9/45
R251-706	Inmate Visiting	41500	AMD	08/15/2017	2017-10/59
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R251-707	Legal Access	41622	NSC	05/31/2017	Not Printed
R251-710	Search	41453	5YR	04/05/2017	2017-9/46

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R270-1-20	Medical Awards	41142	AMD	03/10/2017	2017-3/9

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R277-101	Utah State Board of Education Procedures	41768	AMD	08/07/2017	2017-13/21
R277-103	USOE Government Records and Management Act	41769	REP	08/07/2017	2017-13/24
R277-106	Utah Professional Practices Advisory Commission Appointment Process	41086	AMD	02/07/2017	2017-1/14
R277-106	Utah Professional Practices Advisory Commission Appointment Process	41315	NSC	03/06/2017	Not Printed
R277-110	Legislative Supplemental Salary Adjustment	41932	5YR	07/19/2017	2017-16/121
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R277-115	Material Developed with State Public Education Funds	41771	REP	08/07/2017	2017-13/27
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R277-211-6	Proposed Consent to Discipline	41088	AMD	02/07/2017	2017-1/28
R277-211-6	Proposed Consent to Discipline	41363	AMD	05/10/2017	2017-7/18
R277-212	UPPAC Hearing Procedures and Reports	41089	AMD	02/07/2017	2017-1/30
R277-401	Child Abuse-Neglect Reporting by Education Personnel	41933	5YR	07/19/2017	2017-16/121
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R277-408	Grants for Online Testing	41774	REP	08/07/2017	2017-13/31
R277-410	Accreditation of Schools	41733	5YR	06/06/2017	2017-13/235
R277-410	Accreditation of Schools	41775	AMD	08/07/2017	2017-13/33
R277-417	Prohibiting LEAs and Third Party Providers from Offering Incentives or Reimbursements for Enrollment or Participation	41188	AMD	03/14/2017	2017-3/12
R277-419	Pupil Accounting	42013	5YR	08/14/2017	2017-17/211
R277-425	Budgeting, Accounting, and Auditing for Utah Local Education Agencies (LEAs)	41091	REP	02/07/2017	2017-1/36
R277-433	Disposal of Textbooks in the Public Schools	41935	5YR	07/19/2017	2017-16/122
R277-445	Classifying Small Schools as Necessarily Existent	41936	5YR	07/19/2017	2017-16/123
R277-460	Distribution of Substance Abuse Prevention Account	41734	5YR	06/06/2017	2017-13/236
R277-460	Distribution of Substance Abuse Prevention Account	41776	AMD	08/07/2017	2017-13/36
R277-467	Distribution of Funds Appropriated for Library Media Materials and Electronic Resources	41777	REP	08/07/2017	2017-13/38
R277-474-3	General Provisions	41647	AMD	07/10/2017	2017-11/23
R277-479	Charter School Special Education Student Funding Formula	41360	5YR	03/15/2017	2017-7/82
R277-479	Charter School Special Education Student Funding Formula	41778	AMD	08/07/2017	2017-13/39
R277-483	Persistently Dangerous Schools	41364	REP	05/10/2017	2017-7/19
R277-484	Data Standards	41735	5YR	06/06/2017	2017-13/236
R277-484	Data Standards	41779	AMD	08/07/2017	2017-13/41
R277-485	Loss of Enrollment	41736	5YR	06/06/2017	2017-13/237
R277-485	Loss of Enrollment	41780	AMD	08/07/2017	2017-13/46
R277-487	Public School Data Confidentiality and Disclosure	41648	AMD	07/10/2017	2017-11/24
R277-488	Critical Languages Program	41737	5YR	06/06/2017	2017-13/237
R277-488	Critical Languages Program	41781	AMD	08/07/2017	2017-13/47
R277-489	Early Intervention Program	41738	5YR	06/06/2017	2017-13/238
R277-489	Early Intervention Program	41782	AMD	08/07/2017	2017-13/50
R277-493	Kindergarten Supplemental Enrichment Program	41783	NEW	08/07/2017	2017-13/53
R277-499	Seal of Biliteracy	41004	NEW	01/10/2017	2016-23/30
R277-502	Educator Licensing and Data Retention	41937	5YR	07/19/2017	2017-16/123
R277-503	Licensing Routes	41005	AMD	01/10/2017	2016-23/31
R277-507	Driver Education Endorsement	41006	AMD	01/10/2017	2016-23/36
R277-507-3	Endorsement Requirements	41189	AMD	03/14/2017	2017-3/14
R277-512	Online Licensure	41007	AMD	01/10/2017	2016-23/39
R277-514	Deaf Education in Public Schools	41784	NEW	08/07/2017	2017-13/54
R277-516	Background Check Policies and Required Reports of Arrests for Licensed Educators, Volunteers, Non-licensed Employees, and Charter School Governing Board Members	41938	5YR	07/19/2017	2017-16/124
R277-517	LEA Codes of Conduct	41008	NEW	01/10/2017	2016-23/41
R277-519	Educator Inservice Procedures and Credit	41316	5YR	02/14/2017	2017-5/63
R277-519	Educator Inservice Procedures and Credit	41318	AMD	04/10/2017	2017-5/15
R277-520	Appropriate Licensing and Assignment of Teachers	41739	5YR	06/06/2017	2017-13/238
R277-520	Appropriate Licensing and Assignment of Teachers	41785	AMD	08/07/2017	2017-13/56
R277-521	National Board Certification Reimbursement	41075	NEW	02/07/2017	2017-1/38
R277-526	Paraeducator to Teacher Scholarship Program	41092	AMD	02/07/2017	2017-1/39

R277-531	Public Educator Evaluation Requirements (PEER)	41009	AMD	01/10/2017	2016-23/43
R277-531	Public Educator Evaluation Requirements (PEER)	41786	AMD	08/07/2017	2017-13/60
R277-533	District Educator Evaluation Systems	41010	AMD	01/10/2017	2016-23/45
R277-533	District Educator Evaluation Systems	41787	AMD	08/07/2017	2017-13/62
R277-602	Special Needs Scholarships - Funding and Procedures	41093	AMD	02/07/2017	2017-1/41
R277-608	Prohibition of Corporal Punishment in Utah's Public Schools	41939	5YR	07/19/2017	2017-16/124
R277-609-4	LEA Responsibilities to Develop Plans	41788	AMD	08/07/2017	2017-13/65
R277-612	Foreign Exchange Students	41361	5YR	03/15/2017	2017-7/82
R277-612	Foreign Exchange Students	41365	AMD	05/10/2017	2017-7/22
R277-615	Standards and Procedures for Student Searches	41362	5YR	03/15/2017	2017-7/83
R277-615	Standards and Procedures for Student Searches	41366	AMD	05/10/2017	2017-7/24
R277-618	Educator Peer Assistance and Review Pilot Program (PAR Program)	41789	REP	08/07/2017	2017-13/67
R277-700	The Elementary and Secondary School General Core	42014	5YR	08/14/2017	2017-17/212
R277-702	Procedures for the Utah High School Completion Diploma	41186	5YR	01/17/2017	2017-3/87
R277-702	Procedures for the Utah High School Completion Diploma	41190	AMD	03/14/2017	2017-3/15
R277-703	Centennial Scholarship for Early Graduation	42015	5YR	08/14/2017	2017-17/212
R277-708	Enhancement for At-Risk Students	41331	NSC	03/14/2017	Not Printed
R277-713	Concurrent Enrollment of High School Students in College Courses	41940	5YR	07/19/2017	2017-16/125
R277-717	High School Course Grading Requirements	41191	NEW	03/14/2017	2017-3/18
R277-720	Child Nutrition Programs	41790	REP	08/07/2017	2017-13/68
R277-733	Adult Education Programs	41740	5YR	06/06/2017	2017-13/239
R277-733	Adult Education Programs	41791	AMD	08/07/2017	2017-13/69
R277-735	Corrections Education Programs	41741	5YR	06/06/2017	2017-13/239
R277-735	Corrections Education Programs	41792	AMD	08/07/2017	2017-13/78
R277-752	Special Education Intensive Services Fund	41076	NEW	02/07/2017	2017-1/45
R277-753	LEA Reporting Requirements for Section 504 Students	41793	NEW	08/07/2017	2017-13/82
R277-800	Utah Schools for the Deaf and the Blind	41941	5YR	07/19/2017	2017-16/125
R277-801	Services for Students with Sensory Impairments	41192	NEW	03/14/2017	2017-3/20
R277-911	Secondary Career and Technical Education	41742	5YR	06/06/2017	2017-13/240
R277-911	Secondary Career and Technical Education	41794	AMD	08/07/2017	2017-13/84
R277-915	Work-Based Learning Programs for Interns	41094	AMD	02/07/2017	2017-1/46
R277-916	Career and Technical Education Introduction and Work-Based Learning Programs	41317	5YR	02/14/2017	2017-5/64
R277-916	Career and Technical Education Introduction and Work-Based Learning Programs	41319	AMD	04/10/2017	2017-5/17
R277-923	American Indian and Alaskan Native Education State Plan Pilot Program	41795	AMD	08/07/2017	2017-13/89

ENVIRONMENTAL QUALITY

Administration

R305-1	Records Access and Management	41301	5YR	02/13/2017	2017-5/64

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R307-101-3	Version of Code of Federal Regulations Incorporated by Reference	41355	AMD	06/08/2017	2017-7/25
R307-105	General Requirements: Emergency Controls	41629	5YR	05/15/2017	2017-11/212
R307-110	General Requirements: State Implementation Plan	41231	5YR	01/27/2017	2017-4/61
R307-120	General Requirements: Tax Exemption for Air Pollution Control Equipment	41230	5YR	01/27/2017	2017-4/61
R307-122	General Requirements: Heavy Duty Vehicle Tax Credit	41626	AMD	08/03/2017	2017-11/30

R307-125	Clean Air Retrofit, Replacement, and Off-Road Technology Program	41099	AMD	03/03/2017	2017-1/48
R307-130	General Penalty Policy	41229	5YR	01/27/2017	2017-4/62
R307-135	Enforcement Response Policy for Asbestos Hazard Emergency Response Act	41228	5YR	01/27/2017	2017-4/62
R307-210	Stationary Sources	41356	AMD	06/08/2017	2017-7/26
R307-214	National Emission Standards for Hazardous Air Pollutants	41630	5YR	05/15/2017	2017-11/213
R307-214	National Emission Standards for Hazardous Air Pollutants	41357	AMD	06/08/2017	2017-7/27
R307-230	NOx Emission Limits for Natural Gas-Fired Water Heaters	41627	NEW	08/03/2017	2017-11/32
R307-301	Utah and Weber Counties: Oxygenated Gasoline Program As a Contingency Measure	41227	5YR	01/27/2017	2017-4/63
R307-302	Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber Counties	40773	AMD	02/01/2017	2016-19/38
R307-302	Solid Fuel Burning Devices	40773	CPR	02/01/2017	2017-1/102
R307-309	Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust	41628	AMD	08/04/2017	2017-11/33
R307-320	Ozone Maintenance Areas and Ogden City: Employer-Based Trip Reduction Program	41226	5YR	01/27/2017	2017-4/64
R307-325	Ozone Nonattainment and Maintenance Areas: General Requirements	41225	5YR	01/27/2017	2017-4/64
R307-326	Ozone Nonattainment and Maintenance Areas: Control of Hydrocarbon Emissions in Petroleum Refineries	41223	5YR	01/27/2017	2017-4/65
R307-327	Ozone Nonattainment and Maintenance Areas: Petroleum Liquid Storage	41222	5YR	01/27/2017	2017-4/65
R307-328	Gasoline Transfer and Storage	41221	5YR	01/27/2017	2017-4/66
R307-335	Degreasing and Solvent Cleaning Operations	41220	5YR	01/27/2017	2017-4/66
R307-341	Ozone Nonattainment and Maintenance Areas: Cutback Asphalt	41219	5YR	01/27/2017	2017-4/67
R307-343	Emissions Standards for Wood Furniture Manufacturing Operations	41218	5YR	01/27/2017	2017-4/67
R307-401	Permit: New and Modified Sources	41631	5YR	05/15/2017	2017-11/213
R307-403	Permits: New and Modified Sources in Nonattainment Areas and Maintenance Areas	41632	5YR	05/15/2017	2017-11/214
R307-406	Visibility	41634	5YR	05/15/2017	2017-11/214
R307-410	Permits: Emissions Impact Analysis	41636	5YR	05/15/2017	2017-11/215
R307-414	Permits: Fees for Approval Orders	41638	5YR	05/15/2017	2017-11/216
R307-415	Permits: Operating Permit Requirements	41639	5YR	05/15/2017	2017-11/216
R307-417	Permits: Acid Rain Sources	41640	5YR	05/15/2017	2017-11/217
R307-420	Permits: Ozone Offset Requirements in Davis and Salt Lake Counties	41641	5YR	05/15/2017	2017-11/217
R307-421	Permits: PM10 Offset Requirements in Salt Lake County and Utah County	41642	5YR	05/15/2017	2017-11/218
R307-424	Permits: Mercury Requirements for Electric Generating Units	41432	EXT	04/03/2017	2017-9/53
R307-424	Permits: Mercury Requirements for Electric Generating Units	41643	5YR	05/15/2017	2017-11/218
R307-841	Residential Property and Child-Occupied Facility Renovation	41100	AMD	05/09/2017	2017-1/50
R307-841	Residential Property and Child-Occupied Facility Renovation	41100	CPR	05/09/2017	2017-7/68
R307-842	Lead-Based Paint Activities	41101	AMD	05/09/2017	2017-1/53
R307-842	Lead-Based Paint Activities	41101	CPR	05/09/2017	2017-7/70
Drinking Water					
R309-535-5	Fluoridation	40769	AMD	03/07/2017	2016-19/43
R309-535-5	Fluoridation	40769	CPR	03/07/2017	2016-24/44
Environmental Response and Remediation					
R311-200	Underground Storage Tanks: Definitions	41394	5YR	03/27/2017	2017-8/60
R311-201	Underground Storage Tanks: Certification Programs and UST Operator Training	41395	5YR	03/27/2017	2017-8/60

R311-202	Federal Underground Storage Tank Regulations	41396	5YR	03/27/2017	2017-8/61
R311-203	Underground Storage Tanks: Technical Standards	40755	AMD	01/03/2017	2016-19/60
R311-203	Underground Storage Tanks: Technical Standards	40755	CPR	01/03/2017	2016-23/118
R311-203	Underground Storage Tanks: Technical Standards	41397	5YR	03/27/2017	2017-8/62
R311-204	Underground Storage Tanks: Closure and Remediation	41398	5YR	03/27/2017	2017-8/63
R311-205	Underground Storage Tanks: Site Assessment Protocol	41399	5YR	03/27/2017	2017-8/64
R311-206	Underground Storage Tanks: Certificate of Compliance and Financial Assurance Mechanisms	41400	5YR	03/27/2017	2017-8/64
R311-207	Accessing the Petroleum Storage Tank Trust Fund for Leaking Petroleum Storage Tanks	41401	5YR	03/27/2017	2017-8/65
R311-208	Underground Storage Tank Penalty Guidance	41402	5YR	03/27/2017	2017-8/66
R311-209	Petroleum Storage Tank Cleanup Fund and State Cleanup Appropriation	41403	5YR	03/27/2017	2017-8/66
R311-210	Administrative Procedures	41404	5YR	03/27/2017	2017-8/67
R311-211	Corrective Action Cleanup Standards Policy - UST and CERCLA Sites	41405	5YR	03/27/2017	2017-8/68
R311-212	Administration of the Petroleum Storage Tank Loan Program	41406	5YR	03/27/2017	2017-8/69
R311-401	Hazardous Substances Priority List	41206	5YR	01/20/2017	2017-4/68
Waste Management and Radiation Control, Radiation					
R313-15	Standards for Protection Against Radiation	41177	5YR	01/17/2017	2017-3/88
R313-21	General Licenses	41178	5YR	01/17/2017	2017-3/88
R313-24	Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements	41179	5YR	01/17/2017	2017-3/89
R313-30	Therapeutic Radiation Machines	41180	5YR	01/17/2017	2017-3/90
R313-34	Requirements for Irradiators	41181	5YR	01/17/2017	2017-3/90
R313-35	Requirements for X-Ray Equipment Used for Non-Medical Applications	41183	5YR	01/17/2017	2017-3/91
R313-37	Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	41184	5YR	01/17/2017	2017-3/91
R313-38	Licenses and Radiation Safety Requirements for Well Logging	41185	5YR	01/17/2017	2017-3/92
Waste Management and Radiation Control, Waste Management					
R315-15	Standards for the Management of Used Oil	41650	AMD	08/31/2017	2017-11/37
R315-15-13	Registration and Permitting of Used Oil Handlers	40879	AMD	02/13/2017	2016-21/32
R315-260	Hazardous Waste Management System	41651	AMD	08/31/2017	2017-11/49
R315-261	General Requirements – Identification and Listing of Hazardous Waste	41652	AMD	08/31/2017	2017-11/59
R315-261-151	Financial Requirements for Management of Excluded Hazardous Secondary Materials - Wording of the Instruments	41688	NSC	08/31/2017	Not Printed
R315-262	Hazardous Waste Generator Requirements	41653	AMD	08/31/2017	2017-11/68
R315-263-12	Transfer Facility Requirements	41654	AMD	08/31/2017	2017-11/116
R315-264	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	41655	AMD	08/31/2017	2017-11/117
R315-265-1	Incorporation	41656	AMD	08/31/2017	2017-11/131
R315-266-80	Spent Lead-Acid Batteries Being Reclaimed -- Applicability and Requirements	41657	AMD	08/31/2017	2017-11/132
R315-268	Land Disposal Restrictions	41658	AMD	08/31/2017	2017-11/135
R315-270-1	Hazardous Waste Permit Program -- Purpose and Scope of These Regulations	41659	AMD	08/31/2017	2017-11/141
R315-273	Standards for Universal Waste Management	41660	AMD	08/31/2017	2017-11/145
R315-301-2	Definitions	41661	AMD	08/31/2017	2017-11/146
R315-302-1	Location Standards for Disposal Facilities	41477	AMD	08/01/2017	2017-9/21
R315-304-3	Definitions	41662	AMD	08/31/2017	2017-11/152
R315-305-3	Definitions	41663	AMD	08/31/2017	2017-11/154

Water Quality					
R317-1	Definitions and General Requirements	40995	AMD	03/27/2017	2016-23/49
R317-1	Definitions and General Requirements	40995	CPR	03/27/2017	2017-4/44
R317-1	Definitions and General Requirements	42048	5YR	08/30/2017	Not Printed
R317-1-7	TMDLs	40987	AMD	01/30/2017	2016-23/54
R317-3	Design Requirements for Wastewater Collection, Treatment and Disposal Systems	41613	5YR	05/09/2017	2017-11/219
R317-5	Large Underground Wastewater Disposal (LUWD) Systems	41492	5YR	04/25/2017	2017-10/163
R317-6	Ground Water Quality Protection	41891	5YR	07/06/2017	2017-15/30
R317-9	Administrative Procedures	41431	NSC	05/15/2017	Not Printed
R317-10	Certification of Wastewater Works Operators	41892	5YR	07/06/2017	2017-15/30
R317-12	Certification of Water Pollution Control Facility or Freestanding Pollution Control Property	41193	5YR	01/17/2017	2017-3/93
R317-100	Utah State Project Priority System for the Utah Wastewater Project Assistance Program	41893	5YR	07/06/2017	2017-15/31
R317-550	Rules for Liquid Waste Operations	41493	5YR	04/25/2017	2017-10/164
R317-560	Rules for the Design, Construction, and Maintenance of Vault Privies and Earthen Pit Privies	41494	5YR	04/25/2017	2017-10/164
R317-801	Utah Sewer Management Program (USMP)	41800	5YR	06/12/2017	2017-13/240
EXAMINERS (BOARD OF)					
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R320-101	Procedures for Electronic Meetings	41294	5YR	02/07/2017	2017-5/65
FINANCIAL INSTITUTIONS					
Administration					
R331-5	Rule Governing Sale of Securities by Persons Issuing Securities, Who Are Under the Jurisdiction of the Department of Financial Institutions	41943	5YR	07/20/2017	2017-16/126
R331-7	Rule Governing Leasing Transactions by Depository Institutions Subject to the Jurisdiction of the Department of Financial Institutions	41944	5YR	07/20/2017	2017-16/127
R331-9	Rule Prescribing Rules of Procedure for Hearings Before the Commissioner of Financial Institutions of the State of Utah	41945	5YR	07/20/2017	2017-16/127
R331-10	Schedule for Retention or Destruction of Records of Financial Institutions Under the Jurisdiction of the Department of Financial Institutions	41608	AMD	07/10/2017	2017-11/155
R331-10	Schedule for Retention or Destruction of Records of Financial Institutions Under the Jurisdiction of the Department of Financial Institutions	41946	5YR	07/20/2017	2017-16/128
R331-12	Guidelines Governing the Purchase and Sale of Loans and Participations in Loans by all State Chartered Financial Institutions	41947	5YR	07/20/2017	2017-16/128
R331-22	Rule Governing Reimbursement of Costs of Financial Institutions for Production of Records	41948	5YR	07/20/2017	2017-16/129
Credit Unions					
R337-10	Rule Designating Applicable Federal Law for Credit Unions Subject to the Jurisdiction of the Department of Financial Institutions	41197	5YR	01/18/2017	2017-4/68
Nondepository Lenders					
R343-1	Rule Governing Form of Disclosures For Title Lenders, Who Are Under the Jurisdiction of the Department of Financial Institutions	41123	5YR	01/06/2017	2017-3/93

R343-11	Rule Designating Applicable Federal Law for a Mortgage Lender, Broker, or Servicer Subject to the Jurisdiction of the Department of Financial Institutions	41480	NEW	06/21/2017	2017-10/61

GOVERNOR

Criminal and Juvenile Justice (State Commission on)

R356-3	Electronic Meetings	41182	NEW	03/13/2017	2017-3/23
R356-4	Juvenile Confinement	42054	EMR	09/01/2017	Not Printed
R356-101 (Changed to R356-2)	Judicial Nominating Commissions	41297	NSC	03/06/2017	Not Printed

Economic Development

R357-1	Rural Fast Track Program	41430	5YR	03/31/2017	2017-8/69
R357-3	Economic Development Tax Increment Financing Tax Credit	40932	AMD	02/22/2017	2016-22/56
R357-19	Business Resource Centers	40961	NEW	02/22/2017	2016-23/55
R357-20	Education Computing Partnerships	41649	NEW	07/14/2017	2017-11/157

Economic Development, Pete Suazo Utah Athletic Commission

R359-1	Pete Suazo Utah Athletic Commission Act Rule	41425	5YR	03/30/2017	2017-8/70

Energy Development (Office of)

R362-1	Qualification for the Alternative Energy Development Tax Credit	42043	EXT	08/28/2017	Not Printed
R362-2	Renewable Energy Systems Tax Credits	42039	EXT	08/24/2017	Not Printed
R362-3	Energy Efficiency Fund	42040	EXT	08/24/2017	Not Printed

HEALTH

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R380-1	Petitions for Department Declaratory Orders	41434	5YR	04/03/2017	2017-9/46
R380-5	Petitions for Declaratory Orders on Orders Issued by Committees	41435	5YR	04/03/2017	2017-9/47
R380-10	Informal Adjudicative Proceedings	41488	5YR	04/21/2017	2017-10/165
R380-20	Government Records and Access Management	41433	5YR	04/03/2017	2017-9/47
R380-41	Governance Committee Electronic Meetings	41926	5YR	07/13/2017	2017-15/32
R380-60	Local Health Department Emergency Protocols	41333	5YR	03/01/2017	2017-6/29
R380-77	Coordination of Patient Identification and Validation Services	40996	NEW	02/01/2017	2016-23/58
R380-77	Coordination of Patient Identification and Validation Services	41055	NSC	02/01/2017	Not Printed
R380-100	Americans with Disabilities Act Grievance Procedures	41490	5YR	04/24/2017	2017-10/165
R380-400	Use of Statistical Sampling and Extrapolation	40993	REP	01/10/2017	2016-23/59

Children's Health Insurance Program

R382-2	Electronic Personal Medical Records for the Children's Health Insurance Program	41962	5YR	07/31/2017	2017-16/129
R382-10-11	Household Composition and Income Provisions	40997	AMD	01/17/2017	2016-23/62

Disease Control and Prevention, Environmental Services

R392-302	Design, Construction and Operation of Public Pools	41381	AMD	06/01/2017	2017-8/6
R392-502	Hotel, Motel, and Resort Sanitation	41367	5YR	03/15/2017	2017-7/83
R392-510	Utah Indoor Clean Air Act	41368	5YR	03/15/2017	2017-7/84
R392-600	Illegal Drug Operations Decontamination Standards	41486	AMD	06/21/2017	2017-10/63

Disease Control and Prevention, Epidemiology

R386-702	Communicable Disease Rule	41038	AMD	01/27/2017	2016-24/12
R386-703	Injury Reporting Rule	41831	AMD	08/23/2017	2017-13/157

Disease Control and Prevention, Laboratory Improvement

R444-11	Rules for Approval to Perform Blood Alcohol Examinations	41000	REP	01/20/2017	2016-23/64

Disease Control and Prevention, Laboratory Services

R438-10	Rules for Establishment of a Procedure to Examine the Blood of All Adult Pedestrians and All Drivers of Motor Vehicles Killed in Highway Accidents for the Presence and Concentration of Alcohol, for the Purpose of Deriving Statistics Therefrom	40868	REP	01/11/2017	2016-21/46
R438-12	Rule for Law Enforcement Blood Draws	41119	EXT	01/03/2017	2017-2/47

Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health

R388-803	HIV Test Reporting	40901	REP	02/01/2017	2016-22/59
R388-804	Special Measures for the Control of Tuberculosis	41334	AMD	05/11/2017	2017-6/4

Family Health and Preparedness, Child Care Licensing

R430-1	General Licensing, Certificate, and Enforcement Provisions, Child Care Facilities	41472	EXT	04/12/2017	2017-9/53
R430-1	General Licensing, Certificate, and Enforcement Provisions, Child Care Facilities	41995	5YR	08/01/2017	2017-16/130
R430-6	Background Screening	41990	5YR	08/01/2017	2017-16/131

Family Health and Preparedness, Emergency Medical Services

R426-5	Emergency Medical Services Training and Certification Standards	41332	AMD	04/26/2017	2017-6/7
R426-8	Emergency Medical Services Ground Ambulance Rates and Charges	41617	AMD	07/10/2017	2017-11/159
R426-8	Emergency Medical Services Ground Ambulance Rates and Charges	41908	NSC	08/01/2017	Not Printed
R426-9	Trauma and EMS System Facility Designations	41029	AMD	02/01/2017	2016-24/30

Family Health and Preparedness, Licensing

R432-31	Life with Dignity Order	41310	5YR	02/13/2017	2017-5/66
R432-40	Long-Term Care Facility Immunizations	41309	5YR	02/13/2017	2017-5/66
R432-100	General Hospital Standards	41324	AMD	05/16/2017	2017-5/25
R432-150	Nursing Care Facility	41311	5YR	02/13/2017	2017-5/67
R432-150	Nursing Care Facility	41325	AMD	05/16/2017	2017-5/31
R432-151	Mental Disease Facility	41312	5YR	02/13/2017	2017-5/67
R432-152	Mental Retardation Facility	41313	5YR	02/13/2017	2017-5/68
R432-201	Mental Retardation Facility: Supplement "A" to the Small Health Care Facility Rule	41314	5YR	02/13/2017	2017-5/68
R432-270	Assisted Living Facilities	41056	AMD	02/13/2017	2017-1/74
R432-700	Home Health Agency Rule	41323	AMD	05/15/2017	2017-5/38

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R406-100	Special Supplemental Nutrition Program for Women, Infants and Children	41254	5YR	01/30/2017	2017-4/69
R406-200	Program Overview	41255	5YR	01/30/2017	2017-4/70
R406-201	Outreach Program	41256	5YR	01/30/2017	2017-4/70
R406-202	Eligibility	41257	5YR	01/30/2017	2017-4/71
R406-301	Clinic Guidelines	41258	5YR	01/30/2017	2017-4/71

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R410-14	Administrative Hearing Procedures	42016	5YR	08/14/2017	2017-17/213

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R414-1	Utah Medicaid Program	41321	5YR	02/15/2017	2017-5/65
R414-1	Utah Medicaid Program	41496	AMD	07/01/2017	2017-10/72
R414-1-5	Incorporations by Reference	41104	AMD	02/15/2017	2017-1/68
R414-1-5	Incorporations by Reference	41446	AMD	06/14/2017	2017-9/25
R414-1-6	Services Available	41563	AMD	07/01/2017	2017-10/73
R414-1-28	Cost Sharing	41498	AMD	07/01/2017	2017-10/75
R414-1-30	Face-to-Face Requirements for Home Health Services	41566	AMD	07/01/2017	2017-10/76
R414-1A	Medicaid Policy for Experimental, Investigational or Unproven Medical Practices	41423	5YR	03/29/2017	2017-8/70
R414-2A-7	Limitations	41559	AMD	07/01/2017	2017-10/77

R414-2B	Inpatient Intensive Physical Rehabilitation Services	42046	5YR	08/29/2017	Not Printed
R414-3A-6	Services	41497	AMD	07/01/2017	2017-10/78
R414-8	Electronic Personal Medical Records for the Medicaid Program	41954	5YR	07/28/2017	2017-16/130
R414-10	Physician Services	41567	AMD	07/01/2017	2017-10/79
R414-10A	Transplant Services Standards	41125	5YR	01/06/2017	2017-3/94
R414-14	Home Health Services	41564	AMD	07/01/2017	2017-10/86
R414-15	Residents Personal Needs Fund	41855	5YR	06/28/2017	2017-14/54
R414-21	Physical Therapy and Occupational Therapy	41126	5YR	01/06/2017	2017-3/94
R414-29	Client Review/Education and Restriction Policy	42036	5YR	08/22/2017	Not Printed
R414-38	Personal Care Services	41326	5YR	02/17/2017	2017-6/30
R414-49	Dental, Oral and Maxillofacial Surgeons and Orthodontia	41562	AMD	07/01/2017	2017-10/88
R414-60	Medicaid Policy for Pharmacy Program	41174	AMD	04/01/2017	2017-3/25
R414-60	Medicaid Policy for Pharmacy Program	41556	5YR	04/28/2017	2017-10/166
R414-60-2	Definitions	41379	AMD	06/14/2017	2017-8/30
R414-60A	Drug Utilization Review Board	41803	5YR	06/13/2017	2017-13/241
R414-60A-2	DUR Board Composition and Membership Requirements	41175	AMD	04/01/2017	2017-3/27
R414-60B	Preferred Drug List	41811	5YR	06/14/2017	2017-13/241
R414-61-2	Incorporation by Reference	41290	AMD	04/20/2017	2017-5/24
R414-70	Medical Supplies, Durable Medical Equipment, and Prosthetic Devices	41565	AMD	07/01/2017	2017-10/89
R414-70	Medical Supplies, Durable Medical Equipment, and Prosthetic Devices	42037	5YR	08/22/2017	Not Printed
R414-100	Medicaid Primary Care Network Services	41588	5YR	05/05/2017	2017-11/219
R414-200	Non-Traditional Medicaid Health Plan Services	41589	5YR	05/05/2017	2017-11/220
R414-302-6	Residents of Institutions	41070	AMD	02/15/2017	2017-1/72
R414-303-4	Medicaid for Parents and Caretaker Relatives, Pregnant Women, Children, and Individuals Infected with Tuberculosis Using MAGI Methodology	41429	AMD	07/01/2017	2017-8/31
R414-304	Income and Budgeting	41211	AMD	03/28/2017	2017-4/22
R414-304-5	MAGI-Based Coverage Groups	40998	AMD	01/17/2017	2016-23/63
R414-305-7	Treatment of Trusts	41428	AMD	06/01/2017	2017-8/32
R414-307	Eligibility for Home and Community-Based Services Waivers	41422	5YR	03/29/2017	2017-8/71
R414-308-7	Change Reporting and Benefit Changes	41212	AMD	03/28/2017	2017-4/26
R414-310	Medicaid Primary Care Network Demonstration Waiver	41689	5YR	05/22/2017	2017-12/36
R414-310-13	Change Reporting and Benefit Changes	41213	AMD	03/28/2017	2017-4/28
R414-401-3	Assessment	41560	AMD	07/01/2017	2017-10/93
R414-504	Nursing Facility Payments	41054	AMD	02/15/2017	2017-1/73
R414-514	Requirements for Moratorium Exception	41561	NEW	07/01/2017	2017-10/94

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R450-1	Government Records Access and Management Act Rules	41288	5YR	02/03/2017	2017-5/69
R450-1	Government Records Access and Management Act Rules	41287	NSC	03/06/2017	Not Printed
R450-2	Preservation Pro Fee	41709	5YR	05/31/2017	2017-12/37

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R451-1	Utah Arts Council General Program Rules	41196	5YR	01/18/2017	2017-4/72
R451-2	Policy for Commissions, Purchases, and Donations to, and Loans from, the Utah State Art Collections	41201	5YR	01/20/2017	2017-4/72

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R455-1	Adjudicative Proceedings	41341	5YR	03/02/2017	2017-7/85
R455-12	Computerized Record of Cemeteries, Burial Locations and Plots, and Granting Matching Funds	41342	5YR	03/02/2017	2017-7/86

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R458-1	Adjudicative Procedures	41708	5YR	05/31/2017	2017-12/37

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R477-1	Definitions	41524	5YR	04/27/2017	2017-10/167
R477-1	Definitions	41499	AMD	07/01/2017	2017-10/95
R477-1	Definitions	41805	AMD	08/30/2017	2017-13/159
R477-2	Administration	41271	EXT	02/02/2017	2017-5/75
R477-2	Administration	41526	5YR	04/27/2017	2017-10/168
R477-2	Administration	41501	AMD	07/01/2017	2017-10/100
R477-2	Administration	41806	AMD	08/30/2017	2017-13/164
R477-3	Classification	41272	EXT	02/02/2017	2017-5/75
R477-3	Classification	41527	5YR	04/27/2017	2017-10/168
R477-4	Filling Positions	41273	EXT	02/02/2017	2017-5/75
R477-4	Filling Positions	41528	5YR	04/27/2017	2017-10/169
R477-4	Filling Positions	41502	AMD	07/01/2017	2017-10/103
R477-5	Employee Status and Probation	41274	EXT	02/02/2017	2017-5/76
R477-5	Employee Status and Probation	41529	5YR	04/27/2017	2017-10/169
R477-5	Employee Status and Probation	41504	AMD	07/01/2017	2017-10/106
R477-6	Compensation	41276	EXT	02/02/2017	2017-5/76
R477-6	Compensation	41530	5YR	04/27/2017	2017-10/170
R477-6	Compensation	41503	AMD	07/01/2017	2017-10/108
R477-7	Leave	41277	EXT	02/02/2017	2017-5/76
R477-7	Leave	41531	5YR	04/27/2017	2017-10/170
R477-7	Leave	41505	AMD	07/01/2017	2017-10/113
R477-8	Working Conditions	41278	EXT	02/02/2017	2017-5/76
R477-8	Working Conditions	41532	5YR	04/27/2017	2017-10/171
R477-8	Working Conditions	41506	AMD	07/01/2017	2017-10/120
R477-8	Working Conditions	41808	AMD	08/30/2017	2017-13/172
R477-9	Employee Conduct	41280	EXT	02/02/2017	2017-5/77
R477-9	Employee Conduct	41533	5YR	04/27/2017	2017-10/171
R477-10	Employee Development	41281	EXT	02/02/2017	2017-5/77
R477-10	Employee Development	41537	5YR	04/27/2017	2017-10/172
R477-10	Employee Development	41507	AMD	07/01/2017	2017-10/125
R477-11	Discipline	41282	EXT	02/02/2017	2017-5/77
R477-11	Discipline	41538	5YR	04/27/2017	2017-10/172
R477-11	Discipline	41508	AMD	07/01/2017	2017-10/127
R477-12	Separations	41283	EXT	02/02/2017	2017-5/77
R477-12	Separations	41541	5YR	04/27/2017	2017-10/173
R477-12	Separations	41509	AMD	07/01/2017	2017-10/129
R477-13	Volunteer Programs	41284	EXT	02/02/2017	2017-5/77
R477-13	Volunteer Programs	41542	5YR	04/27/2017	2017-10/173
R477-14	Substance Abuse and Drug-Free Workplace	41510	AMD	07/01/2017	2017-10/131
R477-15	Workplace Harassment Prevention	41285	EXT	02/02/2017	2017-5/78
R477-15	Workplace Harassment Prevention	41543	5YR	04/27/2017	2017-10/174
R477-15	Workplace Harassment Prevention	41511	AMD	07/01/2017	2017-10/133
R477-16	Abusive Conduct Prevention	41512	AMD	07/01/2017	2017-10/135

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R495-884	Kinship Locate	41217	5YR	01/27/2017	2017-4/73
R495-885	Employee Background Screenings	41114	AMD	02/23/2017	2017-2/23

<u>Administration, Administrative Hearings</u>

R497-100	Adjudicative Proceedings	41057	AMD	02/07/2017	2017-1/78

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R501-1	General Provisions	40929	R&R	01/17/2017	2016-22/67
R501-1	General Provisions	41117	NSC	01/18/2017	Not Printed
R501-14	Human Service Program Background Screening	40931	AMD	01/17/2017	2016-22/77
R501-14	Human Service Program Background Screening	41173	AMD	03/21/2017	2017-3/28

R501-17	Adult Foster Care	41482	REP	07/28/2017	2017-10/136
R501-21	Outpatient Treatment Programs	40930	R&R	03/24/2017	2016-22/83
R501-21	Outpatient Treatment Programs	40930	CPR	03/24/2017	2017-4/49

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R510-1	Authority and Purpose	41870	5YR	06/30/2017	2017-14/55
R510-100	Funding Formulas	41871	5YR	06/30/2017	2017-14/55
R510-101	Carryover Policy for Title III: Grants for State and Community Programs on Aging	41872	5YR	06/30/2017	2017-14/56
R510-102	Amendments to Area Plan and Management Plan	41873	5YR	06/30/2017	2017-14/56
R510-103	Use of Senior Centers by Long-Term Care Facility Residents Participating in Activities Outside Their Planning and Service Area	41874	5YR	06/30/2017	2017-14/57
R510-104	Nutrition Programs for the Elderly (NPE)	41869	5YR	06/30/2017	2017-14/57
R510-106	Minimum Percentages of Older Americans Act, Title III Part B: State and Supportive Services Funds	41875	5YR	06/30/2017	2017-14/58
R510-107	Title V Senior Community Service Employment Program Standards and Procedures	41876	5YR	06/30/2017	2017-14/58
R510-108	Definition of Rural for Title III: Grants for State and Community Programs on Aging Reporting Under the Older American Act	41877	5YR	06/30/2017	2017-14/59
R510-109	Definition of Significant Population of Older Native Americans	41878	5YR	06/30/2017	2017-14/59
R510-110	Policy Regarding Contractual Involvements of Area Agencies on Aging for Private Eldercare and Case Management Services	41879	5YR	06/30/2017	2017-14/60
R510-111	Policy on Use of State Funding for Travel Expenses to Assist the National Senior Service Corps (NSSC)	41880	5YR	06/30/2017	2017-14/60
R510-200	Long-Term Care Ombudsman Program Policy	41881	5YR	06/30/2017	2017-14/61
R510-302	Adult Protective Services	41883	5YR	06/30/2017	2017-14/61
R510-302	Adult Protective Services	41698	AMD	08/07/2017	2017-12/14
R510-400	Home and Community Based Alternatives Program	41882	5YR	06/30/2017	2017-14/62

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R512-204	Child Protective Services, New Caseworker Training	41483	5YR	04/18/2017	2017-10/174
R512-205	Child Protective Services, Investigation of Domestic Violence Related Child Abuse	41842	AMD	08/28/2017	2017-14/19
R512-311	Out-of-Home Services. Psychotropic Medication Oversight Panel	40933	NEW	01/10/2017	2016-23/67

<u>Juvenile Justice Services</u>

R547-3	Juvenile Jail Standards	41385	5YR	03/27/2017	2017-8/71
R547-6	Youth Parole Authority Policies and Procedures	41386	5YR	03/27/2017	2017-8/72
R547-7	Juvenile Holding Room Standards	41387	5YR	03/27/2017	2017-8/72
R547-10	Ex-Offender Policy	41388	5YR	03/27/2017	2017-8/73
R547-12	Division of Juvenile Justice Services Classification of Records	41389	5YR	03/27/2017	2017-8/73
R547-13	Guidelines for Admission to Secure Youth Detention Facilities	41390	5YR	03/27/2017	2017-8/74
R547-13	Guidelines for Admission to Secure Youth Detention Facilities	41710	AMD	08/01/2017	2017-12/19
R547-14	Possession of Prohibited Items in Juvenile Detention Facilities	41391	5YR	03/27/2017	2017-8/74

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R527-37	Closure Criteria for Support Cases	41210	5YR	01/23/2017	2017-4/73
R527-250	Emancipation	41170	AMD	04/14/2017	2017-3/34
R527-255	Substantial Change in Circumstances	41207	5YR	01/23/2017	2017-4/74
R527-300	Income Withholding	41208	5YR	01/23/2017	2017-4/75
R527-330	Posting Priority of Payments Received	41209	5YR	01/23/2017	2017-4/75
R527-330	Posting Priority of Payments Received	41691	NSC	06/13/2017	Not Printed
R527-378	Withholding of Social Security Benefits	41724	5YR	06/02/2017	2017-13/242

R527-412	Intercept of Unemployment Compensation	41214	5YR	01/26/2017	2017-4/76
R527-601	Establishing or Modifying an Administrative Award for Child Support	41725	5YR	06/02/2017	2017-13/242
R527-928	Lost Checks	41727	5YR	06/02/2017	2017-13/243
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R523-4	Screening, Assessment, Prevention, Treatment and Recovery Support Standards for Adults Required to Participate in Services by the Criminal Justice System	40934	AMD	01/17/2017	2016-23/68
R523-5	Adult Peer Support Specialist Training and Certification	41607	AMD	08/01/2017	2017-11/162
R523-11-3	Certification Requirements for DUI Educational Providers	40999	AMD	01/17/2017	2016-23/75
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R590-68	Insider Trading of Equity Securities of Domestic Stock Insurance Companies	41438	5YR	04/04/2017	2017-9/48
R590-70	Insurance Holding Companies	41134	5YR	01/09/2017	2017-3/95
R590-70	Insurance Holding Companies	40954	R&R	01/10/2017	2016-23/77
R590-85	Individual Accident and Health Insurance and Individual and Group Medicare Supplement Rates	41439	5YR	04/04/2017	2017-9/48
R590-95	Rule to Permit the Same Minimum Nonforfeiture Standards for Men and Women Insureds Under the 1980 CSO and 1980 CET Mortality Tables	41135	5YR	01/09/2017	2017-3/95
R590-96	Rule to Recognize New Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities	42034	5YR	08/18/2017	Not Printed
R590-102	Insurance Department Fee Payment Rule	41259	AMD	03/24/2017	2017-4/34
R590-108	Interest Rate During Grace Period or Upon Reinstatement of Policy	41443	5YR	04/04/2017	2017-9/49
R590-114	Letters of Credit	41136	5YR	01/09/2017	2017-3/96
R590-116	Valuation of Assets	41215	5YR	01/26/2017	2017-4/76
R590-117	Valuation of Liabilities	41216	5YR	01/26/2017	2017-4/77
R590-120	Surety Bond Forms	41437	5YR	04/04/2017	2017-9/49
R590-122	Permissible Arbitration Provisions	41731	5YR	06/05/2017	2017-13/243
R590-142	Continuing Education Rule	41137	5YR	01/09/2017	2017-3/96
R590-143	Life and Health Reinsurance Agreements	41138	5YR	01/09/2017	2017-3/97
R590-146	Medicare Supplement Insurance Standards	41441	5YR	04/04/2017	2017-9/50
R590-147	Annual and Quarterly Statement Filing Instructions	41139	5YR	01/09/2017	2017-3/98
R590-148	Long-Term Care Insurance Rule	41922	5YR	07/12/2017	2017-15/32
R590-149	Americans with Disabilities Act (ADA) Grievance Procedures	41729	5YR	06/05/2017	2017-13/244
R590-150	Commissioner's Acceptance of Examination Reports	41140	5YR	01/09/2017	2017-3/98
R590-151	Records Access Rule	41920	5YR	07/12/2017	2017-15/33
R590-166-3	Definition	41996	NSC	08/29/2017	Not Printed
R590-173	Credit for Reinsurance	40955	AMD	01/10/2017	2016-23/83
R590-173	Credit for Reinsurance	41730	5YR	06/05/2017	2017-13/245
R590-203	Health Grievance Review Process	41440	5YR	04/04/2017	2017-9/50
R590-206	Privacy of Consumer Financial and Health Information Rule	41296	AMD	07/11/2017	2017-5/42
R590-206	Privacy of Consumer Financial and Health Information Rule	41296	CPR	07/11/2017	2017-11/192
R590-216	Standards for Safeguarding Customer Information	42035	5YR	08/18/2017	Not Printed
R590-238	Captive Insurance Companies	41569	5YR	05/02/2017	2017-11/220
R590-238-21	Authorized Forms	41801	NSC	06/29/2017	Not Printed
R590-239	Exemption of Student Health Centers from Insurance Code	41442	5YR	04/04/2017	2017-9/51
R590-240	Procedure to Obtain Exemption of Student Health Programs From Insurance Code	41728	5YR	06/05/2017	2017-13/245

R590-241	Rule to Recognize the Preferred Mortality Tables for Use in Determining Minimum Reserve Liabilities	41923	5YR	07/12/2017	2017-15/33
R590-248-4	Mandatory Fraud Reporting Process	41322	AMD	04/07/2017	2017-5/55
R590-262	Health Data Authority Health Insurance Claims Reporting	41345	5YR	03/06/2017	2017-7/86
R590-262	Health Data Authority Health Insurance Claims Reporting	41172	AMD	03/10/2017	2017-3/36
R590-262-2	Purpose and Scope	41378	NSC	04/10/2017	Not Printed
R590-264	Property and Casualty Actuarial Opinion Rule	41921	5YR	07/12/2017	2017-15/34
R590-273	Continuing Care Provider Rule	40953	NEW	04/07/2017	2016-23/94
R590-273	Continuing Care Provider Rule	40953	CPR	04/07/2017	2017-5/58
R590-274	Submission and Required Disclosures of Public Adjuster Contracts	41867	NEW	08/23/2017	2017-14/20
R590-275	Qualified Health Plan Alternate Enrollment	42038	EMR	08/24/2017	Not Printed

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R592-14	Delay or Failure to Record Documents and the Insuring of Properties with the False Appearance of Unmarketability as Unfair Title Insurance Practices	41141	5YR	01/09/2017	2017-3/99

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R597-3-1	Evaluation Cycles	41623	AMD	07/10/2017	2017-11/167
R597-3-3	Courtroom Observation	41624	AMD	07/10/2017	2017-11/168
R597-3-5	Public Comments	41625	AMD	07/10/2017	2017-11/170
R597-3-8	Judicial Written Statements	41026	AMD	02/17/2017	2016-24/35
R597-3-9	Judicial Discipline	41027	AMD	02/17/2017	2016-24/35

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R602-1	General Provisions	41605	5YR	05/08/2017	2017-11/221
R602-1	General Provisions	41635	NSC	05/25/2017	Not Printed
R602-2	Adjudication of Workers' Compensation and Occupational Disease Claims	41612	5YR	05/09/2017	2017-11/222
R602-2	Adjudication of Workers' Compensation and Occupational Disease Claims	41633	NSC	06/01/2017	Not Printed

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R600-2	Operations	41587	5YR	05/05/2017	2017-11/221
R600-2-1	Business Hours	41637	NSC	05/31/2017	Not Printed

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R616-1	Coal, Gilsonite, or other Hydrocarbon Mining Certification	42001	NSC	08/28/2017	Not Printed
R616-2	Boiler and Pressure Vessel Rules	42002	NSC	08/28/2017	Not Printed
R616-3	Elevator Rules	42003	NSC	08/28/2017	Not Printed
R616-4	Coal Mine Safety	42004	NSC	08/28/2017	Not Printed

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R628-2	Investment of Funds of Public Education Foundations Established Under Section 53A-4-205 or Funds Acquired by Gift, Devise or Bequest	41919	EXD	07/12/2017	2017-15/47
R628-4	Bonding of Public Treasurers	41866	AMD	08/21/2017	2017-14/24
R628-15	Certification as an Investment Adviser	41862	AMD	08/21/2017	2017-14/25
R628-17	Limitations on Commercial Paper and Corporate Notes	41424	5YR	03/30/2017	2017-8/75

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R652-1	Definition of Terms	41012	AMD	01/10/2017	2016-23/97
R652-1	Definition of Terms	41407	5YR	03/28/2017	2017-8/76
R652-3	Applicant Qualifications and Application Forms	41408	5YR	03/28/2017	2017-8/77
R652-4	Application Fees and Assessments	41409	5YR	03/28/2017	2017-8/77
R652-5	Payments, Royalties, Audits, and Reinstatements	41411	5YR	03/29/2017	2017-8/78
R652-6	Government Records Access and Management	41412	5YR	03/29/2017	2017-8/78
R652-20	Mineral Resources	41413	5YR	03/29/2017	2017-8/79
R652-30	Special Use Leases	41414	5YR	03/29/2017	2017-8/79
R652-40	Easements	41415	5YR	03/29/2017	2017-8/80
R652-50	Range Management	41416	5YR	03/29/2017	2017-8/80
R652-60	Cultural Resources	41417	5YR	03/29/2017	2017-8/81
R652-70	Sovereign Lands	41418	5YR	03/29/2017	2017-8/81
R652-90	Sovereign Land Management Planning	41419	5YR	03/29/2017	2017-8/82
R652-100	Materials Permits	41420	5YR	03/29/2017	2017-8/82
R652-120	Wildland Fire	41011	AMD	01/10/2017	2016-23/99
R652-121	Wildland Fire Suppression Fund	41013	AMD	01/10/2017	2016-23/102
R652-121	Wildland Fire Suppression Fund	42044	5YR	08/28/2017	Not Printed
R652-122	County Cooperative Agreements with State for Fire Protection	41014	AMD	01/10/2017	2016-23/105
R652-123	Exemptions to Wildland Fire Suppression Fund	41015	REP	01/10/2017	2016-23/111
R652-140	Utah Forest Practices Act	41143	5YR	01/10/2017	2017-3/99

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R641-100	General Provisions	41744	5YR	06/07/2017	2017-13/246
R641-101	Parties	41745	5YR	06/07/2017	2017-13/246
R641-102	Appearances and Representations	41746	5YR	06/07/2017	2017-13/247
R641-103	Intervention	41747	5YR	06/07/2017	2017-13/247
R641-104	Pleadings	41748	5YR	06/07/2017	2017-13/248
R641-105	Filing and Service	41749	5YR	06/07/2017	2017-13/248
R641-106	Notice and Service	41750	5YR	06/07/2017	2017-13/249
R641-107	Prehearing Conference	41751	5YR	06/07/2017	2017-13/249
R641-108	Conduct of Hearings	41752	5YR	06/07/2017	2017-13/250
R641-109	Decisions and Orders	41753	5YR	06/07/2017	2017-13/250
R641-110	Rehearing and Modification of Existing Orders	41754	5YR	06/07/2017	2017-13/251
R641-111	Declaratory Rulings	41755	5YR	06/07/2017	2017-13/251
R641-112	Rulemaking	41756	5YR	06/07/2017	2017-13/252
R641-113	Hearing Examiners	41757	5YR	06/07/2017	2017-13/252
R641-114	Exhaustion of Administrative Remedies	41758	5YR	06/07/2017	2017-13/253
R641-115	Deadline for Judicial Review	41759	5YR	06/07/2017	2017-13/253
R641-116	Judicial Review of Formal Adjudicative Proceedings	41760	5YR	06/07/2017	2017-13/254
R641-117	Civil Enforcement	41761	5YR	06/07/2017	2017-13/254
R641-118	Waivers	41762	5YR	06/07/2017	2017-13/255
R641-119	Severability	41763	5YR	06/07/2017	2017-13/255

Oil, Gas and Mining; Oil and Gas

R649-2-9	Refusal to Agree	41614	EMR	05/09/2017	2017-11/207

Parks and Recreation

R651-102	Government Records Access Management Act	41382	5YR	03/23/2017	2017-8/75
R651-215-8	River Throw Bag in Lieu of Type IV PFD	41154	AMD	03/10/2017	2017-3/38
R651-227	Boating Safety Course Fees	42045	5YR	08/28/2017	Not Printed
R651-301	State Recreation Fiscal Assistance Programs	41383	5YR	03/23/2017	2017-8/76
R651-410	Off-Highway Vehicle Safety Equipment	41347	5YR	03/07/2017	2017-7/87
R651-411	OHV Use in State Parks	41043	AMD	02/16/2017	2016-24/36
R651-603	Animals	41717	AMD	07/25/2017	2017-12/22
R651-606	Camping	41716	AMD	07/25/2017	2017-12/23
R651-614-5	Hunting with Firearms	41042	AMD	02/16/2017	2016-24/37
R651-633	Special Closures or Restrictions	41044	AMD	02/16/2017	2016-24/38
R651-633-2	General Closures or Restrictions	41715	AMD	07/25/2017	2017-12/24

Water Rights					
R655-1	Wells Used for the Discovery and Production of Geothermal Energy in the State of Utah	41593	5YR	05/05/2017	2017-11/223
R655-6	Administrative Procedures for Informal Proceedings Before the Division of Water Rights	41592	5YR	05/05/2017	2017-11/223
R655-15	Administrative Procedures for Distribution Systems and Water Commissioners	41591	5YR	05/05/2017	2017-11/224
Wildlife Resources					
R657-2	Adjudicative Proceedings	41580	5YR	05/03/2017	2017-11/224
R657-4	Possession of Live Game Birds	41583	5YR	05/03/2017	2017-11/225
R657-6	Taking Upland Game	41832	AMD	08/07/2017	2017-13/179
R657-9	Taking Waterfowl, Wilson's Snipe and Coot	41153	AMD	03/13/2017	2017-3/39
R657-12	Hunting and Fishing Accommodations for People with Disabilities	42024	5YR	08/15/2017	2017-17/213
R657-14	Commercial Harvesting of Protected Aquatic Wildlife	41834	5YR	06/15/2017	2017-13/256
R657-16	Aquaculture and Fish Stocking	41149	REP	03/13/2017	2017-3/40
R657-19	Taking Nongame Mammals	42031	EMR	08/17/2017	Not Printed
R657-20	Falconry	41853	AMD	08/21/2017	2017-14/30
R657-22	Commercial Hunting Areas	41581	5YR	05/03/2017	2017-11/225
R657-27	License Agent Procedures	41353	5YR	03/13/2017	2017-7/87
R657-28	Use of Division Lands	41958	5YR	07/31/2017	2017-16/131
R657-29	Government Records Access Management Act	41579	EXD	05/03/2017	2017-11/231
R657-29	Government Records Access Management Act	41585	NEW	07/10/2017	2017-11/175
R657-30	Fishing License for the Terminally Ill	41582	5YR	05/03/2017	2017-11/226
R657-38	Dedicated Hunter Program	41148	AMD	03/13/2017	2017-3/44
R657-43	Landowner Permits	41330	5YR	02/27/2017	2017-6/30
R657-44	Big Game Depredation	41668	5YR	05/18/2017	2017-12/38
R657-50	Error Remedy	41352	5YR	03/13/2017	2017-7/88
R657-54	Taking Wild Turkey	41833	AMD	08/07/2017	2017-13/180
R657-59	Private Fish Ponds	41150	AMD	03/13/2017	2017-3/49
R657-60	Aquatic Invasive Species Interdiction	41151	AMD	03/13/2017	2017-3/61
R657-62	Drawing Application Procedures	41098	AMD	02/07/2017	2017-1/82
R657-62	Drawing Application Procedures	41152	AMD	03/13/2017	2017-3/67
R657-64	Predator Control Incentives	41957	5YR	07/31/2017	2017-16/132
R657-70	Taking Utah Prairie Dogs	42032	EMR	08/17/2017	Not Printed
NAVAJO TRUST FUND					
Trustees					
R661-3	Utah Navajo Trust Fund Residency Policy	40892	AMD	03/14/2017	2016-22/90
R661-6	Utah Navajo Trust Fund Higher Education Financial Assistance and Scholarship Program	40893	AMD	03/14/2017	2016-22/92
PARDONS (BOARD OF)					
Administration					
R671-101	Rules	41122	5YR	01/05/2017	2017-3/100
R671-202	Notification of Hearings	41241	5YR	01/30/2017	2017-4/78
R671-203	Victim Input and Notification	41242	5YR	01/30/2017	2017-4/78
R671-205	Credit for Time Served	41243	5YR	01/30/2017	2017-4/79
R671-206	Competency of Offenders	41269	EXD	02/02/2017	2017-5/79
R671-207	Mentally Ill and Deteriorated Offender Custody Transfer	41244	5YR	01/30/2017	2017-4/79
R671-301	Personal Appearance	41245	5YR	01/30/2017	2017-4/80
R671-302	News Media and Public Access to Hearings	41246	5YR	01/30/2017	2017-4/80
R671-303	Information Received, Maintained or Used by the Board	41240	5YR	01/30/2017	2017-4/81
R671-304	Hearing Record	41247	5YR	01/30/2017	2017-4/81
R671-305	Board Decisions and Orders	41239	5YR	01/30/2017	2017-4/82
R671-308	Offender Hearing Assistance	41248	5YR	01/30/2017	2017-4/82
R671-310	Rescission Hearings	41249	5YR	01/30/2017	2017-4/83
R671-311	Special Attention Reviews, Hearings, and Decisions	41250	5YR	01/30/2017	2017-4/83
R671-311-3	Earned Time Adjustments	41081	AMD	02/15/2017	2017-1/83

R671-315	Pardons	41251	5YR	01/30/2017	2017-4/84
R671-316	Redetermination	41238	5YR	01/30/2017	2017-4/84
R671-402	Special Conditions of Parole	41176	5YR	01/17/2017	2017-3/100
R671-402	Special Conditions of Parole	41252	5YR	01/30/2017	2017-4/85
R671-403	Restitution	41121	5YR	01/05/2017	2017-3/101
R671-405	Parole Termination	41253	5YR	01/30/2017	2017-4/85
PUBLIC LANDS POLICY COORDINATING OFFICE					
Administration					
R694-1	Archaeology Permits	41444	5YR	04/04/2017	2017-9/51
PUBLIC SAFETY					
Administration					
R698-8	Local Public Safety and Firefighter Surviving Spouse Trust Fund	41373	AMD	06/07/2017	2017-8/42
R698-9	Utah Law Enforcement Memorial Support Restricted Account	41369	NEW	06/07/2017	2017-7/32
R698-10	Electronic Meetings	41586	NEW	07/18/2017	2017-11/178
Driver License					
R708-2	Commercial Driver Training Schools	41203	5YR	01/20/2017	2017-4/86
R708-3	Driver License Point System Administration	41128	5YR	01/08/2017	2017-3/101
R708-7	Functional Ability in Driving: Guidelines for Physicians	41133	5YR	01/08/2017	2017-3/102
R708-8	Review Process: Driver License Medical Review Section	41129	5YR	01/08/2017	2017-3/102
R708-14	Adjudicative Proceedings for Driver License Actions Involving Alcohol and Drugs	41130	5YR	01/08/2017	2017-3/103
R708-21	Third-Party Testing	41204	5YR	01/20/2017	2017-4/86
R708-25	Commercial Driver License Applicant Fitness Certification	41200	REP	03/27/2017	2017-4/41
R708-27	Certification of Driver Education Teachers in the Public Schools to Administer Knowledge and Driving Skills Tests	41202	5YR	01/20/2017	2017-4/87
R708-34	Medical Waivers for Intrastate Commercial Driving Privileges	41132	5YR	01/08/2017	2017-3/104
R708-35	Adjudicative Proceedings for Driver License Offenses Not Involving Alcohol or Drug Actions	41131	5YR	01/08/2017	2017-3/104
R708-39	Physical and Mental Fitness Testing	41205	5YR	01/20/2017	2017-4/87
R708-47	Emergency Contact Database	42005	5YR	08/07/2017	2017-17/214
R708-48	Ignition Interlock System Program	42006	5YR	08/07/2017	2017-17/215
Emergency Management					
R704-2	Statewide Mutual Aid Act Activation	41380	AMD	06/09/2017	2017-8/44
R704-3	Local Government Emergency Response Loan Program	40956	NEW	01/12/2017	2016-23/112
R704-3	Local Government Emergency Response Loan Program	41358	AMD	06/07/2017	2017-7/33
Fire Marshal					
R710-1	Concerns Servicing Portable Fire Extinguishers	41571	5YR	05/02/2017	2017-11/226
R710-2	Rules Pursuant to the Utah Fireworks Act	41572	5YR	05/02/2017	2017-11/227
R710-2	Rules Pursuant to the Utah Fireworks Act	41692	NSC	06/13/2017	Not Printed
R710-3	Assisted Living Facilities	41574	5YR	05/03/2017	2017-11/227
R710-3-3	Definitions	41693	NSC	06/13/2017	Not Printed
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	41575	5YR	05/03/2017	2017-11/228
R710-7	Concerns Servicing Automatic Fire Suppression Systems	41584	5YR	05/04/2017	2017-11/228
R710-7-8	Requirements For All Approved Systems	41694	NSC	06/13/2017	Not Printed
R710-8	Day Care Rules	41343	5YR	03/06/2017	2017-7/88
R710-9	Rules Pursuant to the Utah Fire Prevention and Safety Act	41577	5YR	05/03/2017	2017-11/229

Highway Patrol

R714-110	Permit to Operate a Motor Vehicle in Violation of Equipment Laws	41835	5YR	06/19/2017	2017-14/62
R714-158	Vehicle Safety Inspection Program Requirements	41836	5YR	06/19/2017	2017-14/63
R714-159	Vehicle Safety Inspection Apprenticeship Program Guidelines	41837	5YR	06/19/2017	2017-14/63
R714-162	Equipment Standards for Heavy Vehicle, Trailer and Bus Safety Inspections	41359	R&R	07/18/2017	2017-7/35
R714-200	Standards for Vehicle Lights and Illuminating Devices	41838	5YR	06/19/2017	2017-14/64
R714-210	Standards for Motor Vehicle Air Conditioning Equipment	41839	5YR	06/19/2017	2017-14/65
R714-300	Standards for Motor Vehicle Braking Systems	41840	5YR	06/19/2017	2017-14/65
R714-550	Rule for Spending Fees Provided under Section 53-1-117	41841	5YR	06/19/2017	2017-14/66

PUBLIC SERVICE COMMISSION

Administration

R746-1	Public Service Commission Administrative Procedures Act Rule	41116	NEW	03/06/2017	2017-2/27
R746-100	Practice and Procedures Governing Formal Hearings	41115	REP	03/06/2017	2017-2/33
R746-101	Statement of Rule for the Filing and Disposition of Petitions for Declaratory Rulings	41968	5YR	07/31/2017	2017-16/132
R746-101-1	Definitions	41669	NSC	06/05/2017	Not Printed
R746-110-3	Rate Increases	41670	NSC	06/05/2017	Not Printed
R746-200-7	Termination of Service	41337	AMD	05/15/2017	2017-7/59
R746-240-1	General Provisions	41671	NSC	06/05/2017	Not Printed
R746-310	Uniform Rules Governing Electricity Service by Electric Utilities	41672	NSC	06/05/2017	Not Printed
R746-310	Uniform Rules Governing Electricity Service by Electric Utilities	41931	5YR	07/19/2017	2017-16/133
R746-312	Electrical Interconnection	41673	NSC	06/05/2017	Not Printed
R746-313	Electric Service Reliability	41514	5YR	04/27/2017	2017-10/175
R746-313	Electrical Service Reliability	41674	NSC	06/05/2017	Not Printed
R746-320	Uniform Rules Governing Natural Gas Service	41667	5YR	05/17/2017	2017-12/38
R746-320	Uniform Rules Governing Natural Gas Service	41676	NSC	06/13/2017	Not Printed
R746-340-1	General	41677	NSC	06/13/2017	Not Printed
R746-341	Lifeline Rule	41031	AMD	03/24/2017	2016-24/40
R746-341	Lifeline Rule	41031	CPR	03/24/2017	2017-4/54
R746-343-15	Surcharge	41645	AMD	07/10/2017	2017-11/179
R746-344-3	Hearing Process	41678	NSC	06/13/2017	Not Printed
R746-345-1	Authorization	41679	NSC	06/13/2017	Not Printed
R746-349	Competitive Entry and Reporting Requirements	41262	5YR	01/31/2017	2017-4/88
R746-349-3	Filing Requirements	41680	NSC	06/13/2017	Not Printed
R746-351	Pricing Flexibility	41263	5YR	01/31/2017	2017-4/89
R746-360-6	Eligibility for Fund Distributions	41704	AMD	07/31/2017	2017-12/25
R746-365	Intercarrier Service Quality	41681	NSC	06/13/2017	Not Printed
R746-400	Public Utility Reports	41513	5YR	04/27/2017	2017-10/176
R746-400-4	Reports to the Commission	41682	NSC	06/13/2017	Not Printed
R746-401-1	Applicability	41683	NSC	06/13/2017	Not Printed
R746-409-6	Remedies	41684	NSC	06/13/2017	Not Printed
R746-420	Requests for Approval of a Solicitation Process	41393	5YR	03/27/2017	2017-8/83
R746-430	Procedural and Informational Requirements for Action Plans, for an Approval of a Significant Energy Resource, for Determination of Whether to Proceed, and for Waivers of a Solicitation Process or of an Approval of a Significant Energy Resource	41392	5YR	03/27/2017	2017-8/83
R746-440	Voluntary Resource Decision	41264	5YR	01/31/2017	2017-4/89
R746-700	Complete Filings for General Rate Case and Major Plant Addition Applications	41685	NSC	06/13/2017	Not Printed

REGENTS (BOARD OF)

Administration

R765-606	Utah Leveraging Educational Assistance Partnership Program	40915	REP	03/14/2017	2016-22/109

University of Utah, Commuter Services

R810-2	Parking Meters and Other Pay Parking Spaces	41302	5YR	02/13/2017	2017-5/69
R810-5	Permit Types and Eligibility	41303	5YR	02/13/2017	2017-5/70
R810-6	Permit Prices and Refunds	41304	5YR	02/13/2017	2017-5/70
R810-9	Contractors and Their Employees	41305	5YR	02/13/2017	2017-5/71
R810-9	Contractors and Their Employees	41328	NSC	03/14/2017	Not Printed
R810-10	Enforcement System	41306	5YR	02/13/2017	2017-5/71
R810-11	Appeals System	41307	5YR	02/13/2017	2017-5/72

SCHOOL AND INSTITUTIONAL TRUST LANDS

Administration

R850-1	Definition of Terms	41697	5YR	05/23/2017	2017-12/39
R850-2	Trust Land Management Objectives	41696	5YR	05/23/2017	2017-12/39
R850-3	Applicant Qualifications, Application Forms, and Application Processing	41695	5YR	05/23/2017	2017-12/40
R850-4	Application Fees and Assessments	41845	5YR	06/27/2017	2017-14/67
R850-5	Payments, Royalties, Audits, and Reinstatements	41846	5YR	06/27/2017	2017-14/67
R850-6	Government Records Access and Management	41847	5YR	06/27/2017	2017-14/68
R850-11	Procurement	41489	5YR	04/24/2017	2017-10/176
R850-30	Special Use Leases	41848	5YR	06/27/2017	2017-14/68
R850-40	Easements	41849	5YR	06/27/2017	2017-14/69
R850-41	Rights of Entry	41291	5YR	02/07/2017	2017-5/72
R850-50	Range Management	41850	5YR	06/27/2017	2017-14/69
R850-60	Cultural Resources	41851	5YR	06/27/2017	2017-14/70
R850-80	Sale of Trust Lands	41852	5YR	06/27/2017	2017-14/70
R850-90	Land Exchanges	41155	5YR	01/12/2017	2017-3/105
R850-100	Trust Land Management Planning	42025	5YR	08/15/2017	2017-17/215
R850-120	Beneficiary Use of Institutional Trust Land	41156	5YR	01/12/2017	2017-3/105
R850-160	Withdrawal of Trust Lands from Public Target Shooting	41558	NEW	06/21/2017	2017-10/139

SCIENCE TECHNOLOGY AND RESEARCH GOVERNING AUTHORITY

Administration

R856-1	USTAR Technology Acceleration Program Grants	41804	R&R	08/15/2017	2017-13/182
R856-2	USTAR University-Industry Partnership Program Grants	41812	R&R	08/15/2017	2017-13/188
R856-3	USTAR University Technology Acceleration Grants	41813	R&R	08/15/2017	2017-13/195
R856-4	USTAR Science Technology Initiation Grant	41095	NEW	03/22/2017	2017-1/85
R856-4	USTAR Science Technology Initiation Grant	41815	R&R	08/15/2017	2017-13/201
R856-5	USTAR Energy Research Triangle Professors Grant	41096	NEW	03/22/2017	2017-1/88
R856-5	USTAR Energy Research Triangle Professors Grant	41828	R&R	08/15/2017	2017-13/207
R856-5	Utah Science, Technology, and Research (USTAR) Energy Research Triangle Professors (ERT-P) Grant	41906	NSC	08/16/2017	Not Printed
R856-6	USTAR Energy Research Triangle Scholars Grant	41097	NEW	03/22/2017	2017-1/92
R856-6	USTAR Energy Research Triangle Scholars Grant	41829	R&R	08/15/2017	2017-13/214
R856-7	USTAR Definition of High-Quality Job	41481	NEW	08/15/2017	2017-10/141

TAX COMMISSION

Administration					
R861-1A-16	Utah State Tax Commission Management Plan Pursuant to Utah Code Ann. Section 59-1-207	41468	AMD	06/08/2017	2017-9/28
R861-1A-20	Time of Appeal Pursuant to Utah Code Ann. Sections 59-1-301, 59-1-501, 59-1-1410, 59- 2-1007, 59-7-517, 59-12-114, 59-13-210, 63G-4-201, 63G-4-401, 68-3-7, and 68-3-8.5	41699	AMD	07/27/2017	2017-12/27
R861-1A-42	Waiver of Penalty and Interest for Reasonable Cause Pursuant to Utah Code Ann. Section 59-1-401	41700	AMD	07/27/2017	2017-12/28
Auditing					
R865-9I-54	Renewable Energy Credit Amount Pursuant to Utah Code Ann. Sections 59-10-1014 and 59-10-1106	41701	AMD	07/27/2017	2017-12/31
Motor Vehicle					
R873-22M-2	Documentation Required and Procedures to Follow to Register or Title Certain Vehicles Pursuant to Utah Code Ann. Sections 41-1a-104 and 41-1a-108	41702	AMD	07/27/2017	2017-12/31
R873-22M-16	Authorization to Issue a Certificate of Title Pursuant to Utah Code Ann. Section 41-1a-104	41703	AMD	07/27/2017	2017-12/34
Property Tax					
R884-24P-24	Form for Notice of Property Valuation and Tax Changes Pursuant to Utah Code Ann. Sections 59-2-918.5 through 59-2-924	41469	AMD	06/08/2017	2017-9/30
R884-24P-57	Judgment Levies Pursuant to Utah Code Ann. Sections 59-2-918.5, 59-2-924, 59-2-1328, and 59-2-1330	41455	NSC	06/01/2017	Not Printed

TECHNOLOGY SERVICES

Administration					
R895-3	Computer Software Licensing, Copyright, Control, Retention, and Transfer	41454	5YR	04/06/2017	2017-9/52
R895-3	Computer Software Licensing, Copyright, Control, Retention, and Transfer	41459	AMD	07/28/2017	2017-9/32

TRANSPORTATION

Administration					
R907-80	Disposition of Surplus Land	41384	NEW	05/22/2017	2017-8/48
Operations, Aeronautics					
R914-3	Aircraft Registration Enforcement	40937	NEW	01/18/2017	2016-23/114
R914-3	Aircraft Registration Enforcement	41421	AMD	05/22/2017	2017-8/53
Operations, Maintenance					
R918-3	Snow Removal	41913	5YR	07/07/2017	2017-15/34
R918-6	Maintenance Responsibility at Intersections, Overcrossings, and Interchanges between Class A Roads and Class B or Class C Roads	41942	5YR	07/19/2017	2017-16/133
Operations, Traffic and Safety					
R920-1	Utah Manual on Uniform Traffic Control Devices	41910	5YR	07/07/2017	2017-15/35
R920-2	Rural Conventional Road Definition	41925	5YR	07/12/2017	2017-15/35
R920-4	Special Road Use or Event	41767	5YR	06/08/2017	2017-13/256
R920-4	Special Road Use or Event	41924	5YR	07/12/2017	2017-15/36
R920-6	Snow Tire and Chain Requirements	41911	5YR	07/07/2017	2017-15/37
R920-50	Ropeway Operation Safety	41476	EXT	04/13/2017	2017-9/53
R920-50	Ropeway Operation Safety	41907	5YR	07/06/2017	2017-15/37
R920-51	Safety Regulations for Railroads	41912	EXT	07/07/2017	2017-15/45

Preconstruction					
R930-9	Detection and Elimination of Unauthorized Discharges into Drainage Systems, Enforcement of Water Laws, Sanctions for Violation, and Permitting	41485	NEW	06/30/2017	2017-10/147
Program Development					
R926-2	Evaluation of Proposed Additions to or Deletions from the State Highway System	41484	AMD	06/30/2017	2017-10/144
R926-4	Establishing and Defining a Functional Classification of Highways in the State of Utah	41375	5YR	03/17/2017	2017-8/84
R926-11	Clean Fuel Vehicle Decal Program	41884	AMD	08/23/2017	2017-14/49
R926-13-4	Highways Within the State That Are Designated as State Scenic Byways	41053	AMD	02/07/2017	2017-1/95
R926-15-5	Highways Within the State That Are Designated as State Scenic Backways	41329	NSC	03/14/2017	Not Printed
TREASURER					
Unclaimed Property					
R966-1	Requirements for Claims where no Proof of Stock Ownership Exists	41930	EXT	07/18/2017	2017-16/135
VETERANS' AND MILITARY AFFAIRS					
Administration					
R978-1	Rule Governing Veterans' Affairs	41335	5YR	03/01/2017	2017-6/31
R978-1	Rule Governing Veterans' Affairs	41351	AMD	05/09/2017	2017-7/63
WORKFORCE SERVICES					
Administration					
R982-101	Americans with Disabilities Complaint Procedure	41711	5YR	05/31/2017	2017-12/40
R982-201	Government Records Access and Management Act	41712	5YR	05/31/2017	2017-12/41
R982-301	Councils	41713	5YR	05/31/2017	2017-12/41
R982-401	Energy Assistance: General Provisions	41905	5YR	07/06/2017	2017-15/38
R982-402	Energy Assistance Programs Standards	41856	5YR	06/28/2017	2017-14/71
R982-403	Energy Assistance Income Standards, Income Eligibility, and Payment Determination	41857	5YR	06/28/2017	2017-14/71
R982-403-5	Income Exclusions	41594	NSC	05/23/2017	Not Printed
R982-404	Energy Assistance: Asset Standards	41858	5YR	06/28/2017	2017-14/72
R982-405	Energy Assistance: Program Benefits	41894	5YR	07/06/2017	2017-15/38
R982-406	Energy Assistance: Eligibility Determination	41895	5YR	07/06/2017	2017-15/39
R982-407	Energy Assistance: Records and Benefit Management	41896	5YR	07/06/2017	2017-15/39
R982-408	Energy Assistance: Special State Programs	41897	5YR	07/06/2017	2017-15/40
R982-501	Olene Walker Housing Loan Fund (OWHLF)	41898	5YR	07/06/2017	2017-15/40
R982-601	Provider Code of Conduct	41714	5YR	05/31/2017	2017-12/42
Employment Development					
R986-100	Employment Support Programs	41595	NSC	05/23/2017	Not Printed
R986-200	Family Employment Program	41596	NSC	05/23/2017	Not Printed
R986-300-305	Failure to Comply with an Employment Plan	41597	NSC	05/23/2017	Not Printed
R986-400-401	Authority for General Assistance (GA) and Applicable Rules	41598	NSC	05/23/2017	Not Printed
R986-600	Workforce Investment Act	41336	AMD	05/01/2017	2017-6/18
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ABBREVIATIONS

AMD = Amendment (Proposed Rule)
CPR = Change in Proposed Rule
EMR = 120-Day (Emergency) Rule
EXD = Expired Rule
EXP = Expedited Rule
EXT = Five-Year Review Extension
GEX = Governor's Extension
LNR = Legislative Nonreauthorization
NEW = New Rule (Proposed Rule)
NSC = Nonsubstantive Rule Change
R&R = Repeal and Reenact (Proposed Rule)
REP = Repeal (Proposed Rule)
5YR = Five-Year Notice of Review and Statement of Continuation

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	41984	R994-401	NSC	08/11/2017	Not Printed
bid security					
Administrative Services, Purchasing and General Services	41546	R33-11	AMD	06/21/2017	2017-10/35
big game					
Natural Resources, Wildlife Resources	41668	R657-44	5YR	05/18/2017	2017-12/38

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big game seasons					
Natural Resources, Wildlife Resources	41330	R657-43	5YR	02/27/2017	2017-6/30
biliteracy					
Education, Administration	41004	R277-499	NEW	01/10/2017	2016-23/30
birds					
Natural Resources, Wildlife Resources	41583	R657-4	5YR	05/03/2017	2017-11/225
	41832	R657-6	AMD	08/07/2017	2017-13/179
	41153	R657-9	AMD	03/13/2017	2017-3/39
	41853	R657-20	AMD	08/21/2017	2017-14/30
bison					
Agriculture and Food, Animal Industry	41164	R58-3	5YR	01/12/2017	2017-3/80
Board of Examiners					
Examiners (Board of), Administration	41294	R320-101	5YR	02/07/2017	2017-5/65
boards					
Administrative Services, Finance	41796	R25-5	NSC	06/29/2017	Not Printed
boating					
Natural Resources, Parks and Recreation	41154	R651-215-8	AMD	03/10/2017	2017-3/38
	42045	R651-227	5YR	08/28/2017	Not Printed
boilers					
Labor Commission, Boiler and Elevator Safety	42002	R616-2	NSC	08/28/2017	Not Printed
bonding requirements					
Money Management Council, Administration	41866	R628-4	AMD	08/21/2017	2017-14/24
bonds					
Treasurer, Unclaimed Property	41930	R966-1	EXT	07/18/2017	2017-16/135
boxing					
Governor, Economic Development, Pete Suazo Utah Athletic Commission	41425	R359-1	5YR	03/30/2017	2017-8/70
brakes					
Public Safety, Highway Patrol	41840	R714-300	5YR	06/19/2017	2017-14/65
breaks					
Human Resource Management, Administration	41278	R477-8	EXT	02/02/2017	2017-5/76
	41532	R477-8	5YR	04/27/2017	2017-10/171
	41506	R477-8	AMD	07/01/2017	2017-10/120
	41808	R477-8	AMD	08/30/2017	2017-13/172
brucellosis					
Agriculture and Food, Animal Industry	41164	R58-3	5YR	01/12/2017	2017-3/80
budgeting					
Health, Health Care Financing, Coverage and Reimbursement Policy	41211	R414-304	AMD	03/28/2017	2017-4/22
	40998	R414-304-5	AMD	01/17/2017	2016-23/63
building inspections					
Commerce, Occupational and Professional Licensing	41144	R156-56	5YR	01/10/2017	2017-3/85
building inspectors					
Commerce, Occupational and Professional Licensing	41144	R156-56	5YR	01/10/2017	2017-3/85
bulls					
Agriculture and Food, Animal Industry	41471	R58-21	AMD	06/14/2017	2017-9/5
burglar alarms					
Commerce, Occupational and Professional Licensing	41199	R156-55d	5YR	01/19/2017	2017-4/60

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burials					
Heritage and Arts, History	41342	R455-12	5YR	03/02/2017	2017-7/86
burns					
Natural Resources, Forestry, Fire and State Lands	41011	R652-120	AMD	01/10/2017	2016-23/99
business practices					
Commerce, Securities	41888	R164-6	5YR	07/03/2017	2017-15/28
Business Resource Center					
Governor, Economic Development	40961	R357-19	NEW	02/22/2017	2016-23/55
byproduct material					
Environmental Quality, Waste Management and Radiation Control, Radiation	41179	R313-24	5YR	01/17/2017	2017-3/89
C Decals					
Transportation, Program Development	41884	R926-11	AMD	08/23/2017	2017-14/49
C Permits					
Transportation, Program Development	41884	R926-11	AMD	08/23/2017	2017-14/49
C Stickers					
Transportation, Program Development	41884	R926-11	AMD	08/23/2017	2017-14/49
cancellations					
Administrative Services, Purchasing and General Services	41545	R33-9	AMD	06/21/2017	2017-10/31
capital punishment					
Administrative Services, Finance	41124	R25-14	5YR	01/06/2017	2017-3/79
captive insurance					
Insurance, Administration	41569	R590-238	5YR	05/02/2017	2017-11/220
	41801	R590-238-21	NSC	06/29/2017	Not Printed
career and technical education					
Education, Administration	41742	R277-911	5YR	06/06/2017	2017-13/240
	41794	R277-911	AMD	08/07/2017	2017-13/84
carryover funding					
Human Services, Aging and Adult Services	41872	R510-101	5YR	06/30/2017	2017-14/56
caseworker training					
Human Services, Child and Family Services	41483	R512-204	5YR	04/18/2017	2017-10/174
cash management					
Money Management Council, Administration	41862	R628-15	AMD	08/21/2017	2017-14/25
cattle					
Agriculture and Food, Animal Industry	41164	R58-3	5YR	01/12/2017	2017-3/80
	41471	R58-21	AMD	06/14/2017	2017-9/5
cemetery					
Heritage and Arts, History	41342	R455-12	5YR	03/02/2017	2017-7/86
census					
Transportation, Program Development	41375	R926-4	5YR	03/17/2017	2017-8/84
certificate of compliance					
Commerce, Occupational and Professional Licensing	41146	R156-78B	5YR	01/10/2017	2017-3/87
certificate of registration					
Transportation, Operations, Aeronautics	40937	R914-3	NEW	01/18/2017	2016-23/114
	41421	R914-3	AMD	05/22/2017	2017-8/53

certification					
Labor Commission, Boiler and Elevator Safety	42001	R616-1	NSC	08/28/2017	Not Printed
	42002	R616-2	NSC	08/28/2017	Not Printed
	42003	R616-3	NSC	08/28/2017	Not Printed
Workforce Services, Rehabilitation	41616	R993-300	AMD	07/10/2017	2017-11/187
certification of instructors					
Human Services, Substance Abuse and Mental Health	40999	R523-11-3	AMD	01/17/2017	2016-23/75
certification of programs					
Human Services, Substance Abuse and Mental Health	41607	R523-5	AMD	08/01/2017	2017-11/162
certified nurse midwife					
Commerce, Occupational and Professional Licensing	41340	R156-44a-601	NSC	04/05/2017	Not Printed
change orders					
Administrative Services, Purchasing and General Services	41547	R33-12	AMD	06/21/2017	2017-10/37
chapter resolution					
Navajo Trust Fund, Trustees	40892	R661-3	AMD	03/14/2017	2016-22/90
charter schools					
Education, Administration	41360	R277-479	5YR	03/15/2017	2017-7/82
	41778	R277-479	AMD	08/07/2017	2017-13/39
cHIE					
Health, Children's Health Insurance Program	41962	R382-2	5YR	07/31/2017	2017-16/129
Health, Health Care Financing, Coverage and Reimbursement Policy	41954	R414-8	5YR	07/28/2017	2017-16/130
child abuse					
Education, Administration	41933	R277-401	5YR	07/19/2017	2017-16/121
Human Services, Child and Family Services	41483	R512-204	5YR	04/18/2017	2017-10/174
	41842	R512-205	AMD	08/28/2017	2017-14/19
child care					
Workforce Services, Employment Development	41171	R986-700-706	AMD	04/01/2017	2017-3/68
child care facilities					
Health, Family Health and Preparedness, Child Care Licensing	41472	R430-1	EXT	04/12/2017	2017-9/53
	41995	R430-1	5YR	08/01/2017	2017-16/130
	41990	R430-6	5YR	08/01/2017	2017-16/131
child support					
Human Services, Administration	41217	R495-884	5YR	01/27/2017	2017-4/73
Human Services, Recovery Services	41210	R527-37	5YR	01/23/2017	2017-4/73
	41170	R527-250	AMD	04/14/2017	2017-3/34
	41207	R527-255	5YR	01/23/2017	2017-4/74
	41208	R527-300	5YR	01/23/2017	2017-4/75
	41209	R527-330	5YR	01/23/2017	2017-4/75
	41691	R527-330	NSC	06/13/2017	Not Printed
	41724	R527-378	5YR	06/02/2017	2017-13/242
	41214	R527-412	5YR	01/26/2017	2017-4/76
	41725	R527-601	5YR	06/02/2017	2017-13/242
child welfare					
Human Services, Child and Family Services	41483	R512-204	5YR	04/18/2017	2017-10/174
	40933	R512-311	NEW	01/10/2017	2016-23/67
children					
Health, Family Health and Preparedness, WIC Services	41254	R406-100	5YR	01/30/2017	2017-4/69
	41255	R406-200	5YR	01/30/2017	2017-4/70

	41256	R406-201	5YR	01/30/2017	2017-4/70
	41257	R406-202	5YR	01/30/2017	2017-4/71
	41258	R406-301	5YR	01/30/2017	2017-4/71
children's health benefits					
Health, Children's Health Insurance Program	40997	R382-10-11	AMD	01/17/2017	2016-23/62
CHIP					
Health, Children's Health Insurance Program	41962	R382-2	5YR	07/31/2017	2017-16/129
chronic wasting disease					
Agriculture and Food, Animal Industry	41162	R58-18	5YR	01/12/2017	2017-3/81
citizenship					
Health, Health Care Financing, Coverage and Reimbursement Policy	41070	R414-302-6	AMD	02/15/2017	2017-1/72
cleanup standards					
Environmental Quality, Water Quality	41891	R317-6	5YR	07/06/2017	2017-15/30
client rights					
Workforce Services, Administration	41905	R982-401	5YR	07/06/2017	2017-15/38
coal mines					
Labor Commission, Boiler and Elevator Safety	42004	R616-4	NSC	08/28/2017	Not Printed
coatings					
Environmental Quality, Air Quality	41218	R307-343	5YR	01/27/2017	2017-4/67
code of conduct					
Workforce Services, Administration	41714	R982-601	5YR	05/31/2017	2017-12/42
codes of conduct					
Education, Administration	41008	R277-517	NEW	01/10/2017	2016-23/41
collection transfer					
Administrative Services, Debt Collection	41374	R21-1	NSC	04/10/2017	Not Printed
	41743	R21-1	5YR	06/07/2017	2017-13/229
college					
Navajo Trust Fund, Trustees	40893	R661-6	AMD	03/14/2017	2016-22/92
college and career awareness					
Education, Administration	41319	R277-916	AMD	04/10/2017	2017-5/17
commercialization of aquatic wildlife					
Natural Resources, Wildlife Resources	41834	R657-14	5YR	06/15/2017	2017-13/256
communicable diseases					
Health, Disease Control and Prevention, Epidemiology	41038	R386-702	AMD	01/27/2017	2016-24/12
Health, Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health	41334	R388-804	AMD	05/11/2017	2017-6/4
community action programs					
Workforce Services, Housing and Community Development	41904	R990-100	5YR	07/06/2017	2017-15/43
	41902	R990-101	5YR	07/06/2017	2017-15/43
	41611	R990-101	AMD	07/10/2017	2017-11/184
community development					
Workforce Services, Housing and Community Development	41901	R990-11	5YR	07/06/2017	2017-15/42
community-based corrections					
Corrections, Administration	41451	R251-306	5YR	04/05/2017	2017-9/43

complaints					
Workforce Services, Administration	41711	R982-101	5YR	05/31/2017	2017-12/40
computer software					
Technology Services, Administration	41454	R895-3	5YR	04/06/2017	2017-9/52
	41459	R895-3	AMD	07/28/2017	2017-9/32
computing partnerships					
Governor, Economic Development	41649	R357-20	NEW	07/14/2017	2017-11/157
conduct					
Administrative Services, Purchasing and General Services	40898	R33-16	AMD	01/20/2017	2016-22/10
	41550	R33-16	AMD	06/21/2017	2017-10/48
Education, Administration	41088	R277-211-6	AMD	02/07/2017	2017-1/28
	41363	R277-211-6	AMD	05/10/2017	2017-7/18
confidential information					
Public Service Commission, Administration	41116	R746-1	NEW	03/06/2017	2017-2/27
	41115	R746-100	REP	03/06/2017	2017-2/33
confidentiality					
Education, Administration	41648	R277-487	AMD	07/10/2017	2017-11/24
Judicial Performance Evaluation Commission, Administration	41620	R597-2-2	AMD	07/10/2017	2017-11/165
confidentiality of information					
Human Resource Management, Administration	41271	R477-2	EXT	02/02/2017	2017-5/75
	41526	R477-2	5YR	04/27/2017	2017-10/168
	41501	R477-2	AMD	07/01/2017	2017-10/100
	41806	R477-2	AMD	08/30/2017	2017-13/164
Workforce Services, Administration	41905	R982-401	5YR	07/06/2017	2017-15/38
conflict of interest					
Human Resource Management, Administration	41280	R477-9	EXT	02/02/2017	2017-5/77
	41533	R477-9	5YR	04/27/2017	2017-10/171
conflicts of interest					
Judicial Performance Evaluation Commission, Administration	41620	R597-2-2	AMD	07/10/2017	2017-11/165
congregate meals					
Human Services, Aging and Adult Services	41869	R510-104	5YR	06/30/2017	2017-14/57
construction management					
Administrative Services, Purchasing and General Services	41548	R33-13	AMD	06/21/2017	2017-10/43
consumer protection					
Commerce, Consumer Protection	40920	R152-6	AMD	01/09/2017	2016-22/21
	41610	R152-34	5YR	05/08/2017	2017-11/212
contamination					
Environmental Quality, Waste Management and Radiation Control, Radiation	41177	R313-15	5YR	01/17/2017	2017-3/88
continuing care facility					
Insurance, Administration	40953	R590-273	NEW	04/07/2017	2016-23/94
	40953	R590-273	CPR	04/07/2017	2017-5/58
contractors					
Commerce, Occupational and Professional Licensing	41348	R156-55a	AMD	05/08/2017	2017-7/6
	41261	R156-55b-102	AMD	03/27/2017	2017-4/5
	41917	R156-55b-302a	NSC	08/01/2017	Not Printed

contracts					
Administrative Services, Facilities Construction and Management	41266	R23-1	5YR	02/01/2017	2017-4/57
Administrative Services, Purchasing and General Services	41547	R33-12	AMD	06/21/2017	2017-10/37
Public Service Commission, Administration	41683	R746-401-1	NSC	06/13/2017	Not Printed
controlled substance database					
Commerce, Occupational and Professional Licensing	41339	R156-37f-301	NSC	04/05/2017	Not Printed
	41265	R156-37f-303	NSC	02/23/2017	Not Printed
controlled substances					
Commerce, Occupational and Professional Licensing	41289	R156-37	5YR	02/06/2017	2017-5/61
controversies					
Administrative Services, Purchasing and General Services	40898	R33-16	AMD	01/20/2017	2016-22/10
	41550	R33-16	AMD	06/21/2017	2017-10/48
cooperative agreements					
Natural Resources, Forestry, Fire and State Lands	41014	R652-122	AMD	01/10/2017	2016-23/105
cooperative purchasing					
Administrative Services, Purchasing and General Services	41554	R33-21-201e	AMD	06/21/2017	2017-10/56
copyright					
Education, Administration	41771	R277-115	REP	08/07/2017	2017-13/27
Technology Services, Administration	41454	R895-3	5YR	04/06/2017	2017-9/52
	41459	R895-3	AMD	07/28/2017	2017-9/32
correctional institutions					
Corrections, Administration	41449	R251-704	5YR	04/05/2017	2017-9/44
corrections					
Corrections, Administration	41456	R251-107	5YR	04/06/2017	2017-9/42
	41495	R251-107	NSC	05/15/2017	Not Printed
	41447	R251-305	5YR	04/05/2017	2017-9/43
	41460	R251-305	AMD	08/15/2017	2017-9/14
	41451	R251-306	5YR	04/05/2017	2017-9/43
	41450	R251-703	5YR	04/05/2017	2017-9/43
	41461	R251-703	NSC	05/15/2017	Not Printed
	41448	R251-705	5YR	04/05/2017	2017-9/44
	41621	R251-705	NSC	05/31/2017	Not Printed
	41457	R251-706	5YR	04/06/2017	2017-9/45
	41500	R251-706	AMD	08/15/2017	2017-10/59
	41463	R251-707	5YR	04/07/2017	2017-9/45
	41622	R251-707	NSC	05/31/2017	Not Printed
	41453	R251-710	5YR	04/05/2017	2017-9/46
corrective action					
Education, Administration	41074	R277-114	AMD	02/07/2017	2017-1/22
cosmetologists/barbers					
Commerce, Occupational and Professional Licensing	41198	R156-11a	5YR	01/19/2017	2017-4/59
	41260	R156-11a	AMD	03/27/2017	2017-4/4
cost sharing					
Health, Health Care Financing, Coverage and Reimbursement Policy	41589	R414-200	5YR	05/05/2017	2017-11/220
cost sharing agreement					
Public Safety, Administration	41373	R698-8	AMD	06/07/2017	2017-8/42
costs					
Administrative Services, Purchasing and General Services	41547	R33-12	AMD	06/21/2017	2017-10/37

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cottage foods					
Agriculture and Food, Regulatory Services	41157	R70-560	5YR	01/12/2017	2017-3/85
councils					
Workforce Services, Administration	41713	R982-301	5YR	05/31/2017	2017-12/41
course					
Natural Resources, Parks and Recreation	42045	R651-227	5YR	08/28/2017	Not Printed
coverage groups					
Health, Health Care Financing, Coverage and Reimbursement Policy	41429	R414-303-4	AMD	07/01/2017	2017-8/31
credit for time served					
Pardons (Board Of), Administration	41243	R671-205	5YR	01/30/2017	2017-4/79
credits					
Education, Administration	41191	R277-717	NEW	03/14/2017	2017-3/18
criminal competency					
Pardons (Board Of), Administration	41269	R671-206	EXD	02/02/2017	2017-5/79
	41244	R671-207	5YR	01/30/2017	2017-4/79
critical languages					
Education, Administration	41737	R277-488	5YR	06/06/2017	2017-13/237
	41781	R277-488	AMD	08/07/2017	2017-13/47
cultural resources					
Heritage and Arts, Administration	41709	R450-2	5YR	05/31/2017	2017-12/37
Natural Resources, Forestry, Fire and State Lands	41417	R652-60	5YR	03/29/2017	2017-8/81
School and Institutional Trust Lands, Administration	41851	R850-60	5YR	06/27/2017	2017-14/70
curricula					
Education, Administration	42015	R277-703	5YR	08/14/2017	2017-17/212
	41940	R277-713	5YR	07/19/2017	2017-16/125
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	41792	R277-735	AMD	08/07/2017	2017-13/78
dairy inspection					
Agriculture and Food, Regulatory Services	41166	R70-320	5YR	01/12/2017	2017-3/83
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	41779	R277-484	AMD	08/07/2017	2017-13/41
day care					
Public Safety, Fire Marshal	41343	R710-8	5YR	03/06/2017	2017-7/88
deadlines					
Education, Administration	41735	R277-484	5YR	06/06/2017	2017-13/236
	41779	R277-484	AMD	08/07/2017	2017-13/41
deaf education					
Education, Administration	41784	R277-514	NEW	08/07/2017	2017-13/54
debarment					
Administrative Services, Purchasing and General Services	41545	R33-9	AMD	06/21/2017	2017-10/31

debt					
Human Services, Recovery Services	41209	R527-330	5YR	01/23/2017	2017-4/75
	41691	R527-330	NSC	06/13/2017	Not Printed
deception detection examination administrator					
Commerce, Occupational and Professional Licensing	41145	R156-64	5YR	01/10/2017	2017-3/86
deception detection examiner					
Commerce, Occupational and Professional Licensing	41145	R156-64	5YR	01/10/2017	2017-3/86
deception detection intern					
Commerce, Occupational and Professional Licensing	41145	R156-64	5YR	01/10/2017	2017-3/86
declaratory orders					
Auditor, Administration	41765	R123-4	5YR	06/07/2017	2017-13/230
Health, Administration	41434	R380-1	5YR	04/03/2017	2017-9/46
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Environmental Quality, Air Quality	41355	R307-101-3	AMD	06/08/2017	2017-7/25
Human Resource Management, Administration	41270	R477-1	EXT	02/02/2017	2017-5/75
	41524	R477-1	5YR	04/27/2017	2017-10/167
	41499	R477-1	AMD	07/01/2017	2017-10/95
	41805	R477-1	AMD	08/30/2017	2017-13/159
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	41407	R652-1	5YR	03/28/2017	2017-8/76
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designation					
Commerce, Securities	41888	R164-6	5YR	07/03/2017	2017-15/28
developmental disabilities					
Tax Commission, Administration	41468	R861-1A-16	AMD	06/08/2017	2017-9/28
	41699	R861-1A-20	AMD	07/27/2017	2017-12/27
	41700	R861-1A-42	AMD	07/27/2017	2017-12/28
disabilities					
Workforce Services, Administration	41711	R982-101	5YR	05/31/2017	2017-12/40
disabled persons					
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Natural Resources, Wildlife Resources	42024	R657-12	5YR	08/15/2017	2017-17/213

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Public Safety, Emergency Management	40956	R704-3	NEW	01/12/2017	2016-23/112
	41358	R704-3	AMD	06/07/2017	2017-7/33
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Human Resource Management, Administration	41282	R477-11	EXT	02/02/2017	2017-5/77
	41538	R477-11	5YR	04/27/2017	2017-10/172
	41508	R477-11	AMD	07/01/2017	2017-10/127
	41510	R477-14	AMD	07/01/2017	2017-10/131
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	41699	R861-1A-20	AMD	07/27/2017	2017-12/27
	41700	R861-1A-42	AMD	07/27/2017	2017-12/28
disease control					
Agriculture and Food, Animal Industry	41168	R58-1	5YR	01/12/2017	2017-3/79
	41165	R58-6	5YR	01/12/2017	2017-3/80
	41471	R58-21	AMD	06/14/2017	2017-9/5
dishonest or unethical practices					
Commerce, Securities	41888	R164-6	5YR	07/03/2017	2017-15/28
dismissal of employees					
Human Resource Management, Administration	41282	R477-11	EXT	02/02/2017	2017-5/77
	41538	R477-11	5YR	04/27/2017	2017-10/172
	41508	R477-11	AMD	07/01/2017	2017-10/127
disruptive students					
Education, Administration	41788	R277-609-4	AMD	08/07/2017	2017-13/65
distribution system					
Natural Resources, Water Rights	41591	R655-15	5YR	05/05/2017	2017-11/224
diversion programs					
Commerce, Occupational and Professional Licensing	41299	R156-1	AMD	04/11/2017	2017-5/8
do not resuscitate					
Health, Family Health and Preparedness, Licensing	41310	R432-31	5YR	02/13/2017	2017-5/66
domestic violence					
Human Services, Child and Family Services	41842	R512-205	AMD	08/28/2017	2017-14/19
drinking water					
Environmental Quality, Drinking Water	40769	R309-535-5	AMD	03/07/2017	2016-19/43
	40769	R309-535-5	CPR	03/07/2017	2016-24/44
driver education					
Education, Administration	41006	R277-507	AMD	01/10/2017	2016-23/36
	41189	R277-507-3	AMD	03/14/2017	2017-3/14
Public Safety, Driver License	41203	R708-2	5YR	01/20/2017	2017-4/86
	41202	R708-27	5YR	01/20/2017	2017-4/87
Driver Safety Committee					
Administrative Services, Fleet Operations	41609	R27-7	AMD	07/11/2017	2017-11/11
drug abuse					
Human Resource Management, Administration	41510	R477-14	AMD	07/01/2017	2017-10/131

drug and alcohol testing					
Administrative Services, Purchasing and General Services	41548	R33-13	AMD	06/21/2017	2017-10/43
drug/alcohol education					
Human Resource Management, Administration	41510	R477-14	AMD	07/01/2017	2017-10/131
drugs					
Public Safety, Highway Patrol	41841	R714-550	5YR	06/19/2017	2017-14/66
dual employment					
Human Resource Management, Administration	41278	R477-8	EXT	02/02/2017	2017-5/76
	41532	R477-8	5YR	04/27/2017	2017-10/171
	41506	R477-8	AMD	07/01/2017	2017-10/120
	41808	R477-8	AMD	08/30/2017	2017-13/172
dual language immersion					
Education, Administration	41737	R277-488	5YR	06/06/2017	2017-13/237
	41781	R277-488	AMD	08/07/2017	2017-13/47
DUI programs					
Human Services, Substance Abuse and Mental Health	40999	R523-11-3	AMD	01/17/2017	2016-23/75
dumping of wastes					
Environmental Quality, Water Quality	41493	R317-550	5YR	04/25/2017	2017-10/164
durable medical equipment					
Health, Health Care Financing, Coverage and Reimbursement Policy	41565	R414-70	AMD	07/01/2017	2017-10/89
	42037	R414-70	5YR	08/22/2017	Not Printed
early intervention					
Education, Administration	41738	R277-489	5YR	06/06/2017	2017-13/238
	41782	R277-489	AMD	08/07/2017	2017-13/50
economic development					
Governor, Economic Development	40932	R357-3	AMD	02/22/2017	2016-22/56
	40961	R357-19	NEW	02/22/2017	2016-23/55
Workforce Services, Administration	41714	R982-601	5YR	05/31/2017	2017-12/42
economic opportunity					
Governor, Economic Development	41430	R357-1	5YR	03/31/2017	2017-8/69
education					
Commerce, Consumer Protection	41610	R152-34	5YR	05/08/2017	2017-11/212
Education, Administration	41934	R277-407	5YR	07/19/2017	2017-16/122
education finance					
Education, Administration	42013	R277-419	5YR	08/14/2017	2017-17/211
	41091	R277-425	REP	02/07/2017	2017-1/36
education policy					
Education, Administration	41933	R277-401	5YR	07/19/2017	2017-16/121
educational administration					
Education, Administration	41941	R277-800	5YR	07/19/2017	2017-16/125
educational facilities					
Education, Administration	41936	R277-445	5YR	07/19/2017	2017-16/123
educational media					
Education, Administration	41777	R277-467	REP	08/07/2017	2017-13/38
educational testing					
Education, Administration	41186	R277-702	5YR	01/17/2017	2017-3/87
	41190	R277-702	AMD	03/14/2017	2017-3/15

educational tuition					
Human Resource Management, Administration	41281	R477-10	EXT	02/02/2017	2017-5/77
	41537	R477-10	5YR	04/27/2017	2017-10/172
	41507	R477-10	AMD	07/01/2017	2017-10/125
educator licensing					
Education, Administration	41937	R277-502	5YR	07/19/2017	2017-16/123
educator licensure					
Education, Administration	41006	R277-507	AMD	01/10/2017	2016-23/36
	41189	R277-507-3	AMD	03/14/2017	2017-3/14
educators					
Education, Administration	41932	R277-110	5YR	07/19/2017	2017-16/121
	41087	R277-210	AMD	02/07/2017	2017-1/24
	41739	R277-520	5YR	06/06/2017	2017-13/238
	41785	R277-520	AMD	08/07/2017	2017-13/56
	41009	R277-531	AMD	01/10/2017	2016-23/43
	41786	R277-531	AMD	08/07/2017	2017-13/60
	41010	R277-533	AMD	01/10/2017	2016-23/45
	41787	R277-533	AMD	08/07/2017	2017-13/62
efficiency					
Administrative Services, Facilities Construction and Management	40946	R23-30	AMD	01/20/2017	2016-23/11
Education, Administration	41646	R277-122	NEW	07/10/2017	2017-11/21
Governor, Energy Development (Office of)	42040	R362-3	EXT	08/24/2017	Not Printed
effluent standards					
Environmental Quality, Water Quality	40995	R317-1	AMD	03/27/2017	2016-23/49
	40995	R317-1	CPR	03/27/2017	2017-4/44
	42048	R317-1	5YR	08/30/2017	Not Printed
	40987	R317-1-7	AMD	01/30/2017	2016-23/54
eldercare					
Human Services, Aging and Adult Services	41879	R510-110	5YR	06/30/2017	2017-14/60
elderly					
Human Services, Aging and Adult Services	41871	R510-100	5YR	06/30/2017	2017-14/55
	41872	R510-101	5YR	06/30/2017	2017-14/56
	41873	R510-102	5YR	06/30/2017	2017-14/56
	41874	R510-103	5YR	06/30/2017	2017-14/57
	41875	R510-106	5YR	06/30/2017	2017-14/58
	41876	R510-107	5YR	06/30/2017	2017-14/58
	41877	R510-108	5YR	06/30/2017	2017-14/59
	41878	R510-109	5YR	06/30/2017	2017-14/59
	41881	R510-200	5YR	06/30/2017	2017-14/61
	41882	R510-400	5YR	06/30/2017	2017-14/62
elderly nutrition					
Human Services, Aging and Adult Services	41869	R510-104	5YR	06/30/2017	2017-14/57
electric generating unit					
Environmental Quality, Air Quality	41432	R307-424	EXT	04/03/2017	2017-9/53
	41643	R307-424	5YR	05/15/2017	2017-11/218
electric safety codes					
Public Service Commission, Administration	41672	R746-310	NSC	06/05/2017	Not Printed
electric utility industries					
Public Service Commission, Administration	41672	R746-310	NSC	06/05/2017	Not Printed
	41931	R746-310	5YR	07/19/2017	2017-16/133
electricians					
Commerce, Occupational and Professional Licensing	41261	R156-55b-102	AMD	03/27/2017	2017-4/5
	41917	R156-55b-302a	NSC	08/01/2017	Not Printed

electrologists					
Commerce, Occupational and Professional Licensing	41198	R156-11a	5YR	01/19/2017	2017-4/59
	41260	R156-11a	AMD	03/27/2017	2017-4/4
electronic filings					
Public Service Commission, Administration	41116	R746-1	NEW	03/06/2017	2017-2/27
electronic meetings					
Administrative Services, Finance	41327	R25-20	5YR	02/21/2017	2017-6/29
Examiners (Board of), Administration	41294	R320-101	5YR	02/07/2017	2017-5/65
Governor, Criminal and Juvenile Justice (State Commission on)	41182	R356-3	NEW	03/13/2017	2017-3/23
Health, Administration	41926	R380-41	5YR	07/13/2017	2017-15/32
Public Safety, Administration	41586	R698-10	NEW	07/18/2017	2017-11/178
electronic preliminary lien filing					
Commerce, Occupational and Professional Licensing	41349	R156-38b	AMD	05/08/2017	2017-7/4
elevators					
Labor Commission, Boiler and Elevator Safety	42003	R616-3	NSC	08/28/2017	Not Printed
eligibility					
Health, Health Care Financing, Coverage and Reimbursement Policy	41422	R414-307	5YR	03/29/2017	2017-8/71
	41212	R414-308-7	AMD	03/28/2017	2017-4/26
eligible educators					
Education, Administration	41075	R277-521	NEW	02/07/2017	2017-1/38
elk					
Agriculture and Food, Animal Industry	41162	R58-18	5YR	01/12/2017	2017-3/81
emancipation					
Human Services, Recovery Services	41170	R527-250	AMD	04/14/2017	2017-3/34
emergency contact database					
Public Safety, Driver License	42005	R708-47	5YR	08/07/2017	2017-17/214
emergency medical services					
Health, Family Health and Preparedness, Emergency Medical Services	41332	R426-5	AMD	04/26/2017	2017-6/7
	41617	R426-8	AMD	07/10/2017	2017-11/159
	41029	R426-9	AMD	02/01/2017	2016-24/30
emergency medical services rates					
Health, Family Health and Preparedness, Emergency Medical Services	41908	R426-8	NSC	08/01/2017	Not Printed
emergency powers					
Environmental Quality, Air Quality	41629	R307-105	5YR	05/15/2017	2017-11/212
emergency procurements					
Administrative Services, Purchasing and General Services	41544	R33-8	AMD	06/21/2017	2017-10/27
	41023	R33-8-102	AMD	02/02/2017	2016-24/4
emergency safety interventions					
Education, Administration	41788	R277-609-4	AMD	08/07/2017	2017-13/65
emission controls					
Environmental Quality, Air Quality	41225	R307-325	5YR	01/27/2017	2017-4/64
	41219	R307-341	5YR	01/27/2017	2017-4/67
emission fees					
Environmental Quality, Air Quality	41639	R307-415	5YR	05/15/2017	2017-11/216

employee benefit plans					
Human Resource Management, Administration	41276	R477-6	EXT	02/02/2017	2017-5/76
	41530	R477-6	5YR	04/27/2017	2017-10/170
	41503	R477-6	AMD	07/01/2017	2017-10/108
employee performance evaluations					
Human Resource Management, Administration	41281	R477-10	EXT	02/02/2017	2017-5/77
	41537	R477-10	5YR	04/27/2017	2017-10/172
	41507	R477-10	AMD	07/01/2017	2017-10/125
employee productivity					
Human Resource Management, Administration	41281	R477-10	EXT	02/02/2017	2017-5/77
	41537	R477-10	5YR	04/27/2017	2017-10/172
	41507	R477-10	AMD	07/01/2017	2017-10/125
employee recruitment					
Workforce Services, Unemployment Insurance	41519	R994-402	EXD	04/27/2017	2017-10/180
	41525	R994-402	NEW	06/21/2017	2017-10/159
employee termination					
Workforce Services, Unemployment Insurance	41103	R994-405-2	AMD	03/01/2017	2017-1/97
employee's rights					
Human Resource Management, Administration	41541	R477-12	5YR	04/27/2017	2017-10/173
Workforce Services, Unemployment Insurance	41103	R994-405-2	AMD	03/01/2017	2017-1/97
employees					
Human Services, Administration	41114	R495-885	AMD	02/23/2017	2017-2/23
employees' rights					
Human Resource Management, Administration	41283	R477-12	EXT	02/02/2017	2017-5/77
	41509	R477-12	AMD	07/01/2017	2017-10/129
employment					
Human Resource Management, Administration	41273	R477-4	EXT	02/02/2017	2017-5/75
	41528	R477-4	5YR	04/27/2017	2017-10/169
	41502	R477-4	AMD	07/01/2017	2017-10/103
	41274	R477-5	EXT	02/02/2017	2017-5/76
	41529	R477-5	5YR	04/27/2017	2017-10/169
	41504	R477-5	AMD	07/01/2017	2017-10/106
Workforce Services, Unemployment Insurance	41103	R994-405-2	AMD	03/01/2017	2017-1/97
employment support procedures					
Workforce Services, Employment Development	41595	R986-100	NSC	05/23/2017	Not Printed
endangered species					
Natural Resources, Forestry, Fire and State Lands	41011	R652-120	AMD	01/10/2017	2016-23/99
endowment fund					
Navajo Trust Fund, Trustees	40893	R661-6	AMD	03/14/2017	2016-22/92
energy					
Administrative Services, Facilities Construction and Management	40946	R23-30	AMD	01/20/2017	2016-23/11
Governor, Energy Development (Office of)	42039	R362-2	EXT	08/24/2017	Not Printed
	42040	R362-3	EXT	08/24/2017	Not Printed
energy assistance					
Workforce Services, Administration	41856	R982-402	5YR	06/28/2017	2017-14/71
	41857	R982-403	5YR	06/28/2017	2017-14/71
	41594	R982-403-5	NSC	05/23/2017	Not Printed
	41858	R982-404	5YR	06/28/2017	2017-14/72
	41894	R982-405	5YR	07/06/2017	2017-15/38
	41895	R982-406	5YR	07/06/2017	2017-15/39
	41896	R982-407	5YR	07/06/2017	2017-15/39
	41897	R982-408	5YR	07/06/2017	2017-15/40

energy industries					
Workforce Services, Administration	41897	R982-408	5YR	07/06/2017	2017-15/40
energy utility					
Public Service Commission, Administration	41264	R746-440	5YR	01/31/2017	2017-4/89
enforcement					
Commerce, Real Estate	41618	R162-2c	AMD	07/11/2017	2017-11/15
engineering					
Environmental Quality, Water Quality	41492	R317-5	5YR	04/25/2017	2017-10/163
engineers					
Administrative Services, Purchasing and General Services	41549	R33-15	AMD	06/21/2017	2017-10/47
enrichments					
Education, Administration	41783	R277-493	NEW	08/07/2017	2017-13/53
enrollment					
Education, Administration	41188	R277-417	AMD	03/14/2017	2017-3/12
	41736	R277-485	5YR	06/06/2017	2017-13/237
	41780	R277-485	AMD	08/07/2017	2017-13/46
	41361	R277-612	5YR	03/15/2017	2017-7/82
	41365	R277-612	AMD	05/10/2017	2017-7/22
Insurance, Administration	42038	R590-275	EMR	08/24/2017	Not Printed
enterprise zones					
Tax Commission, Auditing	41701	R865-9I-54	AMD	07/27/2017	2017-12/31
environmental analysis					
Environmental Quality, Waste Management and Radiation Control, Radiation	41179	R313-24	5YR	01/17/2017	2017-3/89
environmental assessment					
Natural Resources, Forestry, Fire and State Lands	41419	R652-90	5YR	03/29/2017	2017-8/82
equine viral arteritis (EVA)					
Agriculture and Food, Animal Industry	41167	R58-23	5YR	01/12/2017	2017-3/82
equipment					
Environmental Quality, Air Quality	41230	R307-120	5YR	01/27/2017	2017-4/61
Environmental Quality, Water Quality	41193	R317-12	5YR	01/17/2017	2017-3/93
ERT Professors Grant					
Science Technology and Research Governing Auth., Administration	41096	R856-5	NEW	03/22/2017	2017-1/88
	41828	R856-5	R&R	08/15/2017	2017-13/207
	41906	R856-5	NSC	08/16/2017	Not Printed
ERT Scholars Grant					
Science Technology and Research Governing Authority, Administration	41097	R856-6	NEW	03/22/2017	2017-1/92
	41829	R856-6	R&R	08/15/2017	2017-13/214
essential facilities					
Public Service Commission, Administration	41262	R746-349	5YR	01/31/2017	2017-4/88
	41680	R746-349-3	NSC	06/13/2017	Not Printed
estheticians					
Commerce, Occupational and Professional Licensing	41198	R156-11a	5YR	01/19/2017	2017-4/59
	41260	R156-11a	AMD	03/27/2017	2017-4/4
evaluation cycles					
Judicial Performance Evaluation Commission, Administration	41623	R597-3-1	AMD	07/10/2017	2017-11/167
	41624	R597-3-3	AMD	07/10/2017	2017-11/168

	41625	R597-3-5	AMD	07/10/2017	2017-11/170
	41026	R597-3-8	AMD	02/17/2017	2016-24/35
	41027	R597-3-9	AMD	02/17/2017	2016-24/35
evaluations					
Education, Administration	41009	R277-531	AMD	01/10/2017	2016-23/43
	41786	R277-531	AMD	08/07/2017	2017-13/60
	41010	R277-533	AMD	01/10/2017	2016-23/45
	41787	R277-533	AMD	08/07/2017	2017-13/62
evidentiary restrictions					
Commerce, Occupational and Professional Licensing	41299	R156-1	AMD	04/11/2017	2017-5/8
ex-convicts					
Human Services, Juvenile Justice Services	41388	R547-10	5YR	03/27/2017	2017-8/73
exceptions to procurement requirements					
Administrative Services, Purchasing and General Services	41544	R33-8	AMD	06/21/2017	2017-10/27
	41023	R33-8-102	AMD	02/02/2017	2016-24/4
executions					
Corrections, Administration	41456	R251-107	5YR	04/06/2017	2017-9/42
	41495	R251-107	NSC	05/15/2017	Not Printed
executive branch insurance procurement					
Administrative Services, Purchasing and General Services	41555	R33-25	AMD	06/21/2017	2017-10/57
exemptions to wildland fire suppression fund					
Natural Resources, Forestry, Fire and State Lands	41015	R652-123	REP	01/10/2017	2016-23/111
expelled					
Education, Administration	41364	R277-483	REP	05/10/2017	2017-7/19
expert witnesses					
Attorney General, Administration	40950	R105-1	AMD	01/20/2017	2016-23/19
	41466	R105-1	5YR	04/10/2017	2017-9/41
	41295	R105-1-6	NSC	03/06/2017	Not Printed
extended benefits					
Workforce Services, Unemployment Insurance	41519	R994-402	EXD	04/27/2017	2017-10/180
	41525	R994-402	NEW	06/21/2017	2017-10/159
extinguishers					
Public Safety, Fire Marshal	41571	R710-1	5YR	05/02/2017	2017-11/226
facilities use					
Administrative Services, Facilities Construction and Management	41267	R23-19	5YR	02/01/2017	2017-4/57
Capitol Preservation Board (State), Administration	41573	R131-3	5YR	05/02/2017	2017-11/211
factory built housing					
Commerce, Occupational and Professional Licensing	41144	R156-56	5YR	01/10/2017	2017-3/85
faculty					
Education, Administration	41933	R277-401	5YR	07/19/2017	2017-16/121
fair employment practices					
Human Resource Management, Administration	41271	R477-2	EXT	02/02/2017	2017-5/75
	41526	R477-2	5YR	04/27/2017	2017-10/168
	41501	R477-2	AMD	07/01/2017	2017-10/100
	41806	R477-2	AMD	08/30/2017	2017-13/164
	41273	R477-4	EXT	02/02/2017	2017-5/75
	41528	R477-4	5YR	04/27/2017	2017-10/169
	41502	R477-4	AMD	07/01/2017	2017-10/103

falconry					
Natural Resources, Wildlife Resources	41853	R657-20	AMD	08/21/2017	2017-14/30
family employment program					
Workforce Services, Employment Development	41596	R986-200	NSC	05/23/2017	Not Printed
federal law					
Financial Institutions, Credit Unions	41197	R337-10	5YR	01/18/2017	2017-4/68
Financial Institutions, Nondepository Lenders	41480	R343-11	NEW	06/21/2017	2017-10/61
fees					
Administrative Services, Finance	41124	R25-14	5YR	01/06/2017	2017-3/79
Corrections, Administration	41707	R251-401	5YR	05/31/2017	2017-12/36
Environmental Quality, Air Quality	41638	R307-414	5YR	05/15/2017	2017-11/216
Environmental Quality, Environmental Response and Remediation	40755	R311-203	AMD	01/03/2017	2016-19/60
	40755	R311-203	CPR	01/03/2017	2016-23/118
	41397	R311-203	5YR	03/27/2017	2017-8/62
Natural Resources, Parks and Recreation	42045	R651-227	5YR	08/28/2017	Not Printed
Public Safety, Highway Patrol	41841	R714-550	5YR	06/19/2017	2017-14/66
filing deadlines					
Labor Commission, Adjudication	41605	R602-1	5YR	05/08/2017	2017-11/221
	41635	R602-1	NSC	05/25/2017	Not Printed
Workforce Services, Unemployment Insurance	41427	R994-403-202	AMD	05/30/2017	2017-8/54
filing fees					
Natural Resources, Forestry, Fire and State Lands	41409	R652-4	5YR	03/28/2017	2017-8/77
School and Institutional Trust Lands, Administration	41845	R850-4	5YR	06/27/2017	2017-14/67
filing requirements					
Public Service Commission, Administration	41393	R746-420	5YR	03/27/2017	2017-8/83
	41264	R746-440	5YR	01/31/2017	2017-4/89
filings					
Public Service Commission, Administration	41685	R746-700	NSC	06/13/2017	Not Printed
financial disclosures					
Health, Health Care Financing, Coverage and Reimbursement Policy	41211	R414-304	AMD	03/28/2017	2017-4/22
	40998	R414-304-5	AMD	01/17/2017	2016-23/63
Workforce Services, Administration	41858	R982-404	5YR	06/28/2017	2017-14/72
financial institutions					
Financial Institutions, Administration	41943	R331-5	5YR	07/20/2017	2017-16/126
	41944	R331-7	5YR	07/20/2017	2017-16/127
	41945	R331-9	5YR	07/20/2017	2017-16/127
	41608	R331-10	AMD	07/10/2017	2017-11/155
	41946	R331-10	5YR	07/20/2017	2017-16/128
	41947	R331-12	5YR	07/20/2017	2017-16/128
	41948	R331-22	5YR	07/20/2017	2017-16/129
Financial Institutions, Credit Unions	41197	R337-10	5YR	01/18/2017	2017-4/68
Financial Institutions, Nondepository Lenders	41123	R343-1	5YR	01/06/2017	2017-3/93
	41480	R343-11	NEW	06/21/2017	2017-10/61
financial requirements					
Commerce, Securities	41887	R164-5	5YR	07/03/2017	2017-15/28
financial responsibility					
Environmental Quality, Environmental Response and Remediation	41401	R311-207	5YR	03/27/2017	2017-8/65
financial statements					
Commerce, Securities	41719	R164-10	5YR	06/02/2017	2017-13/232

<u>fingerprinting</u>					
Environmental Quality, Waste Management and Radiation Control, Radiation	41184	R313-37	5YR	01/17/2017	2017-3/91
Human Services, Administration, Administrative Services, Licensing	40931	R501-14	AMD	01/17/2017	2016-22/77
	41173	R501-14	AMD	03/21/2017	2017-3/28
<u>fire prevention</u>					
Public Safety, Fire Marshal	41571	R710-1	5YR	05/02/2017	2017-11/226
	41575	R710-4	5YR	05/03/2017	2017-11/228
	41584	R710-7	5YR	05/04/2017	2017-11/228
	41694	R710-7-8	NSC	06/13/2017	Not Printed
	41343	R710-8	5YR	03/06/2017	2017-7/88
	41577	R710-9	5YR	05/03/2017	2017-11/229
<u>fire suppression systems</u>					
Public Safety, Fire Marshal	41694	R710-7-8	NSC	06/13/2017	Not Printed
<u>firearms</u>					
Human Services, Juvenile Justice Services	41391	R547-14	5YR	03/27/2017	2017-8/74
<u>fireplaces</u>					
Environmental Quality, Air Quality	40773	R307-302	AMD	02/01/2017	2016-19/38
	40773	R307-302	CPR	02/01/2017	2017-1/102
<u>firewood</u>					
Agriculture and Food, Plant Industry	41675	R68-23	NEW	08/03/2017	2017-12/8
<u>fireworks</u>					
Public Safety, Fire Marshal	41572	R710-2	5YR	05/02/2017	2017-11/227
	41692	R710-2	NSC	06/13/2017	Not Printed
<u>fiscal</u>					
Natural Resources, Parks and Recreation	41383	R651-301	5YR	03/23/2017	2017-8/76
<u>fiscal policies and procedures</u>					
Education, Administration	41073	R277-113	AMD	02/07/2017	2017-1/16
<u>fish</u>					
Natural Resources, Wildlife Resources	41149	R657-16	REP	03/13/2017	2017-3/40
	41150	R657-59	AMD	03/13/2017	2017-3/49
	41151	R657-60	AMD	03/13/2017	2017-3/61
<u>fishing</u>					
Natural Resources, Wildlife Resources	41582	R657-30	5YR	05/03/2017	2017-11/226
<u>fleet expansion</u>					
Administrative Services, Fleet Operations	41107	R27-4	AMD	02/21/2017	2017-2/12
<u>food</u>					
Agriculture and Food, Regulatory Services	41344	R70-530	5YR	03/06/2017	2017-7/81
	41370	R70-530	NSC	04/05/2017	Not Printed
<u>food establishment registration</u>					
Agriculture and Food, Regulatory Services	41157	R70-560	5YR	01/12/2017	2017-3/85
<u>food inspection</u>					
Agriculture and Food, Regulatory Services	41159	R70-350	5YR	01/12/2017	2017-3/83
	41161	R70-360	5YR	01/12/2017	2017-3/84
<u>food inspections</u>					
Agriculture and Food, Animal Industry	40951	R58-11	AMD	01/12/2017	2016-23/16
	41467	R58-11	NSC	05/15/2017	Not Printed
<u>food safety</u>					
Agriculture and Food, Regulatory Services	41861	R70-520	5YR	06/29/2017	2017-14/54
	41157	R70-560	5YR	01/12/2017	2017-3/85

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Workforce Services, Housing and Community Development	41904	R990-100	5YR	07/06/2017	2017-15/43
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Education, Administration	41361	R277-612	5YR	03/15/2017	2017-7/82
	41365	R277-612	AMD	05/10/2017	2017-7/22
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Natural Resources, Forestry, Fire and State Lands	41143	R652-140	5YR	01/10/2017	2017-3/99
former foster care youth					
Health, Health Care Financing, Coverage and Reimbursement Policy	41429	R414-303-4	AMD	07/01/2017	2017-8/31
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Human Services, Administration	41217	R495-884	5YR	01/27/2017	2017-4/73
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Commerce, Securities	41885	R164-1	5YR	07/03/2017	2017-15/27
Human Services, Recovery Services	41727	R527-928	5YR	06/02/2017	2017-13/243
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Administrative Services, Facilities Construction and Management	41268	R23-20	5YR	02/01/2017	2017-4/58
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Heritage and Arts, Administration	41288	R450-1	5YR	02/03/2017	2017-5/69
Natural Resources, Parks and Recreation	41382	R651-102	5YR	03/23/2017	2017-8/75
Natural Resources, Wildlife Resources	41579	R657-29	EXD	05/03/2017	2017-11/231
	41585	R657-29	NEW	07/10/2017	2017-11/175
fugitive dust					
Environmental Quality, Air Quality	41628	R307-309	AMD	08/04/2017	2017-11/33
functional classification					
Transportation, Program Development	41375	R926-4	5YR	03/17/2017	2017-8/84
funding formula					
Human Services, Aging and Adult Services	41871	R510-100	5YR	06/30/2017	2017-14/55
game birds					
Natural Resources, Wildlife Resources	41581	R657-22	5YR	05/03/2017	2017-11/225
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Natural Resources, Wildlife Resources	41583	R657-4	5YR	05/03/2017	2017-11/225
	41832	R657-6	AMD	08/07/2017	2017-13/179
	41834	R657-14	5YR	06/15/2017	2017-13/256
	42031	R657-19	EMR	08/17/2017	Not Printed
	41833	R657-54	AMD	08/07/2017	2017-13/180
	41957	R657-64	5YR	07/31/2017	2017-16/132
	42032	R657-70	EMR	08/17/2017	Not Printed
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Environmental Quality, Air Quality	41227	R307-301	5YR	01/27/2017	2017-4/63
	41223	R307-326	5YR	01/27/2017	2017-4/65
	41222	R307-327	5YR	01/27/2017	2017-4/65
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Environmental Quality, Air Quality	41221	R307-328	5YR	01/27/2017	2017-4/66
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Workforce Services, Employment Development	41598	R986-400-401	NSC	05/23/2017	Not Printed

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Administrative Services, Purchasing and General Services	41548	R33-13	AMD	06/21/2017	2017-10/43
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Environmental Quality, Waste Management and Radiation Control, Radiation	41178	R313-21	5YR	01/17/2017	2017-3/88
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	41535	R33-4	AMD	06/21/2017	2017-10/7
	41292	R33-4-101b	NSC	03/06/2017	Not Printed
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Administrative Services, Purchasing and General Services	41553	R33-19-101	AMD	06/21/2017	2017-10/55
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Public Service Commission, Administration	41673	R746-312	NSC	06/05/2017	Not Printed
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	41346	R156-76-501	AMD	05/08/2017	2017-7/14
	41606	R156-76-501	NSC	05/23/2017	Not Printed
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	41479	R35-2-2	AMD	06/22/2017	2017-9/4
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Heritage and Arts, Administration	41288	R450-1	5YR	02/03/2017	2017-5/69
Natural Resources, Forestry, Fire and State Lands	41412	R652-6	5YR	03/29/2017	2017-8/78
Natural Resources, Parks and Recreation	41382	R651-102	5YR	03/23/2017	2017-8/75
Natural Resources, Wildlife Resources	41579	R657-29	EXD	05/03/2017	2017-11/231
	41585	R657-29	NEW	07/10/2017	2017-11/175
School and Institutional Trust Lands, Administration	41847	R850-6	5YR	06/27/2017	2017-14/68
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	41533	R477-9	5YR	04/27/2017	2017-10/171
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	41354	R156-46b-202	NSC	04/05/2017	Not Printed
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	41538	R477-11	5YR	04/27/2017	2017-10/172
	41508	R477-11	AMD	07/01/2017	2017-10/127
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	41239	R671-305	5YR	01/30/2017	2017-4/82
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	41535	R33-4	AMD	06/21/2017	2017-10/7
	41292	R33-4-101b	NSC	03/06/2017	Not Printed
	41536	R33-5	AMD	06/21/2017	2017-10/10
	41665	R33-5	NSC	06/26/2017	Not Printed
	41539	R33-6	AMD	06/21/2017	2017-10/15
	41540	R33-7	AMD	06/21/2017	2017-10/18
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	41023	R33-8-102	AMD	02/02/2017	2016-24/4
	41545	R33-9	AMD	06/21/2017	2017-10/31
	41549	R33-15	AMD	06/21/2017	2017-10/47
	40898	R33-16	AMD	01/20/2017	2016-22/10
	41550	R33-16	AMD	06/21/2017	2017-10/48
	41555	R33-25	AMD	06/21/2017	2017-10/57
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	41538	R477-11	5YR	04/27/2017	2017-10/172
	41508	R477-11	AMD	07/01/2017	2017-10/127

	41283	R477-12	EXT	02/02/2017	2017-5/77
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	41357	R307-214	AMD	06/08/2017	2017-7/27
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	41396	R311-202	5YR	03/27/2017	2017-8/61
	40755	R311-203	AMD	01/03/2017	2016-19/60
	40755	R311-203	CPR	01/03/2017	2016-23/118
	41397	R311-203	5YR	03/27/2017	2017-8/62
	41398	R311-204	5YR	03/27/2017	2017-8/63
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	40879	R315-15-13	AMD	02/13/2017	2016-21/32
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	41652	R315-261	AMD	08/31/2017	2017-11/59
	41688	R315-261-151	NSC	08/31/2017	Not Printed
	41653	R315-262	AMD	08/31/2017	2017-11/68
	41654	R315-263-12	AMD	08/31/2017	2017-11/116
	41655	R315-264	AMD	08/31/2017	2017-11/117
	41656	R315-265-1	AMD	08/31/2017	2017-11/131
	41657	R315-266-80	AMD	08/31/2017	2017-11/132
	41658	R315-268	AMD	08/31/2017	2017-11/135
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	41660	R315-273	AMD	08/31/2017	2017-11/145
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	41378	R590-262-2	NSC	04/10/2017	Not Printed
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	41329	R926-15-5	NSC	03/14/2017	Not Printed

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<u>hiring practices</u>					
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<u>home-delivered meals</u>					
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<u>horse racing</u>					
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<u>housing development</u>					
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	41117	R501-1	NSC	01/18/2017	Not Printed
	40931	R501-14	AMD	01/17/2017	2016-22/77
	40930	R501-21	R&R	03/24/2017	2016-22/83
	40930	R501-21	CPR	03/24/2017	2017-4/49
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Natural Resources, Wildlife Resources	41148	R657-38	AMD	03/13/2017	2017-3/44
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<u>identity</u>					
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	40998	R414-304-5	AMD	01/17/2017	2016-23/63
Human Services, Recovery Services	41208	R527-300	5YR	01/23/2017	2017-4/75
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Workforce Services, Administration	41857	R982-403	5YR	06/28/2017	2017-14/71
	41594	R982-403-5	NSC	05/23/2017	Not Printed
income tax					
Tax Commission, Auditing	41701	R865-9I-54	AMD	07/27/2017	2017-12/31
Indigent Defense Fund Board					
Administrative Services, Finance	41327	R25-20	5YR	02/21/2017	2017-6/29
indoor air pollution					
Health, Disease Control and Prevention, Environmental Services	41368	R392-510	5YR	03/15/2017	2017-7/84
industry					
Environmental Quality, Waste Management and Radiation Control, Radiation	41183	R313-35	5YR	01/17/2017	2017-3/91
Industry Partnership Program (IPP)					
Science Technology and Research Governing Authority, Administration	41812	R856-2	R&R	08/15/2017	2017-13/188
infants					
Health, Family Health and Preparedness, WIC Services	41254	R406-100	5YR	01/30/2017	2017-4/69
	41255	R406-200	5YR	01/30/2017	2017-4/70
	41256	R406-201	5YR	01/30/2017	2017-4/70
	41257	R406-202	5YR	01/30/2017	2017-4/71
	41258	R406-301	5YR	01/30/2017	2017-4/71

informal procedures					
Heritage and Arts, Library	41708	R458-1	5YR	05/31/2017	2017-12/37
injuries					
Health, Disease Control and Prevention, Epidemiology	41831	R386-703	AMD	08/23/2017	2017-13/157
inmate visiting					
Corrections, Administration	41457	R251-706	5YR	04/06/2017	2017-9/45
	41500	R251-706	AMD	08/15/2017	2017-10/59
inmates					
Corrections, Administration	41457	R251-706	5YR	04/06/2017	2017-9/45
	41500	R251-706	AMD	08/15/2017	2017-10/59
Education, Administration	41741	R277-735	5YR	06/06/2017	2017-13/239
	41792	R277-735	AMD	08/07/2017	2017-13/78
Pardons (Board Of), Administration	41241	R671-202	5YR	01/30/2017	2017-4/78
	41245	R671-301	5YR	01/30/2017	2017-4/80
	41240	R671-303	5YR	01/30/2017	2017-4/81
	41248	R671-308	5YR	01/30/2017	2017-4/82
	41249	R671-310	5YR	01/30/2017	2017-4/83
	41250	R671-311	5YR	01/30/2017	2017-4/83
	41081	R671-311-3	AMD	02/15/2017	2017-1/83
	41238	R671-316	5YR	01/30/2017	2017-4/84
inmates' rights					
Pardons (Board Of), Administration	41240	R671-303	5YR	01/30/2017	2017-4/81
insects					
Agriculture and Food, Plant Industry	41675	R68-23	NEW	08/03/2017	2017-12/8
inspections					
Agriculture and Food, Animal Industry	41162	R58-18	5YR	01/12/2017	2017-3/81
	41163	R58-22	5YR	01/12/2017	2017-3/81
	41167	R58-23	5YR	01/12/2017	2017-3/82
Agriculture and Food, Regulatory Services	40918	R70-101	AMD	01/26/2017	2016-22/12
	41371	R70-101	NSC	04/05/2017	Not Printed
	41344	R70-530	5YR	03/06/2017	2017-7/81
	41370	R70-530	NSC	04/05/2017	Not Printed
	41157	R70-560	5YR	01/12/2017	2017-3/85
Public Safety, Driver License	41204	R708-21	5YR	01/20/2017	2017-4/86
Public Safety, Highway Patrol	41836	R714-158	5YR	06/19/2017	2017-14/63
institution of higher education					
Governor, Economic Development	40961	R357-19	NEW	02/22/2017	2016-23/55
insurance					
Human Resource Management, Administration	41276	R477-6	EXT	02/02/2017	2017-5/76
	41530	R477-6	5YR	04/27/2017	2017-10/170
	41503	R477-6	AMD	07/01/2017	2017-10/108
Insurance, Administration	41136	R590-114	5YR	01/09/2017	2017-3/96
	41441	R590-146	5YR	04/04/2017	2017-9/50
	41139	R590-147	5YR	01/09/2017	2017-3/98
	41922	R590-148	5YR	07/12/2017	2017-15/32
	41729	R590-149	5YR	06/05/2017	2017-13/244
	41996	R590-166-3	NSC	08/29/2017	Not Printed
	40955	R590-173	AMD	01/10/2017	2016-23/83
	41730	R590-173	5YR	06/05/2017	2017-13/245
	41440	R590-203	5YR	04/04/2017	2017-9/50
	42035	R590-216	5YR	08/18/2017	Not Printed
	41322	R590-248-4	AMD	04/07/2017	2017-5/55
	40953	R590-273	NEW	04/07/2017	2016-23/94
	40953	R590-273	CPR	04/07/2017	2017-5/58
	41867	R590-274	NEW	08/23/2017	2017-14/20
	42038	R590-275	EMR	08/24/2017	Not Printed

insurance companies					
Insurance, Administration	41443	R590-108	5YR	04/04/2017	2017-9/49
	41215	R590-116	5YR	01/26/2017	2017-4/76
	41216	R590-117	5YR	01/26/2017	2017-4/77
	41140	R590-150	5YR	01/09/2017	2017-3/98
insurance continuing education					
Insurance, Administration	41137	R590-142	5YR	01/09/2017	2017-3/96
insurance fees					
Insurance, Administration	41259	R590-102	AMD	03/24/2017	2017-4/34
insurance law					
Insurance, Administration	41438	R590-68	5YR	04/04/2017	2017-9/48
	41134	R590-70	5YR	01/09/2017	2017-3/95
	40954	R590-70	R&R	01/10/2017	2016-23/77
	41439	R590-85	5YR	04/04/2017	2017-9/48
	41135	R590-95	5YR	01/09/2017	2017-3/95
	42034	R590-96	5YR	08/18/2017	Not Printed
	41731	R590-122	5YR	06/05/2017	2017-13/243
	41138	R590-143	5YR	01/09/2017	2017-3/97
	41296	R590-206	AMD	07/11/2017	2017-5/42
	41296	R590-206	CPR	07/11/2017	2017-11/192
Insurance, Title and Escrow Commission	41141	R592-14	5YR	01/09/2017	2017-3/99
insurance records access					
Insurance, Administration	41920	R590-151	5YR	07/12/2017	2017-15/33
insurance rule					
Insurance, Administration	41437	R590-120	5YR	04/04/2017	2017-9/49
intensive services fund					
Education, Administration	41076	R277-752	NEW	02/07/2017	2017-1/45
interchanges					
Transportation, Operations, Maintenance	41942	R918-6	5YR	07/19/2017	2017-16/133
interconnection					
Public Service Commission, Administration	41673	R746-312	NSC	06/05/2017	Not Printed
	41681	R746-365	NSC	06/13/2017	Not Printed
interim status					
Environmental Quality, Waste Management and Radiation Control, Waste Management	41656	R315-265-1	AMD	08/31/2017	2017-11/131
intern programs					
Education, Administration	41094	R277-915	AMD	02/07/2017	2017-1/46
internal operating procedures					
Judicial Performance Evaluation Commission, Administration	41620	R597-2-2	AMD	07/10/2017	2017-11/165
interpreters					
Workforce Services, Rehabilitation	41616	R993-300	AMD	07/10/2017	2017-11/187
intersections					
Transportation, Operations, Maintenance	41942	R918-6	5YR	07/19/2017	2017-16/133
interstate compacts					
Workforce Services, Unemployment Insurance	41516	R994-106	EXD	04/27/2017	2017-10/179
	41521	R994-106	NEW	06/21/2017	2017-10/150
interstate shell fish safety					
Agriculture and Food, Regulatory Services	41158	R70-550	5YR	01/12/2017	2017-3/84
intrastate driver license waivers					
Public Safety, Driver License	41132	R708-34	5YR	01/08/2017	2017-3/104

investment advisers

Commerce, Securities	41886	R164-4	5YR	07/03/2017	2017-15/27
Money Management Council, Administration	41862	R628-15	AMD	08/21/2017	2017-14/25

iron and manganese control

Environmental Quality, Drinking Water	40769	R309-535-5	AMD	03/07/2017	2016-19/43
	40769	R309-535-5	CPR	03/07/2017	2016-24/44

irradiators

Environmental Quality, Waste Management and Radiation Control, Radiation	41181	R313-34	5YR	01/17/2017	2017-3/90

jail contracting

Corrections, Administration	41988	R251-115	EXT	08/01/2017	2017-16/135

jail programming

Corrections, Administration	41988	R251-115	EXT	08/01/2017	2017-16/135

job creation

Governor, Economic Development	41430	R357-1	5YR	03/31/2017	2017-8/69

job descriptions

Human Resource Management, Administration	41272	R477-3	EXT	02/02/2017	2017-5/75
	41527	R477-3	5YR	04/27/2017	2017-10/168

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Governor, Economic Development	40932	R357-3	AMD	02/22/2017	2016-22/56

judges

Governor, Criminal and Juvenile Justice (State Commission on)	41297	R356-101	NSC	03/06/2017	Not Printed
Judicial Performance Evaluation Commission, Administration	41623	R597-3-1	AMD	07/10/2017	2017-11/167
	41624	R597-3-3	AMD	07/10/2017	2017-11/168
	41625	R597-3-5	AMD	07/10/2017	2017-11/170
	41026	R597-3-8	AMD	02/17/2017	2016-24/35
	41027	R597-3-9	AMD	02/17/2017	2016-24/35

judicial nominating commissions

Governor, Criminal and Juvenile Justice (State Commission on)	41297	R356-101	NSC	03/06/2017	Not Printed

judicial performance evaluations

Judicial Performance Evaluation Commission, Administration	41623	R597-3-1	AMD	07/10/2017	2017-11/167
	41624	R597-3-3	AMD	07/10/2017	2017-11/168
	41625	R597-3-5	AMD	07/10/2017	2017-11/170
	41026	R597-3-8	AMD	02/17/2017	2016-24/35
	41027	R597-3-9	AMD	02/17/2017	2016-24/35

juvenile confinement in adult jails

Governor, Criminal and Juvenile Justice (State Commission on)	42054	R356-4	EMR	09/01/2017	Not Printed

juvenile confinement in lockups

Governor, Criminal and Juvenile Justice (State Commission on)	42054	R356-4	EMR	09/01/2017	Not Printed

juvenile corrections

Human Services, Juvenile Justice Services	41385	R547-3	5YR	03/27/2017	2017-8/71
	41386	R547-6	5YR	03/27/2017	2017-8/72
	41387	R547-7	5YR	03/27/2017	2017-8/72
	41388	R547-10	5YR	03/27/2017	2017-8/73
	41389	R547-12	5YR	03/27/2017	2017-8/73
	41390	R547-13	5YR	03/27/2017	2017-8/74
	41710	R547-13	AMD	08/01/2017	2017-12/19

juvenile detention					
Human Services, Juvenile Justice Services	41390	R547-13	5YR	03/27/2017	2017-8/74
	41710	R547-13	AMD	08/01/2017	2017-12/19
juvenile detention in adult jails					
Governor, Criminal and Juvenile Justice (State Commission on)	42054	R356-4	EMR	09/01/2017	Not Printed
juvenile detention in lockups					
Governor, Criminal and Juvenile Justice (State Commission on)	42054	R356-4	EMR	09/01/2017	Not Printed
juvenile justice services					
Human Services, Juvenile Justice Services	41710	R547-13	AMD	08/01/2017	2017-12/19
kindergarten					
Education, Administration	41783	R277-493	NEW	08/07/2017	2017-13/53
kinship locate					
Human Services, Administration	41217	R495-884	5YR	01/27/2017	2017-4/73
labeling					
Agriculture and Food, Regulatory Services	40918	R70-101	AMD	01/26/2017	2016-22/12
	41371	R70-101	NSC	04/05/2017	Not Printed
labor					
Labor Commission, Boiler and Elevator Safety	42001	R616-1	NSC	08/28/2017	Not Printed
Labor Commission					
Labor Commission, Administration	41587	R600-2	5YR	05/05/2017	2017-11/221
	41637	R600-2-1	NSC	05/31/2017	Not Printed
land disposal restrictions					
Environmental Quality, Waste Management and Radiation Control, Waste Management	41658	R315-268	AMD	08/31/2017	2017-11/135
land exchange					
School and Institutional Trust Lands, Administration	41155	R850-90	5YR	01/12/2017	2017-3/105
land use					
Natural Resources, Forestry, Fire and State Lands	41419	R652-90	5YR	03/29/2017	2017-8/82
Natural Resources, Wildlife Resources	41958	R657-28	5YR	07/31/2017	2017-16/131
School and Institutional Trust Lands, Administration	42025	R850-100	5YR	08/15/2017	2017-17/215
	41156	R850-120	5YR	01/12/2017	2017-3/105
land withdrawal					
School and Institutional Trust Lands, Administration	41558	R850-160	NEW	06/21/2017	2017-10/139
landowner permits					
Natural Resources, Wildlife Resources	41330	R657-43	5YR	02/27/2017	2017-6/30
large underground wastewater					
Environmental Quality, Water Quality	41492	R317-5	5YR	04/25/2017	2017-10/163
law					
Human Services, Aging and Adult Services	41870	R510-1	5YR	06/30/2017	2017-14/55
Public Safety, Fire Marshal	41577	R710-9	5YR	05/03/2017	2017-11/229
lead-based paint					
Environmental Quality, Air Quality	41100	R307-841	AMD	05/09/2017	2017-1/50
	41100	R307-841	CPR	05/09/2017	2017-7/68
	41101	R307-842	AMD	05/09/2017	2017-1/53
	41101	R307-842	CPR	05/09/2017	2017-7/70
lead-based paint abatement					
Environmental Quality, Air Quality	41101	R307-842	AMD	05/09/2017	2017-1/53

	41101	R307-842	CPR	05/09/2017	2017-7/70
<u>lead-based paint renovation</u>					
Environmental Quality, Air Quality	41100	R307-841	AMD	05/09/2017	2017-1/50
	41100	R307-841	CPR	05/09/2017	2017-7/68
<u>LEAP</u>					
Regents (Board Of), Administration	40915	R765-606	REP	03/14/2017	2016-22/109
<u>leases</u>					
Financial Institutions, Administration	41944	R331-7	5YR	07/20/2017	2017-16/127
Natural Resources, Forestry, Fire and State Lands	41414	R652-30	5YR	03/29/2017	2017-8/79
Natural Resources, Wildlife Resources	41958	R657-28	5YR	07/31/2017	2017-16/131
School and Institutional Trust Lands, Administration	41848	R850-30	5YR	06/27/2017	2017-14/68
<u>leave benefits</u>					
Human Resource Management, Administration	41277	R477-7	EXT	02/02/2017	2017-5/76
	41531	R477-7	5YR	04/27/2017	2017-10/170
	41505	R477-7	AMD	07/01/2017	2017-10/113
<u>legal aid</u>					
Corrections, Administration	41463	R251-707	5YR	04/07/2017	2017-9/45
	41622	R251-707	NSC	05/31/2017	Not Printed
<u>legislative procedures</u>					
Public Safety, Driver License	41129	R708-8	5YR	01/08/2017	2017-3/102
<u>libraries</u>					
Education, Administration	41777	R277-467	REP	08/07/2017	2017-13/38
<u>license plates</u>					
Tax Commission, Motor Vehicle	41702	R873-22M-2	AMD	07/27/2017	2017-12/31
	41703	R873-22M-16	AMD	07/27/2017	2017-12/34
<u>licenses</u>					
Education, Administration	41739	R277-520	5YR	06/06/2017	2017-13/238
	41785	R277-520	AMD	08/07/2017	2017-13/56
<u>licensing</u>					
Commerce, Occupational and Professional Licensing	41299	R156-1	AMD	04/11/2017	2017-5/8
	41047	R156-5a	AMD	02/07/2017	2017-1/11
	41275	R156-16a	5YR	02/02/2017	2017-5/61
	41110	R156-16a-304	AMD	02/21/2017	2017-2/18
	41474	R156-24b-102	AMD	06/08/2017	2017-9/8
	41308	R156-31b-502	NSC	03/06/2017	Not Printed
	41113	R156-31b-703b	NSC	01/18/2017	Not Printed
	41289	R156-37	5YR	02/06/2017	2017-5/61
	41339	R156-37f-301	NSC	04/05/2017	Not Printed
	41265	R156-37f-303	NSC	02/23/2017	Not Printed
	41705	R156-40	AMD	07/25/2017	2017-12/10
	41473	R156-42a-304	AMD	06/08/2017	2017-9/9
	41340	R156-44a-601	NSC	04/05/2017	Not Printed
	41436	R156-47b	5YR	04/04/2017	2017-9/41
	41348	R156-55a	AMD	05/08/2017	2017-7/6
	41261	R156-55b-102	AMD	03/27/2017	2017-4/5
	41917	R156-55b-302a	NSC	08/01/2017	Not Printed
	41298	R156-55c	AMD	04/10/2017	2017-5/12
	41918	R156-55c-302a	NSC	08/01/2017	Not Printed
	41199	R156-55d	5YR	01/19/2017	2017-4/60
	41144	R156-56	5YR	01/10/2017	2017-3/85
	41145	R156-64	5YR	01/10/2017	2017-3/86
	41111	R156-67	AMD	02/21/2017	2017-2/20
	41112	R156-68-304	AMD	02/21/2017	2017-2/22
	41279	R156-76	5YR	02/02/2017	2017-5/62
	41346	R156-76-501	AMD	05/08/2017	2017-7/14
	41606	R156-76-501	NSC	05/23/2017	Not Printed
Commerce, Real Estate	41618	R162-2c	AMD	07/11/2017	2017-11/15

Education, Administration	41772	R277-120	NEW	08/07/2017	2017-13/28
	41784	R277-514	NEW	08/07/2017	2017-13/54
Governor, Economic Development, Pete Suazo Utah Athletic Commission	41425	R359-1	5YR	03/30/2017	2017-8/70
Human Services, Administration, Administrative Services, Licensing	40929	R501-1	R&R	01/17/2017	2016-22/67
	41117	R501-1	NSC	01/18/2017	Not Printed
	40931	R501-14	AMD	01/17/2017	2016-22/77
	41173	R501-14	AMD	03/21/2017	2017-3/28
	41482	R501-17	REP	07/28/2017	2017-10/136
	40930	R501-21	R&R	03/24/2017	2016-22/83
	40930	R501-21	CPR	03/24/2017	2017-4/49
Human Services, Juvenile Justice Services	41387	R547-7	5YR	03/27/2017	2017-8/72
Natural Resources, Wildlife Resources	41353	R657-27	5YR	03/13/2017	2017-7/87
	41582	R657-30	5YR	05/03/2017	2017-11/226
Public Safety, Driver License	41200	R708-25	REP	03/27/2017	2017-4/41
Technology Services, Administration	41454	R895-3	5YR	04/06/2017	2017-9/52
	41459	R895-3	AMD	07/28/2017	2017-9/32
licensure					
Education, Administration	41007	R277-512	AMD	01/10/2017	2016-23/39
life insurance mortality tables					
Insurance, Administration	41923	R590-241	5YR	07/12/2017	2017-15/33
Life with Dignity Order					
Health, Family Health and Preparedness, Licensing	41310	R432-31	5YR	02/13/2017	2017-5/66
lifeline rates					
Public Service Commission, Administration	41031	R746-341	AMD	03/24/2017	2016-24/40
	41031	R746-341	CPR	03/24/2017	2017-4/54
lights					
Public Safety, Highway Patrol	41838	R714-200	5YR	06/19/2017	2017-14/64
limitation on judgments					
Administrative Services, Risk Management	41604	R37-4	5YR	05/05/2017	2017-11/211
line-of-duty death					
Public Safety, Administration	41373	R698-8	AMD	06/07/2017	2017-8/42
liquid waste					
Environmental Quality, Water Quality	41493	R317-550	5YR	04/25/2017	2017-10/164
litigation support					
Attorney General, Administration	40950	R105-1	AMD	01/20/2017	2016-23/19
	41466	R105-1	5YR	04/10/2017	2017-9/41
	41295	R105-1-6	NSC	03/06/2017	Not Printed
livestock					
Agriculture and Food, Animal Industry	40951	R58-11	AMD	01/12/2017	2016-23/16
	41372	R58-11	NSC	04/05/2017	Not Printed
	41467	R58-11	NSC	05/15/2017	Not Printed
loan origination					
Commerce, Real Estate	41618	R162-2c	AMD	07/11/2017	2017-11/15
loans					
Administrative Services, Facilities Construction and Management	40946	R23-30	AMD	01/20/2017	2016-23/11
Governor, Energy Development (Office of)	42040	R362-3	EXT	08/24/2017	Not Printed
local government disaster loans					
Public Safety, Emergency Management	40956	R704-3	NEW	01/12/2017	2016-23/112
	41358	R704-3	AMD	06/07/2017	2017-7/33

Keyword / Agency	Filing No.	Rule	Action	Effective	Bulletin
long-term care alternatives					
Human Services, Aging and Adult Services	41882	R510-400	5YR	06/30/2017	2017-14/62
long-term care ombudsman					
Human Services, Aging and Adult Services	41871	R510-100	5YR	06/30/2017	2017-14/55
LTCO					
Human Services, Aging and Adult Services	41881	R510-200	5YR	06/30/2017	2017-14/61
MACT					
Environmental Quality, Air Quality	41630	R307-214	5YR	05/15/2017	2017-11/213
	41357	R307-214	AMD	06/08/2017	2017-7/27
MAGI-based					
Health, Health Care Financing, Coverage and Reimbursement Policy	41429	R414-303-4	AMD	07/01/2017	2017-8/31
maintenance					
Transportation, Operations, Maintenance	41942	R918-6	5YR	07/19/2017	2017-16/133
major event					
Public Service Commission, Administration	41514	R746-313	5YR	04/27/2017	2017-10/175
	41674	R746-313	NSC	06/05/2017	Not Printed
major plant additions					
Public Service Commission, Administration	41685	R746-700	NSC	06/13/2017	Not Printed
management					
Natural Resources, Forestry, Fire and State Lands	41415	R652-40	5YR	03/29/2017	2017-8/80
	41419	R652-90	5YR	03/29/2017	2017-8/82
School and Institutional Trust Lands, Administration	41849	R850-40	5YR	06/27/2017	2017-14/69
	41291	R850-41	5YR	02/07/2017	2017-5/72
	42025	R850-100	5YR	08/15/2017	2017-17/215
mandatory fraud reporting					
Insurance, Administration	41322	R590-248-4	AMD	04/07/2017	2017-5/55
massage apprentice					
Commerce, Occupational and Professional Licensing	41436	R156-47b	5YR	04/04/2017	2017-9/41
massage therapist					
Commerce, Occupational and Professional Licensing	41436	R156-47b	5YR	04/04/2017	2017-9/41
massage therapy					
Commerce, Occupational and Professional Licensing	41436	R156-47b	5YR	04/04/2017	2017-9/41
materials					
Education, Administration	41771	R277-115	REP	08/07/2017	2017-13/27
	41772	R277-120	NEW	08/07/2017	2017-13/28
materials handling					
Natural Resources, Forestry, Fire and State Lands	41420	R652-100	5YR	03/29/2017	2017-8/82
meat inspections					
Agriculture and Food, Animal Industry	41372	R58-11	NSC	04/05/2017	Not Printed
media relations					
Corrections, Administration	41338	R251-106	5YR	03/02/2017	2017-7/81
Medicaid					
Health, Administration	40993	R380-400	REP	01/10/2017	2016-23/59
Health, Health Care Financing	42016	R410-14	5YR	08/14/2017	2017-17/213
Health, Health Care Financing, Coverage and Reimbursement Policy	41321	R414-1	5YR	02/15/2017	2017-5/65
	41496	R414-1	AMD	07/01/2017	2017-10/72
	41104	R414-1-5	AMD	02/15/2017	2017-1/68
	41446	R414-1-5	AMD	06/14/2017	2017-9/25

	41563	R414-1-6	AMD	07/01/2017	2017-10/73
	41498	R414-1-28	AMD	07/01/2017	2017-10/75
	41566	R414-1-30	AMD	07/01/2017	2017-10/76
	41423	R414-1A	5YR	03/29/2017	2017-8/70
	41559	R414-2A-7	AMD	07/01/2017	2017-10/77
	42046	R414-2B	5YR	08/29/2017	Not Printed
	41497	R414-3A-6	AMD	07/01/2017	2017-10/78
	41954	R414-8	5YR	07/28/2017	2017-16/130
	41567	R414-10	AMD	07/01/2017	2017-10/79
	41125	R414-10A	5YR	01/06/2017	2017-3/94
	41564	R414-14	AMD	07/01/2017	2017-10/86
	41855	R414-15	5YR	06/28/2017	2017-14/54
	41126	R414-21	5YR	01/06/2017	2017-3/94
	42036	R414-29	5YR	08/22/2017	Not Printed
	41326	R414-38	5YR	02/17/2017	2017-6/30
	41562	R414-49	AMD	07/01/2017	2017-10/88
	41174	R414-60	AMD	04/01/2017	2017-3/25
	41556	R414-60	5YR	04/28/2017	2017-10/166
	41379	R414-60-2	AMD	06/14/2017	2017-8/30
	41803	R414-60A	5YR	06/13/2017	2017-13/241
	41175	R414-60A-2	AMD	04/01/2017	2017-3/27
	41811	R414-60B	5YR	06/14/2017	2017-13/241
	41290	R414-61-2	AMD	04/20/2017	2017-5/24
	41565	R414-70	AMD	07/01/2017	2017-10/89
	42037	R414-70	5YR	08/22/2017	Not Printed
	41588	R414-100	5YR	05/05/2017	2017-11/219
	41589	R414-200	5YR	05/05/2017	2017-11/220
	41070	R414-302-6	AMD	02/15/2017	2017-1/72
	41428	R414-305-7	AMD	06/01/2017	2017-8/32
	41212	R414-308-7	AMD	03/28/2017	2017-4/26
	41689	R414-310	5YR	05/22/2017	2017-12/36
	41213	R414-310-13	AMD	03/28/2017	2017-4/28
	41560	R414-401-3	AMD	07/01/2017	2017-10/93
	41054	R414-504	AMD	02/15/2017	2017-1/73
	41561	R414-514	NEW	07/01/2017	2017-10/94
Medicaid abuse					
Administrative Services, Inspector General of Medicaid Services (Office of)	41487	R30-1	5YR	04/21/2017	2017-10/163
Medicaid fraud					
Administrative Services, Inspector General of Medicaid Services (Office of)	41487	R30-1	5YR	04/21/2017	2017-10/163
Medicaid waste					
Administrative Services, Inspector General of Medicaid Services (Office of)	41487	R30-1	5YR	04/21/2017	2017-10/163
medical laboratories					
Health, Disease Control and Prevention, Laboratory Improvement	41000	R444-11	REP	01/20/2017	2016-23/64
medical malpractice					
Commerce, Occupational and Professional Licensing	41146	R156-78B	5YR	01/10/2017	2017-3/87
medical supplies					
Health, Health Care Financing, Coverage and Reimbursement Policy	41565	R414-70	AMD	07/01/2017	2017-10/89
	42037	R414-70	5YR	08/22/2017	Not Printed
mercury					
Environmental Quality, Air Quality	41432	R307-424	EXT	04/03/2017	2017-9/53
	41643	R307-424	5YR	05/15/2017	2017-11/218
methamphetamine					
Health, Disease Control and Prevention, Environmental Services	41486	R392-600	AMD	06/21/2017	2017-10/63

midwifery					
Commerce, Occupational and Professional Licensing	41340	R156-44a-601	NSC	04/05/2017	Not Printed
migratory birds					
Natural Resources, Wildlife Resources	41153	R657-9	AMD	03/13/2017	2017-3/39
mineral leases					
Workforce Services, Housing and Community Development	41899	R990-8	5YR	07/06/2017	2017-15/41
minimum standards					
Natural Resources, Forestry, Fire and State Lands	41014	R652-122	AMD	01/10/2017	2016-23/105
mining					
Labor Commission, Boiler and Elevator Safety	42001	R616-1	NSC	08/28/2017	Not Printed
miscellaneous treatment					
Environmental Quality, Drinking Water	40769	R309-535-5	AMD	03/07/2017	2016-19/43
	40769	R309-535-5	CPR	03/07/2017	2016-24/44
modeling					
Environmental Quality, Air Quality	41636	R307-410	5YR	05/15/2017	2017-11/215
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Health, Disease Control and Prevention, Environmental Services	41367	R392-502	5YR	03/15/2017	2017-7/83
motor vehicle safety					
Public Safety, Driver License	41204	R708-21	5YR	01/20/2017	2017-4/86
Public Safety, Highway Patrol	41836	R714-158	5YR	06/19/2017	2017-14/63
	41359	R714-162	R&R	07/18/2017	2017-7/35
	41838	R714-200	5YR	06/19/2017	2017-14/64
	41839	R714-210	5YR	06/19/2017	2017-14/65
	41840	R714-300	5YR	06/19/2017	2017-14/65
motor vehicles					
Environmental Quality, Air Quality	41227	R307-301	5YR	01/27/2017	2017-4/63
	41226	R307-320	5YR	01/27/2017	2017-4/64
Public Safety, Highway Patrol	41837	R714-159	5YR	06/19/2017	2017-14/63
Tax Commission, Motor Vehicle	41702	R873-22M-2	AMD	07/27/2017	2017-12/31
	41703	R873-22M-16	AMD	07/27/2017	2017-12/34
multiple stage bidding					
Administrative Services, Purchasing and General Services	41539	R33-6	AMD	06/21/2017	2017-10/15
municipalities					
Governor, Energy Development (Office of)	42040	R362-3	EXT	08/24/2017	Not Printed
mutual funds					
Commerce, Securities	41723	R164-15	5YR	06/02/2017	2017-13/233
	41470	R164-15-4	AMD	06/30/2017	2017-9/13
nail technicians					
Commerce, Occupational and Professional Licensing	41198	R156-11a	5YR	01/19/2017	2017-4/59
	41260	R156-11a	AMD	03/27/2017	2017-4/4
National Board certification					
Education, Administration	41075	R277-521	NEW	02/07/2017	2017-1/38
National Senior Service Corps					
Human Services, Aging and Adult Services	41880	R510-111	5YR	06/30/2017	2017-14/60
Native Americans					
Education, Administration	41795	R277-923	AMD	08/07/2017	2017-13/89
Human Services, Aging and Adult Services	41878	R510-109	5YR	06/30/2017	2017-14/59

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Environmental Quality, Air Quality 41627 R307-230 NEW 08/03/2017 2017-11/32

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School and Institutional Trust Lands, Administration 42025 R850-100 5YR 08/15/2017 2017-17/215

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Natural Resources, Forestry, Fire and State Lands 41415 R652-40 5YR 03/29/2017 2017-8/80
School and Institutional Trust Lands, Administration 41849 R850-40 5YR 06/27/2017 2017-14/69
41291 R850-41 5YR 02/07/2017 2017-5/72

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Transportation, Administration 41384 R907-80 NEW 05/22/2017 2017-8/48

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Transportation, Administration 41384 R907-80 NEW 05/22/2017 2017-8/48

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Environmental Quality, Air Quality 41630 R307-214 5YR 05/15/2017 2017-11/213
41357 R307-214 AMD 06/08/2017 2017-7/27

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Environmental Quality, Air Quality 41356 R307-210 AMD 06/08/2017 2017-7/26

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Pardons (Board Of), Administration 41246 R671-302 5YR 01/30/2017 2017-4/80

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Auditor, Administration 41766 R123-5 5YR 06/07/2017 2017-13/231

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Health, Health Care Financing, Coverage and Reimbursement Policy 41589 R414-200 5YR 05/05/2017 2017-11/220

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41775 R277-410 AMD 08/07/2017 2017-13/33

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Commerce, Occupational and Professional Licensing 41349 R156-38b AMD 05/08/2017 2017-7/4

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Commerce, Occupational and Professional Licensing 41349 R156-38b AMD 05/08/2017 2017-7/4

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Natural Resources, Forestry, Fire and State Lands 41143 R652-140 5YR 01/10/2017 2017-3/99

notification requirements
Commerce, Real Estate 40952 R162-2f AMD 01/19/2017 2016-23/26
41350 R162-2f AMD 05/10/2017 2017-7/15

NOx
Environmental Quality, Air Quality 41627 R307-230 NEW 08/03/2017 2017-11/32

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Agriculture and Food, Animal Industry 41165 R58-6 5YR 01/12/2017 2017-3/80

nurses
Commerce, Occupational and Professional Licensing 41308 R156-31b-502 NSC 03/06/2017 Not Printed
41113 R156-31b-703b NSC 01/18/2017 Not Printed

nursing facility					
Health, Health Care Financing, Coverage and Reimbursement Policy	41560	R414-401-3	AMD	07/01/2017	2017-10/93
nursing homes					
Human Services, Aging and Adult Services	41874	R510-103	5YR	06/30/2017	2017-14/57
nutrient limits					
Environmental Quality, Water Quality	40995	R317-1	AMD	03/27/2017	2016-23/49
	40995	R317-1	CPR	03/27/2017	2017-4/44
	42048	R317-1	5YR	08/30/2017	Not Printed
	40987	R317-1-7	AMD	01/30/2017	2016-23/54
nutrition					
Education, Administration	41790	R277-720	REP	08/07/2017	2017-13/68
Health, Family Health and Preparedness, WIC Services	41254	R406-100	5YR	01/30/2017	2017-4/69
	41255	R406-200	5YR	01/30/2017	2017-4/70
	41256	R406-201	5YR	01/30/2017	2017-4/70
	41257	R406-202	5YR	01/30/2017	2017-4/71
	41258	R406-301	5YR	01/30/2017	2017-4/71
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Commerce, Occupational and Professional Licensing	41169	R156-46b-202	AMD	03/13/2017	2017-3/8
	41354	R156-46b-202	NSC	04/05/2017	Not Printed
	41348	R156-55a	AMD	05/08/2017	2017-7/6
	41261	R156-55b-102	AMD	03/27/2017	2017-4/5
	41917	R156-55b-302a	NSC	08/01/2017	Not Printed
	41298	R156-55c	AMD	04/10/2017	2017-5/12
	41918	R156-55c-302a	NSC	08/01/2017	Not Printed
occupational therapy					
Commerce, Occupational and Professional Licensing	41473	R156-42a-304	AMD	06/08/2017	2017-9/9
off-highway vehicles					
Natural Resources, Parks and Recreation	41347	R651-410	5YR	03/07/2017	2017-7/87
	41043	R651-411	AMD	02/16/2017	2016-24/36
offender substance abuse assessments					
Human Services, Substance Abuse and Mental Health	40934	R523-4	AMD	01/17/2017	2016-23/68
offender substance abuse education series					
Human Services, Substance Abuse and Mental Health	40934	R523-4	AMD	01/17/2017	2016-23/68
offender substance abuse screenings					
Human Services, Substance Abuse and Mental Health	40934	R523-4	AMD	01/17/2017	2016-23/68
offender substance abuse treatments					
Human Services, Substance Abuse and Mental Health	40934	R523-4	AMD	01/17/2017	2016-23/68
offenders					
Corrections, Administration	41707	R251-401	5YR	05/31/2017	2017-12/36
Office of the Inspector General					
Administrative Services, Inspector General of Medicaid Services (Office of)	41487	R30-1	5YR	04/21/2017	2017-10/163
offset					
Environmental Quality, Air Quality	41632	R307-403	5YR	05/15/2017	2017-11/214
	41641	R307-420	5YR	05/15/2017	2017-11/217
	41642	R307-421	5YR	05/15/2017	2017-11/218

oil and gas law					
Natural Resources, Oil, Gas and Mining; Oil and Gas	41614	R649-2-9	EMR	05/09/2017	2017-11/207
Older Americans Act					
Human Services, Aging and Adult Services	41870	R510-1	5YR	06/30/2017	2017-14/55
Olene Walker Housing Loan Fund					
Workforce Services, Administration	41898	R982-501	5YR	07/06/2017	2017-15/40
ombudsman					
Human Services, Aging and Adult Services	41881	R510-200	5YR	06/30/2017	2017-14/61
online					
Education, Administration	41007	R277-512	AMD	01/10/2017	2016-23/39
online testing					
Education, Administration	41774	R277-408	REP	08/07/2017	2017-13/31
open government					
Education, Administration	41732	R277-101	5YR	06/06/2017	2017-13/235
	41768	R277-101	AMD	08/07/2017	2017-13/21
open meetings					
Examiners (Board of), Administration	41294	R320-101	5YR	02/07/2017	2017-5/65
Public Safety, Administration	41586	R698-10	NEW	07/18/2017	2017-11/178
opening and closing dates					
Workforce Services, Administration	41856	R982-402	5YR	06/28/2017	2017-14/71
operating permits					
Environmental Quality, Air Quality	41639	R307-415	5YR	05/15/2017	2017-11/216
	41640	R307-417	5YR	05/15/2017	2017-11/217
operational requirements					
Commerce, Real Estate	40952	R162-2f	AMD	01/19/2017	2016-23/26
	41350	R162-2f	AMD	05/10/2017	2017-7/15
operator certifications					
Environmental Quality, Water Quality	41892	R317-10	5YR	07/06/2017	2017-15/30
optometrists					
Commerce, Occupational and Professional Licensing	41275	R156-16a	5YR	02/02/2017	2017-5/61
	41110	R156-16a-304	AMD	02/21/2017	2017-2/18
order to proceed					
Public Service Commission, Administration	41393	R746-420	5YR	03/27/2017	2017-8/83
	41392	R746-430	5YR	03/27/2017	2017-8/83
osteopathic physician					
Commerce, Occupational and Professional Licensing	41112	R156-68-304	AMD	02/21/2017	2017-2/22
osteopaths					
Commerce, Occupational and Professional Licensing	41112	R156-68-304	AMD	02/21/2017	2017-2/22
outpatient treatment programs					
Human Services, Administration, Administrative Services, Licensing	40930	R501-21	R&R	03/24/2017	2016-22/83
	40930	R501-21	CPR	03/24/2017	2017-4/49
outside counsel					
Attorney General, Administration	40950	R105-1	AMD	01/20/2017	2016-23/19
	41466	R105-1	5YR	04/10/2017	2017-9/41
	41295	R105-1-6	NSC	03/06/2017	Not Printed
overpayments					
Workforce Services, Unemployment Insurance	41687	R994-406	5YR	05/19/2017	2017-12/43

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Human Resource Management, Administration	41278	R477-8	EXT	02/02/2017	2017-5/76
	41532	R477-8	5YR	04/27/2017	2017-10/171
	41506	R477-8	AMD	07/01/2017	2017-10/120
	41808	R477-8	AMD	08/30/2017	2017-13/172
ozone					
Environmental Quality, Air Quality	41231	R307-110	5YR	01/27/2017	2017-4/61
	41225	R307-325	5YR	01/27/2017	2017-4/64
	41223	R307-326	5YR	01/27/2017	2017-4/65
	41222	R307-327	5YR	01/27/2017	2017-4/65
	41221	R307-328	5YR	01/27/2017	2017-4/66
	41218	R307-343	5YR	01/27/2017	2017-4/67
	41641	R307-420	5YR	05/15/2017	2017-11/217
paint					
Environmental Quality, Air Quality	41100	R307-841	AMD	05/09/2017	2017-1/50
	41100	R307-841	CPR	05/09/2017	2017-7/68
	41101	R307-842	AMD	05/09/2017	2017-1/53
	41101	R307-842	CPR	05/09/2017	2017-7/70
parades					
Transportation, Operations, Traffic and Safety	41767	R920-4	5YR	06/08/2017	2017-13/256
	41924	R920-4	5YR	07/12/2017	2017-15/36
paraeducators					
Education, Administration	41092	R277-526	AMD	02/07/2017	2017-1/39
pardons					
Pardons (Board Of), Administration	41122	R671-101	5YR	01/05/2017	2017-3/100
	41251	R671-315	5YR	01/30/2017	2017-4/84
parking facilities					
Regents (Board Of), University of Utah, Commuter Services	41302	R810-2	5YR	02/13/2017	2017-5/69
	41303	R810-5	5YR	02/13/2017	2017-5/70
	41304	R810-6	5YR	02/13/2017	2017-5/70
	41305	R810-9	5YR	02/13/2017	2017-5/71
	41328	R810-9	NSC	03/14/2017	Not Printed
	41306	R810-10	5YR	02/13/2017	2017-5/71
	41307	R810-11	5YR	02/13/2017	2017-5/72
parks					
Natural Resources, Parks and Recreation	41154	R651-215-8	AMD	03/10/2017	2017-3/38
	41347	R651-410	5YR	03/07/2017	2017-7/87
	41717	R651-603	AMD	07/25/2017	2017-12/22
	41716	R651-606	AMD	07/25/2017	2017-12/23
	41042	R651-614-5	AMD	02/16/2017	2016-24/37
	41044	R651-633	AMD	02/16/2017	2016-24/38
	41715	R651-633-2	AMD	07/25/2017	2017-12/24
parole					
Human Services, Juvenile Justice Services	41386	R547-6	5YR	03/27/2017	2017-8/72
Pardons (Board Of), Administration	41241	R671-202	5YR	01/30/2017	2017-4/78
	41243	R671-205	5YR	01/30/2017	2017-4/79
	41245	R671-301	5YR	01/30/2017	2017-4/80
	41240	R671-303	5YR	01/30/2017	2017-4/81
	41248	R671-308	5YR	01/30/2017	2017-4/82
	41249	R671-310	5YR	01/30/2017	2017-4/83
	41250	R671-311	5YR	01/30/2017	2017-4/83
	41081	R671-311-3	AMD	02/15/2017	2017-1/83
	41238	R671-316	5YR	01/30/2017	2017-4/84
	41176	R671-402	5YR	01/17/2017	2017-3/100
	41252	R671-402	5YR	01/30/2017	2017-4/85
	41121	R671-403	5YR	01/05/2017	2017-3/101
	41253	R671-405	5YR	01/30/2017	2017-4/85

pathways					
Governor, Economic Development	41649	R357-20	NEW	07/14/2017	2017-11/157
payment bonds					
Administrative Services, Purchasing and General Services	41546	R33-11	AMD	06/21/2017	2017-10/35
payment determination					
Workforce Services, Administration	41857	R982-403	5YR	06/28/2017	2017-14/71
	41594	R982-403-5	NSC	05/23/2017	Not Printed
pedestrians					
Transportation, Operations, Traffic and Safety	41910	R920-1	5YR	07/07/2017	2017-15/35
peer assistance					
Education, Administration	41789	R277-618	REP	08/07/2017	2017-13/67
peer support specialists					
Human Services, Substance Abuse and Mental Health	41607	R523-5	AMD	08/01/2017	2017-11/162
penalties					
Environmental Quality, Environmental Response and Remediation	41402	R311-208	5YR	03/27/2017	2017-8/66
Transportation, Operations, Aeronautics	40937	R914-3	NEW	01/18/2017	2016-23/114
	41421	R914-3	AMD	05/22/2017	2017-8/53
penalty					
Environmental Quality, Air Quality	41229	R307-130	5YR	01/27/2017	2017-4/62
per diem allowances					
Administrative Services, Finance	41796	R25-5	NSC	06/29/2017	Not Printed
	41127	R25-7	EMR	01/06/2017	2017-3/71
	41147	R25-7	AMD	03/10/2017	2017-3/2
	41797	R25-7	EMR	07/01/2017	2017-13/221
	41798	R25-7	AMD	08/07/2017	2017-13/8
performance bonds					
Administrative Services, Purchasing and General Services	41546	R33-11	AMD	06/21/2017	2017-10/35
performing arts					
Heritage and Arts, Arts and Museums	41196	R451-1	5YR	01/18/2017	2017-4/72
Permanent Community Impact Fund					
Workforce Services, Housing and Community Development	41899	R990-8	5YR	07/06/2017	2017-15/41
permits					
Environmental Quality, Air Quality	41631	R307-401	5YR	05/15/2017	2017-11/213
	41634	R307-406	5YR	05/15/2017	2017-11/214
Natural Resources, Forestry, Fire and State Lands	41418	R652-70	5YR	03/29/2017	2017-8/81
	41420	R652-100	5YR	03/29/2017	2017-8/82
	41011	R652-120	AMD	01/10/2017	2016-23/99
Natural Resources, Wildlife Resources	41352	R657-50	5YR	03/13/2017	2017-7/88
	41098	R657-62	AMD	02/07/2017	2017-1/82
	41152	R657-62	AMD	03/13/2017	2017-3/67
Transportation, Operations, Traffic and Safety	41767	R920-4	5YR	06/08/2017	2017-13/256
	41924	R920-4	5YR	07/12/2017	2017-15/36
permitting authority					
Environmental Quality, Air Quality	41640	R307-417	5YR	05/15/2017	2017-11/217
persistently dangerous schools					
Education, Administration	41364	R277-483	REP	05/10/2017	2017-7/19

personal property					
Tax Commission, Property Tax	41469	R884-24P-24	AMD	06/08/2017	2017-9/30
	41455	R884-24P-57	NSC	06/01/2017	Not Printed
personnel management					
Human Resource Management, Administration	41270	R477-1	EXT	02/02/2017	2017-5/75
	41524	R477-1	5YR	04/27/2017	2017-10/167
	41499	R477-1	AMD	07/01/2017	2017-10/95
	41805	R477-1	AMD	08/30/2017	2017-13/159
	41274	R477-5	EXT	02/02/2017	2017-5/76
	41529	R477-5	5YR	04/27/2017	2017-10/169
	41504	R477-5	AMD	07/01/2017	2017-10/106
	41276	R477-6	EXT	02/02/2017	2017-5/76
	41530	R477-6	5YR	04/27/2017	2017-10/170
	41503	R477-6	AMD	07/01/2017	2017-10/108
	41280	R477-9	EXT	02/02/2017	2017-5/77
	41533	R477-9	5YR	04/27/2017	2017-10/171
	41284	R477-13	EXT	02/02/2017	2017-5/77
	41542	R477-13	5YR	04/27/2017	2017-10/173
	41510	R477-14	AMD	07/01/2017	2017-10/131
petroleum					
Environmental Quality, Air Quality	41227	R307-301	5YR	01/27/2017	2017-4/63
	41222	R307-327	5YR	01/27/2017	2017-4/65
Environmental Quality, Environmental Response and Remediation	41394	R311-200	5YR	03/27/2017	2017-8/60
	41396	R311-202	5YR	03/27/2017	2017-8/61
	40755	R311-203	AMD	01/03/2017	2016-19/60
	40755	R311-203	CPR	01/03/2017	2016-23/118
	41397	R311-203	5YR	03/27/2017	2017-8/62
	41398	R311-204	5YR	03/27/2017	2017-8/63
	41399	R311-205	5YR	03/27/2017	2017-8/64
	41400	R311-206	5YR	03/27/2017	2017-8/64
	41401	R311-207	5YR	03/27/2017	2017-8/65
	41402	R311-208	5YR	03/27/2017	2017-8/66
	41403	R311-209	5YR	03/27/2017	2017-8/66
	41405	R311-211	5YR	03/27/2017	2017-8/68
	41406	R311-212	5YR	03/27/2017	2017-8/69
petroleum hydrocarbons					
Environmental Quality, Water Quality	41891	R317-6	5YR	07/06/2017	2017-15/30
physical and mental fitness testing					
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School and Institutional Trust Lands, Administration	41695	R850-3	5YR	05/23/2017	2017-12/40
Workforce Services, Administration	41856	R982-402	5YR	06/28/2017	2017-14/71
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Commerce, Real Estate	41618	R162-2c	AMD	07/11/2017	2017-11/15
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Health, Disease Control and Prevention, Environmental Services	41367	R392-502	5YR	03/15/2017	2017-7/83
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Public Service Commission, Administration	41264	R746-440	5YR	01/31/2017	2017-4/89
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Health, Health Care Financing, Coverage and Reimbursement Policy	41428	R414-305-7	AMD	06/01/2017	2017-8/32
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Pardons (Board Of), Administration	41121	R671-403	5YR	01/05/2017	2017-3/101
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Human Resource Management, Administration	41283	R477-12	EXT	02/02/2017	2017-5/77
	41541	R477-12	5YR	04/27/2017	2017-10/173
	41509	R477-12	AMD	07/01/2017	2017-10/129
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Administrative Services, Purchasing and General Services	41539	R33-6	AMD	06/21/2017	2017-10/15

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Environmental Quality, Environmental Response and Remediation	41395	R311-201	5YR	03/27/2017	2017-8/60
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Natural Resources, Wildlife Resources	41958	R657-28	5YR	07/31/2017	2017-16/131
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Administrative Services, Risk Management	41601	R37-1	5YR	05/05/2017	2017-11/209
	41602	R37-2	5YR	05/05/2017	2017-11/210
	41603	R37-3	5YR	05/05/2017	2017-11/210
	41604	R37-4	5YR	05/05/2017	2017-11/211
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Transportation, Operations, Traffic and Safety	41767	R920-4	5YR	06/08/2017	2017-13/256
	41924	R920-4	5YR	07/12/2017	2017-15/36
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Transportation, Program Development	41375	R926-4	5YR	03/17/2017	2017-8/84
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Transportation, Operations, Traffic and Safety	41476	R920-50	EXT	04/13/2017	2017-9/53
	41907	R920-50	5YR	07/06/2017	2017-15/37
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Natural Resources, Forestry, Fire and State Lands	41413	R652-20	5YR	03/29/2017	2017-8/79
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Public Service Commission, Administration	41337	R746-200-7	AMD	05/15/2017	2017-7/59
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Health, Administration	41434	R380-1	5YR	04/03/2017	2017-9/46
	41435	R380-5	5YR	04/03/2017	2017-9/47
Health, Disease Control and Prevention, Epidemiology	41038	R386-702	AMD	01/27/2017	2016-24/12
	41831	R386-703	AMD	08/23/2017	2017-13/157
Human Resource Management, Administration	41270	R477-1	EXT	02/02/2017	2017-5/75
	41524	R477-1	5YR	04/27/2017	2017-10/167
	41499	R477-1	AMD	07/01/2017	2017-10/95
	41805	R477-1	AMD	08/30/2017	2017-13/159
	41284	R477-13	EXT	02/02/2017	2017-5/77
	41542	R477-13	5YR	04/27/2017	2017-10/173
Natural Resources, Wildlife Resources	41353	R657-27	5YR	03/13/2017	2017-7/87
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Public Service Commission, Administration	41115	R746-100	REP	03/06/2017	2017-2/33
	41968	R746-101	5YR	07/31/2017	2017-16/132
	41669	R746-101-1	NSC	06/05/2017	Not Printed
	41670	R746-110-3	NSC	06/05/2017	Not Printed
	41667	R746-320	5YR	05/17/2017	2017-12/38
	41676	R746-320	NSC	06/13/2017	Not Printed
	41031	R746-341	AMD	03/24/2017	2016-24/40
	41031	R746-341	CPR	03/24/2017	2017-4/54
	41678	R746-344-3	NSC	06/13/2017	Not Printed
	41679	R746-345-1	NSC	06/13/2017	Not Printed
	41513	R746-400	5YR	04/27/2017	2017-10/176
	41682	R746-400-4	NSC	06/13/2017	Not Printed
	41683	R746-401-1	NSC	06/13/2017	Not Printed
	41684	R746-409-6	NSC	06/13/2017	Not Printed
School and Institutional Trust Lands, Administration	41696	R850-2	5YR	05/23/2017	2017-12/39
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Insurance, Administration	41215	R590-116	5YR	01/26/2017	2017-4/76
	41216	R590-117	5YR	01/26/2017	2017-4/77
rural conventional roads					
Transportation, Operations, Traffic and Safety	41925	R920-2	5YR	07/12/2017	2017-15/35

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Governor, Economic Development	41430	R357-1	5YR	03/31/2017	2017-8/69
Rural Fast Track Program					
Governor, Economic Development	41430	R357-1	5YR	03/31/2017	2017-8/69
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Human Services, Aging and Adult Services	41877	R510-108	5YR	06/30/2017	2017-14/59
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Environmental Quality, Waste Management and Radiation Control, Radiation	41177	R313-15	5YR	01/17/2017	2017-3/88
Labor Commission, Boiler and Elevator Safety	42002	R616-2	NSC	08/28/2017	Not Printed
	42003	R616-3	NSC	08/28/2017	Not Printed
	42004	R616-4	NSC	08/28/2017	Not Printed
Natural Resources, Parks and Recreation	42045	R651-227	5YR	08/28/2017	Not Printed
Public Service Commission, Administration	41684	R746-409-6	NSC	06/13/2017	Not Printed
safety inspection manual					
Public Safety, Highway Patrol	41359	R714-162	R&R	07/18/2017	2017-7/35
safety inspections					
Public Safety, Highway Patrol	41837	R714-159	5YR	06/19/2017	2017-14/63
safety regulations					
Transportation, Operations, Traffic and Safety	41912	R920-51	EXT	07/07/2017	2017-15/45
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Public Service Commission, Administration	41514	R746-313	5YR	04/27/2017	2017-10/175
	41674	R746-313	NSC	06/05/2017	Not Printed
salary adjustments					
Education, Administration	41932	R277-110	5YR	07/19/2017	2017-16/121
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School and Institutional Trust Lands, Administration	41852	R850-80	5YR	06/27/2017	2017-14/70
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Natural Resources, Forestry, Fire and State Lands	41413	R652-20	5YR	03/29/2017	2017-8/79
San Juan County					
Navajo Trust Fund, Trustees	40892	R661-3	AMD	03/14/2017	2016-22/90
scenic backways					
Transportation, Program Development	41329	R926-15-5	NSC	03/14/2017	Not Printed
scenic byways					
Transportation, Program Development	41053	R926-13-4	AMD	02/07/2017	2017-1/95
	41329	R926-15-5	NSC	03/14/2017	Not Printed
scholarships					
Education, Administration	41092	R277-526	AMD	02/07/2017	2017-1/39
	41093	R277-602	AMD	02/07/2017	2017-1/41
Navajo Trust Fund, Trustees	40893	R661-6	AMD	03/14/2017	2016-22/92
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Education, Administration	41732	R277-101	5YR	06/06/2017	2017-13/235
	41768	R277-101	AMD	08/07/2017	2017-13/21
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Education, Administration	41364	R277-483	REP	05/10/2017	2017-7/19
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Education, Administration	41938	R277-516	5YR	07/19/2017	2017-16/124

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Education, Administration	42013	R277-419	5YR	08/14/2017	2017-17/211
	41936	R277-445	5YR	07/19/2017	2017-16/123

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Education, Administration	41934	R277-407	5YR	07/19/2017	2017-16/122

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Education, Administration	41790	R277-720	REP	08/07/2017	2017-13/68

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Education, Administration	41073	R277-113	AMD	02/07/2017	2017-1/16

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Education, Administration	41647	R277-474-3	AMD	07/10/2017	2017-11/23
Environmental Quality, Air Quality	41228	R307-135	5YR	01/27/2017	2017-4/62
Public Safety, Driver License	41203	R708-2	5YR	01/20/2017	2017-4/86

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Health, Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health	41334	R388-804	AMD	05/11/2017	2017-6/4

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Human Services, Administration	41114	R495-885	AMD	02/23/2017	2017-2/23

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Education, Administration	41004	R277-499	NEW	01/10/2017	2016-23/30

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Administrative Services, Purchasing and General Services	41539	R33-6	AMD	06/21/2017	2017-10/15

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	41366	R277-615	AMD	05/10/2017	2017-7/24

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Commerce, Securities	41885	R164-1	5YR	07/03/2017	2017-15/27
	41886	R164-4	5YR	07/03/2017	2017-15/27
	41887	R164-5	5YR	07/03/2017	2017-15/28
	41718	R164-9	5YR	06/02/2017	2017-13/231
	41719	R164-10	5YR	06/02/2017	2017-13/232
	41722	R164-14	5YR	06/02/2017	2017-13/233
	41465	R164-14-2b	AMD	06/08/2017	2017-9/10
	41723	R164-15	5YR	06/02/2017	2017-13/233
	41470	R164-15-4	AMD	06/30/2017	2017-9/13
	41293	R164-101	5YR	02/07/2017	2017-5/63
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	41720	R164-11	5YR	06/02/2017	2017-13/232
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	41722	R164-14	5YR	06/02/2017	2017-13/233
	41465	R164-14-2b	AMD	06/08/2017	2017-9/10
	41723	R164-15	5YR	06/02/2017	2017-13/233
	41470	R164-15-4	AMD	06/30/2017	2017-9/13
	41726	R164-26	5YR	06/02/2017	2017-13/234
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securities regulations					
Commerce, Securities	41885	R164-1	5YR	07/03/2017	2017-15/27
	41886	R164-4	5YR	07/03/2017	2017-15/27
	41887	R164-5	5YR	07/03/2017	2017-15/28
	41888	R164-6	5YR	07/03/2017	2017-15/28
	41889	R164-18	5YR	07/03/2017	2017-15/29
	41890	R164-25	5YR	07/03/2017	2017-15/29
Money Management Council, Administration	41862	R628-15	AMD	08/21/2017	2017-14/25
	41424	R628-17	5YR	03/30/2017	2017-8/75
security					
Environmental Quality, Waste Management and Radiation Control, Radiation	41184	R313-37	5YR	01/17/2017	2017-3/91
security measures					
Corrections, Administration	41449	R251-704	5YR	04/05/2017	2017-9/44
	41453	R251-710	5YR	04/05/2017	2017-9/46
self reporting					
Education, Administration	41938	R277-516	5YR	07/19/2017	2017-16/124
self-employment income					
Workforce Services, Administration	41857	R982-403	5YR	06/28/2017	2017-14/71
	41594	R982-403-5	NSC	05/23/2017	Not Printed
senior centers					
Human Services, Aging and Adult Services	41874	R510-103	5YR	06/30/2017	2017-14/57
sensory impairments					
Education, Administration	41192	R277-801	NEW	03/14/2017	2017-3/20
sentences					
Pardons (Board Of), Administration	41250	R671-311	5YR	01/30/2017	2017-4/83
	41081	R671-311-3	AMD	02/15/2017	2017-1/83
sentencing					
Pardons (Board Of), Administration	41253	R671-405	5YR	01/30/2017	2017-4/85
service coordination					
Human Services, Aging and Adult Services	41873	R510-102	5YR	06/30/2017	2017-14/56
services					
Education, Administration	41192	R277-801	NEW	03/14/2017	2017-3/20
settlements					
Labor Commission, Adjudication	41612	R602-2	5YR	05/09/2017	2017-11/222
	41633	R602-2	NSC	06/01/2017	Not Printed
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Environmental Quality, Water Quality	41800	R317-801	5YR	06/12/2017	2017-13/240
sewerage					
Environmental Quality, Water Quality	41492	R317-5	5YR	04/25/2017	2017-10/163
	41494	R317-560	5YR	04/25/2017	2017-10/164

sex education					
Education, Administration	41647	R277-474-3	AMD	07/10/2017	2017-11/23
sharing					
Education, Administration	41770	R277-111	REP	08/07/2017	2017-13/25
shelter care facilities					
Human Services, Aging and Adult Services	41883	R510-302	5YR	06/30/2017	2017-14/61
	41698	R510-302	AMD	08/07/2017	2017-12/14
short-term services					
Human Services, Aging and Adult Services	41883	R510-302	5YR	06/30/2017	2017-14/61
	41698	R510-302	AMD	08/07/2017	2017-12/14
significant energy resource					
Public Service Commission, Administration	41393	R746-420	5YR	03/27/2017	2017-8/83
	41392	R746-430	5YR	03/27/2017	2017-8/83
slaughter					
Agriculture and Food, Animal Industry	40951	R58-11	AMD	01/12/2017	2016-23/16
	41372	R58-11	NSC	04/05/2017	Not Printed
	41467	R58-11	NSC	05/15/2017	Not Printed
SLEAP					
Regents (Board Of), Administration	40915	R765-606	REP	03/14/2017	2016-22/109
small purchases					
Administrative Services, Purchasing and General Services	41535	R33-4	AMD	06/21/2017	2017-10/7
	41292	R33-4-101b	NSC	03/06/2017	Not Printed
smoking					
Health, Disease Control and Prevention, Environmental Services	41368	R392-510	5YR	03/15/2017	2017-7/84
SNAP					
Workforce Services, Employment Development	41595	R986-100	NSC	05/23/2017	Not Printed
	41596	R986-200	NSC	05/23/2017	Not Printed
	41597	R986-300-305	NSC	05/23/2017	Not Printed
	41598	R986-400-401	NSC	05/23/2017	Not Printed
	41599	R986-600	NSC	05/23/2017	Not Printed
	41600	R986-900	NSC	05/23/2017	Not Printed
snow					
Transportation, Operations, Traffic and Safety	41911	R920-6	5YR	07/07/2017	2017-15/37
snow removal					
Transportation, Operations, Maintenance	41913	R918-3	5YR	07/07/2017	2017-15/34
sobriety tests					
Health, Disease Control and Prevention, Laboratory Services	41119	R438-12	EXT	01/03/2017	2017-2/47
social security					
Human Services, Recovery Services	41724	R527-378	5YR	06/02/2017	2017-13/242
social services					
Human Services, Administration, Administrative Hearings	41057	R497-100	AMD	02/07/2017	2017-1/78
solar					
Governor, Energy Development (Office of)	42039	R362-2	EXT	08/24/2017	Not Printed
solicitation process					
Public Service Commission, Administration	41393	R746-420	5YR	03/27/2017	2017-8/83

solid fuel burning					
Environmental Quality, Air Quality	40773	R307-302	AMD	02/01/2017	2016-19/38
	40773	R307-302	CPR	02/01/2017	2017-1/102
solid waste disposal					
Environmental Quality, Waste Management and Radiation Control, Waste Management	41661	R315-301-2	AMD	08/31/2017	2017-11/146
	41662	R315-304-3	AMD	08/31/2017	2017-11/152
	41663	R315-305-3	AMD	08/31/2017	2017-11/154
solid waste management					
Environmental Quality, Waste Management and Radiation Control, Waste Management	41661	R315-301-2	AMD	08/31/2017	2017-11/146
	41477	R315-302-1	AMD	08/01/2017	2017-9/21
	41662	R315-304-3	AMD	08/31/2017	2017-11/152
	41663	R315-305-3	AMD	08/31/2017	2017-11/154
solid waste permit					
Environmental Quality, Waste Management and Radiation Control, Waste Management	41477	R315-302-1	AMD	08/01/2017	2017-9/21
solvent					
Environmental Quality, Air Quality	41219	R307-341	5YR	01/27/2017	2017-4/67
solvent cleaning					
Environmental Quality, Air Quality	41220	R307-335	5YR	01/27/2017	2017-4/66
source materials					
Environmental Quality, Waste Management and Radiation Control, Radiation	41178	R313-21	5YR	01/17/2017	2017-3/88
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Natural Resources, Forestry, Fire and State Lands	41418	R652-70	5YR	03/29/2017	2017-8/81
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Administrative Services, Facilities Construction and Management	41267	R23-19	5YR	02/01/2017	2017-4/57
spas					
Health, Disease Control and Prevention, Environmental Services	41381	R392-302	AMD	06/01/2017	2017-8/6
special education					
Education, Administration	41076	R277-752	NEW	02/07/2017	2017-1/45
special events					
Transportation, Operations, Traffic and Safety	41767	R920-4	5YR	06/08/2017	2017-13/256
	41924	R920-4	5YR	07/12/2017	2017-15/36
special income group					
Health, Health Care Financing, Coverage and Reimbursement Policy	41422	R414-307	5YR	03/29/2017	2017-8/71
special needs students					
Education, Administration	41093	R277-602	AMD	02/07/2017	2017-1/41
specifications					
Administrative Services, Purchasing and General Services	41535	R33-4	AMD	06/21/2017	2017-10/7
	41292	R33-4-101b	NSC	03/06/2017	Not Printed
speech/hearing assistance					
Public Service Commission, Administration	41645	R746-343-15	AMD	07/10/2017	2017-11/179
sponsors					
Corrections, Administration	41451	R251-306	5YR	04/05/2017	2017-9/43

spousal notification					
Health, Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health	40901	R388-803	REP	02/01/2017	2016-22/59
stabilization					
Environmental Quality, Drinking Water	40769	R309-535-5	AMD	03/07/2017	2016-19/43
	40769	R309-535-5	CPR	03/07/2017	2016-24/44
stack height					
Environmental Quality, Air Quality	41636	R307-410	5YR	05/15/2017	2017-11/215
standard procurement process					
Administrative Services, Purchasing and General Services	41540	R33-7	AMD	06/21/2017	2017-10/18
standards					
Education, Administration	42014	R277-700	5YR	08/14/2017	2017-17/212
state and local affairs					
Money Management Council, Administration	41866	R628-4	AMD	08/21/2017	2017-14/24
state assisted loans					
Environmental Quality, Water Quality	41893	R317-100	5YR	07/06/2017	2017-15/31
state buildings					
Capitol Preservation Board (State), Administration	41573	R131-3	5YR	05/02/2017	2017-11/211
state contracts					
Administrative Services, Purchasing and General Services	41548	R33-13	AMD	06/21/2017	2017-10/43
	41554	R33-21-201e	AMD	06/21/2017	2017-10/56
state employees					
Administrative Services, Finance	41796	R25-5	NSC	06/29/2017	Not Printed
	41127	R25-7	EMR	01/06/2017	2017-3/71
	41147	R25-7	AMD	03/10/2017	2017-3/2
	41797	R25-7	EMR	07/01/2017	2017-13/221
	41798	R25-7	AMD	08/07/2017	2017-13/8
Human Resource Management, Administration	41274	R477-5	EXT	02/02/2017	2017-5/76
	41529	R477-5	5YR	04/27/2017	2017-10/169
	41504	R477-5	AMD	07/01/2017	2017-10/106
state HEAT office records					
Workforce Services, Administration	41896	R982-407	5YR	07/06/2017	2017-15/39
state records committee					
Administrative Services, Records Committee	41478	R35-1-2	AMD	06/22/2017	2017-9/2
	41479	R35-2-2	AMD	06/22/2017	2017-9/4
state residency					
Health, Health Care Financing, Coverage and Reimbursement Policy	41070	R414-302-6	AMD	02/15/2017	2017-1/72
state vehicle use					
Administrative Services, Fleet Operations	41106	R27-3	AMD	02/21/2017	2017-2/6
Statewide Mutual Aid Act					
Public Safety, Emergency Management	41380	R704-2	AMD	06/09/2017	2017-8/44
stationary sources					
Environmental Quality, Air Quality	41356	R307-210	AMD	06/08/2017	2017-7/26
STEM action center					
Governor, Economic Development	41649	R357-20	NEW	07/14/2017	2017-11/157

STIG					
Science Technology and Research Governing Authority, Administration	41095	R856-4	NEW	03/22/2017	2017-1/85
	41815	R856-4	R&R	08/15/2017	2017-13/201
stocks					
Treasurer, Unclaimed Property	41930	R966-1	EXT	07/18/2017	2017-16/135
storm water					
Transportation, Preconstruction	41485	R930-9	NEW	06/30/2017	2017-10/147
stoves					
Environmental Quality, Air Quality	40773	R307-302	AMD	02/01/2017	2016-19/38
	40773	R307-302	CPR	02/01/2017	2017-1/102
structures					
Transportation, Operations, Maintenance	41942	R918-6	5YR	07/19/2017	2017-16/133
student achievements					
Education, Administration	41033	R277-404	AMD	01/24/2017	2016-24/7
student competency					
Education, Administration	41186	R277-702	5YR	01/17/2017	2017-3/87
	41190	R277-702	AMD	03/14/2017	2017-3/15
student eligibility					
Workforce Services, Unemployment Insurance	41427	R994-403-202	AMD	05/30/2017	2017-8/54
student government records					
Education, Administration	41769	R277-103	REP	08/07/2017	2017-13/24
students					
Education, Administration	41933	R277-401	5YR	07/19/2017	2017-16/121
	41188	R277-417	AMD	03/14/2017	2017-3/12
	41736	R277-485	5YR	06/06/2017	2017-13/237
	41780	R277-485	AMD	08/07/2017	2017-13/46
	41648	R277-487	AMD	07/10/2017	2017-11/24
	41362	R277-615	5YR	03/15/2017	2017-7/83
	41366	R277-615	AMD	05/10/2017	2017-7/24
	41940	R277-713	5YR	07/19/2017	2017-16/125
	41191	R277-717	NEW	03/14/2017	2017-3/18
	41192	R277-801	NEW	03/14/2017	2017-3/20
students at risk					
Education, Administration	41331	R277-708	NSC	03/14/2017	Not Printed
students with disabilities					
Education, Administration	41360	R277-479	5YR	03/15/2017	2017-7/82
	41778	R277-479	AMD	08/07/2017	2017-13/39
students' rights					
Education, Administration	41939	R277-608	5YR	07/19/2017	2017-16/124
substance abuse					
Human Services, Administration, Administrative Services, Licensing	40930	R501-21	R&R	03/24/2017	2016-22/83
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	41624	R597-3-3	AMD	07/10/2017	2017-11/168
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	41031	R746-341	AMD	03/24/2017	2016-24/40
	41031	R746-341	CPR	03/24/2017	2017-4/54
	41645	R746-343-15	AMD	07/10/2017	2017-11/179
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	41679	R746-345-1	NSC	06/13/2017	Not Printed
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	41263	R746-351	5YR	01/31/2017	2017-4/89
	41704	R746-360-6	AMD	07/31/2017	2017-12/25
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	41096	R856-5	NEW	03/22/2017	2017-1/88
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	40755	R311-203	CPR	01/03/2017	2016-23/118
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	41520	R994-102	NEW	06/21/2017	2017-10/149
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	41521	R994-106	NEW	06/21/2017	2017-10/150
	41517	R994-303	EXD	04/27/2017	2017-10/179
	41522	R994-303	NEW	06/21/2017	2017-10/152
	41518	R994-401	EXD	04/27/2017	2017-10/180
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	41519	R994-402	EXD	04/27/2017	2017-10/180
	41525	R994-402	NEW	06/21/2017	2017-10/159
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	41687	R994-406	5YR	05/19/2017	2017-12/43
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	41815	R856-4	R&R	08/15/2017	2017-13/201
	41096	R856-5	NEW	03/22/2017	2017-1/88
	41828	R856-5	R&R	08/15/2017	2017-13/207

	41906	R856-5	NSC	08/16/2017	Not Printed
	41097	R856-6	NEW	03/22/2017	2017-1/92
	41829	R856-6	R&R	08/15/2017	2017-13/214
	41481	R856-7	NEW	08/15/2017	2017-10/141
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	40893	R661-6	AMD	03/14/2017	2016-22/92
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	40987	R317-1-7	AMD	01/30/2017	2016-23/54
	41613	R317-3	5YR	05/09/2017	2017-11/219
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Human Services, Juvenile Justice Services	41391	R547-14	5YR	03/27/2017	2017-8/74

well logging
Environmental Quality, Waste Management and Radiation Control, Radiation	41185	R313-38	5YR	01/17/2017	2017-3/92

white-collar contests
Governor, Economic Development, Pete Suazo Utah Athletic Commission	41425	R359-1	5YR	03/30/2017	2017-8/70

wild turkey
Natural Resources, Wildlife Resources	41833	R657-54	AMD	08/07/2017	2017-13/180

wildland fire fund
Natural Resources, Forestry, Fire and State Lands	41013	R652-121	AMD	01/10/2017	2016-23/102
	42044	R652-121	5YR	08/28/2017	Not Printed

wildland urban interface
Natural Resources, Forestry, Fire and State Lands	41014	R652-122	AMD	01/10/2017	2016-23/105

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Natural Resources, Wildlife Resources	41580	R657-2	5YR	05/03/2017	2017-11/224
	41583	R657-4	5YR	05/03/2017	2017-11/225

	41832	R657-6	AMD	08/07/2017	2017-13/179
	41153	R657-9	AMD	03/13/2017	2017-3/39
	42024	R657-12	5YR	08/15/2017	2017-17/213
	41149	R657-16	REP	03/13/2017	2017-3/40
	42031	R657-19	EMR	08/17/2017	Not Printed
	41853	R657-20	AMD	08/21/2017	2017-14/30
	41581	R657-22	5YR	05/03/2017	2017-11/225
	41353	R657-27	5YR	03/13/2017	2017-7/87
	41958	R657-28	5YR	07/31/2017	2017-16/131
	41582	R657-30	5YR	05/03/2017	2017-11/226
	41148	R657-38	AMD	03/13/2017	2017-3/44
	41330	R657-43	5YR	02/27/2017	2017-6/30
	41668	R657-44	5YR	05/18/2017	2017-12/38
	41352	R657-50	5YR	03/13/2017	2017-7/88
	41833	R657-54	AMD	08/07/2017	2017-13/180
	41150	R657-59	AMD	03/13/2017	2017-3/49
	41151	R657-60	AMD	03/13/2017	2017-3/61
	41098	R657-62	AMD	02/07/2017	2017-1/82
	41152	R657-62	AMD	03/13/2017	2017-3/67
	41957	R657-64	5YR	07/31/2017	2017-16/132
	42032	R657-70	EMR	08/17/2017	Not Printed
wildlife conservation					
Natural Resources, Wildlife Resources	41148	R657-38	AMD	03/13/2017	2017-3/44
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Natural Resources, Wildlife Resources	42024	R657-12	5YR	08/15/2017	2017-17/213
	41581	R657-22	5YR	05/03/2017	2017-11/225
	41353	R657-27	5YR	03/13/2017	2017-7/87
	41151	R657-60	AMD	03/13/2017	2017-3/61
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Natural Resources, Wildlife Resources	41957	R657-64	5YR	07/31/2017	2017-16/132
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Workforce Services, Employment Development	41595	R986-100	NSC	05/23/2017	Not Printed
witness fees					
Labor Commission, Adjudication	41605	R602-1	5YR	05/08/2017	2017-11/221
	41635	R602-1	NSC	05/25/2017	Not Printed
women					
Health, Family Health and Preparedness, WIC Services	41254	R406-100	5YR	01/30/2017	2017-4/69
	41255	R406-200	5YR	01/30/2017	2017-4/70
	41256	R406-201	5YR	01/30/2017	2017-4/70
	41257	R406-202	5YR	01/30/2017	2017-4/71
	41258	R406-301	5YR	01/30/2017	2017-4/71
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Environmental Quality, Air Quality	41218	R307-343	5YR	01/27/2017	2017-4/67
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Education, Administration	41317	R277-916	5YR	02/14/2017	2017-5/64
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Administrative Services, Risk Management	41602	R37-2	5YR	05/05/2017	2017-11/210
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	41633	R602-2	NSC	06/01/2017	Not Printed
Workforce Services, Unemployment Insurance	41686	R994-404	5YR	05/19/2017	2017-12/42
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Workforce Services, Employment Development	41336	R986-600	AMD	05/01/2017	2017-6/18
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Workforce Services, Employment Development	41599	R986-600	NSC	05/23/2017	Not Printed

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Education, Administration	41004	R277-499	NEW	01/10/2017	2016-23/30

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	41183	R313-35	5YR	01/17/2017	2017-3/91