

UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed November 3, 1998, 12:00 a.m. through November 16, 1998, 11:59 p.m.

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Nancy L. Lancaster, Editor

The *Utah State Bulletin (Bulletin)* is the official noticing publication of the executive branch of Utah State Government. The Department of Administrative Services, Division of Administrative Rules produces the *Bulletin* under authority of Section 63-46a-10, *Utah Code Annotated* 1953.

Inquiries concerning administrative rules or other contents of the *Bulletin* may be addressed to the responsible agency or to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone (801) 538-3218, FAX (801) 538-1773. To view rules information, and on-line versions of these publications, visit the division's web site at: <http://www.rules.state.ut.us/>

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TABLE OF CONTENTS

1. SPECIAL NOTICES

Department of Commerce: Public Hearing on Proposed Fees for Services Provided and Costs Incurred by the Department of Commerce During Fiscal Year 2000	1
Department of Agriculture and Food, Utah Soil Conservation Commission: Public Notice - 1999 Meeting Schedule	1
Department of Health, Child Care Licensing Advisory Committee: Public Notice - 1999 Meeting Schedule	2
Department of Health, Health Facility Committee: Public Notice - 1999 Meeting Schedule	2

2. NOTICES OF PROPOSED RULES

Education

Administration

No. 21677 (New): R277-437. Student Enrollment Options	4
No. 21678 (New): R277-735. Standards and Procedures for Corrections Education Programs Serving Inmates of the Utah Department of Corrections	6
Applied Technology Education (Board for), Rehabilitation	
No. 21679 (New): R280-201. USOR ADA Complaint Procedure	8
No. 21680 (New): R280-202. USOR Procedures for Individuals with the Most Severe Disabilities	10

Health

Children's Health Insurance Program

No. 21669 (Amendment): R382-10. Eligibility	12
---	----

Health Care Financing

No. 21668 (Amendment): R410-14. Division of Health Care Financing Administrative Hearing Procedures for Medicaid/UMAP Applicants, Recipients and Providers, and Non-Medicaid/UMAP Nursing Home Residents as per "OBRA" Preadmission Screening and Annual Resident Review (PASARR) Determination/Resident Rights Requirements	14
--	----

Health Systems Improvement, Emergency Medical Services

No. 21649 (Amendment): R426-1-8. Maximum Licensed Services Transportation Rates and Charges	22
No. 21657 (Amendment): R426-6. Emergency Medical Services Grants Program Rules	23

Health Systems Improvement, Primary Care and Rural Health

No. 21666 (New): R434-20. Special Population Health Care Provider Financial Assistance Program	26
--	----

Human Services

Recovery Services

No. 21675 (Amendment): R527-200. Administrative Procedures	33
--	----

Natural Resources

Parks and Recreation

No. 21664 (Amendment): R651-215. Personal Flotation Devices	35
---	----

TABLE OF CONTENTS

Forestry, Fire and State Lands
No. 21672 (Amendment): R652-70-2300. Management of Bear Lake Sovereign Lands 36

Pardons (Board of)
Administration
No. 21665 (New): R671-403. Restitution 37

Regents (Board of)
Administration
No. 21673 (New): R765-607. Utah Higher Education Tuition Assistance Program 38
No. 21674 (Amendment): R765-685. Utah Educational Savings Plan Trust 40

Tax Commission
Property Tax
No. 21676 (Amendment): R884-24P-63. Performance Standards and Training Requirements
Pursuant to Utah Code Ann. Section 59-2-406 42

3. NOTICES OF CHANGES IN PROPOSED RULES

Environmental Quality
Solid and Hazardous Waste
No. 21439: R315-304. Industrial Solid Waste Landfill Requirements 45

Tax Commission
Property Tax
No. 21326: R884-24P-52. Criteria for Determining Primary Residence Pursuant to Utah Code Ann.
Sections 59-2-102 and 59-2-103 46

4. FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Commerce
Corporations and Commercial Code
No. 21658: R154-100. Utah Administrative Procedures Act Rules 48

Corrections
Administration
No. 21670: R251-401. Supervision Fees 48

Housing Finance Agency
Administration
No. 21659: R460-8. Americans with Disabilities Act (ADA) Complaint Procedures 49

Labor Commission
Safety
No. 21667: R616-1. Coal Mine Rules 49

Transportation

Administration

No. 21661: R907-40. External Relations 50

5. NOTICES OF FIVE-YEAR REVIEW EXTENSIONS 51

6. NOTICES OF RULE EFFECTIVE DATES 52

7. RULES INDEX 54

SPECIAL NOTICES

DEPARTMENT OF COMMERCE

PUBLIC HEARING ON PROPOSED FEES FOR SERVICES PROVIDED AND COSTS INCURRED BY THE DEPARTMENT OF COMMERCE DURING FISCAL YEAR 2000

The Department of Commerce will hold a hearing on Wednesday, December 16, 1998, at 9:00 a.m. at the Heber M. Wells Building, 160 East 300 South, Room 205, Salt Lake City, Utah.

The purpose of the hearing is to obtain public comment on proposed fees to be assessed for services provided and costs incurred by the Department during Fiscal Year 2000. Subsection 63-38-3(2)(a) of the Budgetary Procedures Act provides that an agency shall conduct a public hearing.

Background: Various divisions of the Department assess fees for licensure, registration, or certification of individuals and businesses to engage in certain occupations and professions. Many existing fees are unchanged in the proposed fee schedule which has been prepared for consideration by the Legislature during its 1999 General Session. Copies of those schedules will be distributed at the December 16, 1998, hearing.

For further information, please contact Diane Kimmerle at (801) 530-6431.

DEPARTMENT OF AGRICULTURE AND FOOD UTAH SOIL CONSERVATION COMMISSION

PUBLIC NOTICE 1999 MEETING SCHEDULE

Public Notice is hereby given of the 1999 calendar year meeting schedule for the Utah Soil Conservation Commission, hereafter called "Commission," a public agency created pursuant to Title 4, Chapter 18, Utah Code. This Commission is a policy making body helping to bring about sensible development and wise conservation of Utah's soil and water resource on private lands by: assisting Utah's 38 local soil conservation districts to fulfill their purposes; administering the Agriculture Resource Development Loan program; and, by facilitating the coordination of state and federal conservation partnership government agencies and groups who may influence these programs.

Six regular meetings for 1999 are planned as follows:

1. January 21 (Thursday) at 1:00 - 4:00 p.m. in Salt Lake City
2. March 8 (Monday) at 2:00 - 5:00 p.m. in St George*
3. May 13 (Thursday) at 1:00 - 4:00 p.m. in Provo*
4. June 24 (Thursday) at 1:00 - 4:00 p.m. in Price*
5. August 3 (Tuesday) at 11:00 a.m. - 4:00 p.m. in Ogden*
6. November 3 (Wednesday) at 1:00 - 4:00 p.m. in Provo*

* The place for meetings out of Salt Lake City will be determined by the Commission staff and a notice will be published two weeks prior.

Meetings are held either in the Main Conference Room of the Utah Department of Agriculture and Food (UDAF), 350 North Redwood Road, Salt Lake City, or at such other place as the Commission shall designate prior to any such meeting. Additionally, meetings for the briefing of members of the Commission may be held at such place and location as the Commission shall designate prior to any such meeting.

Commission contact: K. N. "Jake" Jacobson, Administrative Officer with the UDAF, 350 North Redwood Road, Salt Lake City, Utah 84116. Phone: (801) 538-7171

SPECIAL NOTICES

In compliance with the Americans with Disabilities Act (ADA), individuals needing special accommodations (including auxiliary communicative aids and services) during any of these meetings should notify UDAF's ADA Coordinator, Renee Matsuura, at the above UDAF address, phone: (801) 538-7110 (TDD: (801) 538-7100) at least three working days prior to the meeting.

**DEPARTMENT OF HEALTH
CHILD CARE LICENSING ADVISORY COMMITTEE**

**PUBLIC NOTICE
1999 MEETING SCHEDULE**

Public Notice is hereby given of the 1999 calendar year meeting schedule for the Child Care Licensing Advisory Committee.

All meetings are from 9:00 a.m. to 12:00 p.m. at the Department of Health, 288 North 1460 West, Salt Lake City, Utah.

Six meetings for 1999 are planned as follows:

1. January 4 (Monday) in Room 125
2. March 1 (Monday) in Room 114
3. May 10 (Monday) in Room 125
4. July 12 (Monday) in Room 114
5. September 13 (Monday) in Room 114
6. November 1 (Monday) in Room 114

Anyone with a disability requiring accommodations to attend or fully participate in this program should contact Bonnie Winter at (801) 538-9084, or via E-mail at bwinter@doh.state.ut.us, one week prior to the meeting date to request reasonable accommodations.

**DEPARTMENT OF HEALTH
HEALTH FACILITY COMMITTEE**

**PUBLIC NOTICE
1999 MEETING SCHEDULE**

Public Notice is hereby given of the 1999 calendar year meeting schedule for the Health Facility Committee.

All meetings are from 9:00 a.m. to 12:00 p.m. at the Department of Health, 288 North 1460 West, Salt Lake City, Utah.

Six meetings for 1999 are planned as follows:

1. February 26 (Friday) in Room 125
2. April 30 (Friday) in Room 125
3. June 25 (Friday) in Room 125
4. August 27 (Friday) in Room 125
5. October 29 (Friday) in Room 125
6. December 17 (Friday) in Room 125

Anyone with a disability requiring accommodations to attend or fully participate in this program should contact Bonnie Winter at (801) 538-9084, or via E-mail at bwinter@doh.state.ut.us, one week prior to the meeting date to request reasonable accommodations.

NOTICES OF PROPOSED RULES

A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between November 3, 1998, 12:00 a.m., and November 16, 1998, 11:59 p.m., are included in this, the December 1, 1998, issue of the *Utah State Bulletin*.

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

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

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least December 31, 1998. The agency may accept comment beyond this date and will list the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency to hold a hearing on a specific PROPOSED RULE. Section 63-46a-5 (1987) requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through March 31, 1999, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than 31 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

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

PROPOSED RULES are governed by *Utah Code* Section 63-46a-4 (1996); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page.

Education, Administration
R277-437
 Student Enrollment Options

NOTICE OF PROPOSED RULE
 (New)

DAR FILE NO.: 21677
 FILED: 11/16/1998, 17:23
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The previous rule was not changed. This "new" filing was necessitated because of notification problems between the Division of Administrative Rules and the Utah State Office of Education of a Five-Year Review. The purpose of this rule is to provide definitions, rules for interscholastic competition, and a form for students seeking to enroll in a non-resident district.

(DAR Note: The Division of Administrative Rules sent a notice to Education informing them that this rule needed a five-year review. Education never received that notice so they did not complete the five-year review so the rule expired and was removed from the *Utah Administrative Code*, see DAR No. 21641 in the November 15, 1998, *Utah State Bulletin*. This filing puts the rule back into place.)

SUMMARY OF THE RULE OR CHANGE: The rule provides definitions, rules for interscholastic competition, and a form for students seeking to enroll in a non-resident district.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53A-2-207

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: There are no anticipated costs or savings due to this rule. All costs and savings to school districts are provided for under Section 53A-2-210.

❖LOCAL GOVERNMENTS: There are no anticipated costs or savings due to this rule. All costs and savings to school districts are provided for under Section 53A-2-210.

❖OTHER PERSONS: There are no anticipated costs or savings due to this rule. All costs and savings to school districts are provided for under Section 53A-2-210.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs because all costs to school districts are provided for under Section 53A-2-210.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Scott W. Bean.

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

Education
 Administration
 250 East 500 South
 Salt Lake City, UT 84111, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Carol B. Lear, School Law Specialist

R277. Education, Administration.

R277-437. Student Enrollment Options.

R277-437-1. Definitions.

A. "Available school or program" means a school or program currently designated under this rule by a district as open to nonresident students.

B. "Average daily membership threshold" means 90% of the maximum capacity of a school.

C. "Core class" means a class specifically required as part of the Core Curriculum established by the Board under R277-700-11.

D. "District of residence" means a student's school district of residence under Section 53A-2-201.

E. "Instructional station" means a classroom, laboratory, shop, study hall, or physical education facility to which a local board of education has assigned a class, teacher or program during a given class period. For example, if two P.E. classes were assigned to meet in the gymnasium simultaneously, the gymnasium would represent two instructional stations.

F. "Nonresident district" means a school district other than the district of residence of the student in question.

G. "Nonresident student" means a student attending or seeking to attend a school other than the school of residence.

H. "Projected average daily membership" means the current year enrollment of a school as of October 1, adjusted for projected growth for the coming school year.

I. "Residual per student expenditure" means the expenditure based on the most recent State Superintendent's Annual Report according to the following formula:

(1) Take total expenditures before interfund transfer for:

(a) maintenance and operation;

(b) tort liability; and

(c) capital projects.

(2) Subtract from the sum of (1), above:

(a) resident district's taxes collected under the Minimum School Program;

(b) state revenue;

(c) federal revenue; and

(d) expenditures for site acquisition or new facility construction (new facility construction includes remodeling that increases building square footage or other major remodeling, if approved by the USOE Director of Finance).

(3) Divide the remainder of (1) and (2) above by the total student membership of the district as reported in the most recent State Superintendent's Annual Report.

J. "School capacity" or "maximum capacity" means the total number of students who could be served in a given school building if each of the building's instructional stations were to serve at least the following number of students:

(1) kindergarten: 10 students per room, per session -- typically two one-half day sessions per day;

(2) grades one through three: 15 students per room;

(3) grades four through six: 20 students per room;

(4) junior high and middle school: 20 students per Core class;

(5) junior high/senior high combinations: 20 students per Core class;

(6) senior high: 20 students per Core class;

(7) instructional station capacity for laboratories, physical education facilities, shops, study halls, self-contained special education classrooms, facilities jointly financed by school districts and another community agency for joint use and similar rooms must be calculated individually. Capacity for self-contained special education classrooms shall be based upon students per class as defined by Board and federal special education standards. (The above standards are based upon the UTAH STATE PUBLIC EDUCATION STRATEGIC PLAN, January 1992, page 19; and Section 53A-17a-124.5)

K. "School of residence" means the school which a student would normally attend in the student's district of residence.

L. "Serious infraction of the law or school rules" means any behavior which could, under rules of the nonresident district in which enrollment is sought, subject a student to suspension for more than ten days or expulsion.

M. "UHSAA" means the Utah High School Activities Association.

N. "USOE" means the Utah State Office of Education.

R277-437-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which places general control and supervision of the public school system under the Board, by 53A-1-402(1)(b) which directs the Utah State Board of Education to establish rules and minimum standards for access to programs and by 53A-2-207 through 213 which directs the Board to develop rules for student enrollment options.

B. The purpose of this rule is to provide: definitions relating to school choice; standards for transferring students; rules for participation in interscholastic competition; a form for students to use when applying for open enrollment; and an explanation for use of the form, "Application for Student to Attend School in Nonresident School or District," in seeking permission for a student to attend school in a school other than the school of residence.

R277-437-3. Local School Board and District Responsibilities.

A. Prior to November 30 of each school year a local board shall announce policies describing procedures for students to follow in applying to attend schools other than their respective schools of residence, and designate which schools and programs will be available for open enrollment during the coming school year.

(1) A local board shall designate each school which has a projected daily membership below the average daily membership threshold as available for open enrollment, and may designate schools as available even though projected daily membership exceeds threshold levels.

(2) If construction, remodeling, or other circumstances beyond the control of the board do not reasonably permit the board to make sufficiently accurate enrollment projections for a given school to determine whether the school should be designated as available for open enrollment for the coming year, the board shall permit submission of enrollment applications for that school during the application period and notify applicants that approval will be delayed until additional information is available.

(3) Whether applications are received for schools designated as open, or for schools for which the local board was unable to make a designation, the board must give applicants written notification of acceptance or rejection of their applications by March 1 (for new nonresident students) or March 15 (for current nonresident students).

B. As required under Subsection 53A-2-210(2), a resident district shall pay to a nonresident district one-half of the resident district's residual per student expenditure for each resident student properly registered in the nonresident district.

C. A district shall allow an enrolled nonresident student to remain enrolled in the district, subject to the conditions noted under Subsections 53A-2-207(6) and (7), provided:

(1) if a nonresident student is to be excluded from continued enrollment in a school because current or projected resident student enrollment meets or exceeds maximum school capacities, and there is another school which the student could attend within the district which has not reached maximum enrollment, the nonresident student shall be given the opportunity to enroll in that school.

(2) nonresident students who must be relocated under Subsection (1) due to increased enrollment of resident students, and siblings of nonresident students who are currently attending a school within the district, shall have priority in enrollment over other nonresident students who are seeking enrollment in the district for the first time.

(3) a school district may designate the schools which students shall attend as they move from elementary school to middle school to high school. Attendance at a specific elementary, junior high or middle school does not guarantee attendance at a specific junior high or high school.

D. Each local board shall establish a procedure to consider appeals of any denial of initial or continued enrollment of a nonresident student under Subsection 53A-2-209(1).

E. A local board of education may limit open enrollment options when they negatively affect the capacity, programs, class size, grade levels or school buildings of the resident or the receiving school.

R277-437-4. Student Participation in Interscholastic Competition.

A. A student in the ninth grade or above who transfers between schools shall be ineligible for varsity level interscholastic competition for one year after the first day of attendance following completion of transfer to the new school unless:

(1) The transfer results from a change of residence as defined under Section 53A-2-201;

(2) The transfer results from promotion to a grade not offered in the student's previous school, provided the receiving school is the one designated by the district to receive transfer students from the previous school;

(3) The student is required to transfer by the local board of education;

(4) The transfer occurs under a special group "block" permit established by one or more districts; or

(5) The UHSAA Transfer Committee grants an exception based upon exceptional circumstances and undue hardship.

B. A student's transfer between schools shall not extend eligibility for interscholastic competition beyond the eight consecutive semesters allowed under UHSAA by-laws.

C. If a student is transferred pursuant to a judicial order, the student shall immediately become eligible for interscholastic competition in the court-designated resident district for a period not to exceed the eight consecutive semesters under UHSAA By-laws.

D. A student is only eligible for interscholastic competition through the school of attendance; i.e., a student may not attend one school for academic classes and participate in interscholastic competition at a different school, except that a local board of education may allow ninth grade students to participate with the high school to which they would normally be assigned upon completion of the ninth grade.

R277-437-5. Transportation.

A school district may transport its students to schools in other districts under Subsection 53A-2-210(3)(b)(i).

KEY: public education, enrollment options* 1999

**Art X Sec 3
53A-1-401(1)(b)
53A-2-207 through 53A-2-213**

five-year review. Education never received that notice so they did not complete the five-year review so the rule expired and was removed from the *Utah Administrative Code*, see DAR No. 21642 in the November 15, 1998, *Utah State Bulletin*. This filing puts the rule back into place.)

SUMMARY OF THE RULE OR CHANGE: The rule provides operation standards and procedures for education programs for inmates in custody.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-401(3)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: There are no anticipated costs or savings due to this rule. The Utah State Office of Education receives an annual appropriation for the program.

❖LOCAL GOVERNMENTS: There are no anticipated costs or savings due to this rule. The Utah State Office of Education receives an annual appropriation for the program.

❖OTHER PERSONS: There are no anticipated costs or savings due to this rule. The Utah State Office of Education receives an annual appropriation for the program.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs because the Utah State Office of Education receives an annual appropriation for the program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Scott W. Bean.

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

Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Carol B. Lear, School Law Specialist

R277. Education, Administration.

R277-735. Standards and Procedures for Corrections Education Programs Serving Inmates of the Utah Department of Corrections.

R277-735-1. Definitions.

A. "Board" means the Utah State Board of Education.

Education, Administration
R277-735
Standards and Procedures for
Corrections Education Programs
Serving Inmates of the Utah
Department of Corrections

NOTICE OF PROPOSED RULE

(New)

DAR FILE NO.: 21678

FILED: 11/16/1998, 17:23

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The previous rule was not changed. This "new" filing was necessitated because of notification problems between the Division of Administrative Rules and the Utah State Office of Education of a Five-Year Review. The purpose of this rule is to specify operation standards and procedures for education programs for inmates in custody.

(DAR Note: The Division of Administrative Rules sent a notice to Education informing them that this rule needed a

B. "Inmate" means a person who is in the custody of the Utah Department of Corrections. Inmates may be housed in various locations throughout the state of Utah.

C. "Custody" means the status of being legally in the control of another adult person or a public agency.

D. "Recidivism Reduction Service Program" means an inmate service program consisting of at least nine components (Inmate Assessment, Cognitive Problem Solving Skills, Basic Literacy Skills, Career Skills, Job Placement, Post-release Tracking and Support, Research and Evaluation, Family Involvement and Support, and Multi-agency Collaboration) collaboratively planned and implemented by a minimum of the following agencies: appropriate local boards of education, Department of Corrections, Department of Employment Security, Department of Human Services, Board of Pardons, State Office of Rehabilitation, State Board of Regents, and the Governor's Office.

E. "Individual Development Plan" means a comprehensive inmate service plan developed collaboratively by state service agencies.

F. "Individual Educational Plan" means a written individual inmate educational service plan which is a part of the Individual Development Plan.

G. "USOE" means the Utah State Office of Education.

R277-735-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and authority over public education in the Board, by Section 53A-1-403.5 which makes the Board directly responsible for the education of inmates in custody and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to specify operation standards and procedures for inmates in custody programs.

R277-735-3. Student Evaluation and Educational Plan.

A. Each student meeting the definition of an inmate in custody shall be evaluated upon initial entry into custody of the Department of Corrections and as needed thereafter for the purposes of determining needed services to meet requirements for a reduction in the inmate recidivism rate.

B. The institution receiving the student is responsible for obtaining the student's evaluation records, and, in cases where the records are not current, for conducting necessary evaluation as quickly as possible.

C. Based upon the results of the student evaluation, an appropriate individual development plan and individual educational plan shall be prepared for each inmate in custody.

(1) Each inmate educational plan shall be reviewed and made current at least once each year or immediately following transfer of a student from one institution to another whichever is sooner.

(2) The plans shall be developed in collaboration with representatives of other appropriate service agencies working with the respective students.

D. Selected student educational plans shall be part of a written inmate Recidivism Reduction Service Program.

(1) The Recidivism Reduction Service Program shall specify the responsibilities of each of the agencies towards the students.

(2) The Plan shall be signed by each agency's representative and the inmate.

E. Educational Programs

(1) The appropriate (or designated) educational agency shall provide an educational program for the student which conforms as closely as possible to the student's individual educational plan.

(2) Educational services shall be provided in the least restrictive environment appropriate for the student's behavior and educational performance.

(3) Educational programs to which inmates in custody are assigned shall meet the standards adopted by the Board for that type program.

(4) Compliance of service plans shall be monitored by the USOE in periodic review visits.

(5) Educational services shall be sufficiently coordinated with non-custody programs to enable inmates in custody to continue their education with minimal disruption following discharge from custody.

(6) Custodial status alone does not qualify a student as being disabled under laws regulating education or educational programs for persons with disabilities.

F. Admission into Educational Programs

Inmates in custody shall be admitted to classes within resources available within ten school days following arrival at a new residential placement.

G. When a student inmate is transferred to a new program, the sending program shall make all available school records current and forward them to the receiving program within one week following notification of release or transfer.

H. When a student inmate is released from custody, educational records shall only be available through standard signed release procedures.

R277-735-4. Procedures for Providing Services.

A(1) The Board may contract with local school districts, state post-secondary educational institutions, other state agencies, or private providers to provide educational services for inmates in custody.

(2) The respective responsibilities of the Board, the local school districts, and other service providers for education shall be established by letters of agreement or contracts.

(3) A district may sub-contract with local educational service providers for the provision of educational services.

B. Inmates receiving educational services by or through a school district become students of that district for funding purposes.

C. Funding

(1) State funds appropriated to the USOE for inmates in custody shall be allocated to districts on the basis of annual applications.

(2) The funds distributed to a district shall be based upon criteria which include:

(a) the number of inmates in custody served in the district;

(b) the type of services provided to the inmates;

(c) the setting for providing services;

(d) the length of the program; and

(e) evidence of a reduced rate of inmate return to prison.

D. Funds approved for inmates in custody projects can be expended only for the purposes described in the respective funding application.

E. Unexpended funds may not be carried over from one fiscal year to the next, except by specific approval of the Board or its designee.

F. Federal funds provided to the USOE for use by school districts under Title I of the Improving America's Schools Act of 1994, P.L. 103-382, Title I, Part D, Catalogue of Federal Domestic Assistance #84.013A, for the education of inmates in custody shall be allocated in accordance with Subsection R277-735-4C. These materials are available at the State Office of Education in the Deputy Superintendent's Office.

G. The Board, or its designee, shall adopt uniform pupil and fiscal accounting procedures, forms, and deadlines for inmates in custody programs.

H. Program Staff

(1) Education staff assigned to service inmates in custody shall be qualified and appropriate for their assignments.

(2) The teaching certificate and endorsement held by a staff member shall be important in evaluating the appropriateness of a teacher's assignment, but not controlling. For instance, elementary teachers may teach secondary age students who are functioning at an elementary level in certain subjects.

R277-735-5. Confidentiality.

A. Transcripts and diplomas prepared for inmates in custody shall be issued in the name of the contracted educational agency which also provides service to non-custodial inmates and shall not bear reference to custodial status.

B. School records which refer to custodial status, inmate court records, and related matters shall be kept separate from permanent school records and shall be destroyed or may be sealed upon order of a court of competent jurisdiction.

C. Access to Student Records

(1) Staff which design and oversee individual student plans shall have access to all appropriate records relevant to the student's education.

(2) Information obtained from records remains the property of the supplying agency and shall not be transferred or shared with other persons or agencies without the permission of the supplying agency, consistent with Section 63-2-206.

(3) Access to and provision of student records or transcripts shall be consistent with state and federal law.

R277-735-6. Advisory Council.

Local educational agencies serving inmates in custody shall collaborate to establish a local interagency advisory council of all service groups which shall be responsible for the provision of services and programs to inmates in their service areas.

KEY: public education, custody*, inmates*

1999

Art X Sec 3
53A-1-403.5
53A-1-401(3)



Education, Applied Technology Education (Board for), Rehabilitation **R280-201** USOR ADA Complaint Procedure

NOTICE OF PROPOSED RULE

(New)

DAR FILE No.: 21679

FILED: 11/16/1998, 17:23

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The previous rule was not changed. This "new" filing was necessitated because of notification problems between the Division of Administrative Rules and the Utah State Office of Education of a Five-Year Review. The purpose of this rule is to establish appeal procedures and to assure that the Utah State Office of Rehabilitation shall comply with federal regulations for filing Americans with Disabilities Act (ADA) complaints.

(DAR Note: The Division of Administrative Rules sent a notice to Education informing them that this rule needed a five-year review. Education never received that notice so they did not complete the five-year review so the rule expired and was removed from the *Utah Administrative Code*, see DAR No. 21643 in the November 15, 1998, *Utah State Bulletin*. This filing puts the rule back into place.)

SUMMARY OF THE RULE OR CHANGE: The rule provides procedures for filing complaints, investigating complaints and appeals, and for classification of all records generated following complaints.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 63-2-304, 63-2-302, 63-2-303, and 67-19-32
FEDERAL REQUIREMENT FOR THIS RULE: 28 CFR 35.107

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Any costs or savings associated with this rule are covered on a reimbursement basis by federal funding.

❖LOCAL GOVERNMENTS: Any costs or savings associated with this rule are covered on a reimbursement basis by federal funding.

❖OTHER PERSONS: Any costs or savings associated with this rule are covered on a reimbursement basis by federal funding.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs because any costs associated with this rule are covered on a reimbursement basis by federal funding.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Scott W. Bean.

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

Education
Applied Technology Education (Board for),
Rehabilitation
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Carol B. Lear, School Law Specialist

R280. Education, Applied Technology Education (Board for), Rehabilitation.

R280-201. USOR ADA Complaint Procedure.

R280-201-1. Definitions.

A. "ADA" means the Americans with Disabilities Act, 42 U.S.C. 12201, which provides that no qualified individual with a disability, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by this or any such entity.

B. "The ADA Coordinator" means the designee of the State Board of Education, who has responsibility for investigating and providing prompt and equitable resolution of complaints filed by qualified individuals with disabilities in accordance with the Americans with Disabilities Act, or provisions of this rule.

C. "The ADA State Coordinating Committee" means that committee with representatives designated by the directors of the following agencies:

- (1) Office of Planning and Budget;
- (2) Department of Human Resource Management;
- (3) Division of Risk Management;
- (4) Division of Facilities Construction Management; and
- (5) Office of the Attorney General.

D. "Disability" means, with respect to an individual disability, a physical or mental impairment that substantially limits one or more of the major life activities of such an individual; a record of such an impairment; or being regarded as having such an impairment. The definition of "disability" specifically excludes: transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, other sexual behavior disorders, compulsive gambling, kleptomania, pyromania, and psychoactive substance use disorders resulting from current illegal use of drugs.

E. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

F. "Individual with a disability" (hereinafter individual) means a person who has a disability which limits one of his major life activities and who meets the essential eligibility requirement for the receipt of services or the participation in programs or activities provided by the USOR or the State Board of Education, or who would otherwise be an eligible applicant for vacant state positions, as well as those who are employees of the state.

G. "Executive Director" means the Executive Director of the Utah State Office of Rehabilitation.

H. "USOR" means the Utah State Office of Rehabilitation.

R280-201-2. Authority and Purpose.

A. This rule is authorized pursuant to 28 CFR 35.107, 1992 edition, which adopts, defines, and publishes complaint procedures providing for prompt and equitable resolution of complaints filed in accordance with Title II of the Americans with Disabilities Act, 28 CFR 35, 1992 edition.

B. The purposes of this rule are:

- (1) to establish a USOR procedure for filing complaints under the federal ADA law;
- (2) provide an appeals procedure;
- (3) provide for appropriate classification of the records of complaints and appeals; and
- (4) to guarantee at this agency level that no qualified individual with a disability, by reason of such disability, shall be excluded from participation in or be denied the benefits of the services, programs, or activities of the USOR, or be subjected to discrimination by the USOR.

R280-201-3. Filing of Complaints.

A. The complaint shall be filed in a timely manner to assure prompt, effective assessment and consideration of the facts, but not later than 60 days from the date of the alleged act of discrimination. However, any complaint alleging an act of discrimination occurring between January 26, 1992 and the effective date of this rule may be filed within 60 days of the effective date of this rule.

B. The complaint shall be filed with the USOR's ADA Coordinator in writing or in another format suitable to the individual.

C. Each complaint shall:

- (1) include the individual's name and address;
- (2) include the nature and extent of the individual's disability;
- (3) describe the USOR's alleged discriminatory action in sufficient detail to inform the USOR of the nature and date of the alleged violation;
- (4) describe the action and accommodation desired; and
- (5) be signed by the individual or by his legal representative.

D. Complaints filed on behalf of classes or third parties shall describe or identify by name, if possible, the alleged victims of discrimination.

R280-201-4. Investigation of Complaint.

A. The ADA coordinator shall conduct an investigation of each complaint received. The investigation shall be conducted to the extent necessary to assure all relevant facts are determined and documented. This may include gathering all information listed in Section 3(C) of this rule if it is not made available by the individual.

B. When conducting the investigation, the coordinator may seek assistance from the USOR's legal, human resource and budget

staff in determining what action, if any, shall be taken on the complaint. Before making any decision that would involve an expenditure of funds which is not absorbable within the USOR's budget and would require appropriation authority, facility modifications, or reclassification or reallocation in grade, the coordinator shall consult with the ADA State Coordinating Committee.

R280-201-5. Issuance of Decision.

A. Within 30 working days after receiving the complaint, the ADA coordinator shall issue a decision outlining in writing or in another suitable format stating what action, if any, shall be taken on the complaint.

B. If the coordinator is unable to reach a decision within the 30 working day period, he shall notify the individual with a disability in writing or by another suitable format why the decision is being delayed and what additional time is needed to reach a decision.

R280-201-6. Appeals.

A. The individual may appeal the decision of the ADA coordinator by filing an appeal within 10 working days from the receipt of the decision.

B. The appeal shall be filed in writing with the Executive Director.

C. The filing of an appeal shall be considered as authorization by the individual to allow review of all information, including information classified as private or controlled, by the Executive Director or designee.

D. The appeal shall describe in sufficient detail why the coordinator's decision is in error, is incomplete or ambiguous, is not supported by the evidence, or is otherwise improper.

E. The Executive Director shall review the factual findings of the investigation and the individual's statement regarding the inappropriateness of the coordinator's decision and arrive at an independent conclusion and recommendation. Additional investigations may be conducted if necessary to clarify questions of fact before arriving at an independent conclusion. Before making any decision that would involve the Executive Director to direct an expenditure of funds which is not absorbable and would require appropriation authority, facility modifications, or reclassification or reallocation in grade, he shall also consult with the State ADA Coordinating Committee.

F. The decision shall be issued within ten working days after receiving the appeal and shall be in writing or in another suitable format to the individual.

G. If the Executive Director is unable to reach a decision within the ten working day period, he shall notify the individual in writing or by another suitable format why the decision is being delayed and the additional time needed to reach a decision.

R280-201-7. Classification of Records.

The record of each complaint and appeal, and all written records produced or received as part of such actions, shall be classified as protected as defined under Section 63-2-304 until the ADA coordinator or Executive Director issues the decision at which time any portions of the record which may pertain to the individual's medical condition shall remain classified as private as defined under Section 63-2-302 or controlled as defined in Section

63-2-303. All other information gathered as part of the complaint record shall be classified as private information. Only the written decision of the coordinator or Executive Director shall be classified as public information.

R280-201-8. Relationship to Other Laws.

This rule does not prohibit or limit the use of remedies available to the individuals under the State Anti-Discrimination Complaint Procedures, Section 67-19-32; the Federal ADA Complaint Procedures (28 CFR Subpart F, beginning with Part 35.170, 1992 edition); or any other Utah state or federal law that provides equal or greater protection for the rights of individuals with disabilities.

KEY: complaints, disabled persons
1999

28 CFR 35
28 CFR 35.107
42 U.S.C. 12201
63-2-304
63-2-302
63-2-303
67-19-32



Education, Applied Technology
Education (Board for), Rehabilitation
R280-202
USOR Procedures for Individuals with
the Most Severe Disabilities

NOTICE OF PROPOSED RULE
(New)
DAR FILE NO.: 21680
FILED: 11/16/1998, 17:23
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The previous rule was not changed. This "new" filing was necessitated because of notification problems between the Division of Administrative Rules and the Utah State Office of Education of a Five-Year Review. The rule is necessary for providing services to "persons with the most severe disabilities."

(DAR Note: The Division of Administrative Rules sent a notice to Education informing them that this rule needed a five-year review. Education never received that notice so they did not complete the five-year review so the rule expired and was removed from the *Utah Administrative Code*, see DAR No. 21644 in the November 15, 1998, *Utah State Bulletin*. This filing puts the rule back into place.)

SUMMARY OF THE RULE OR CHANGE: This rule provides eligibility criteria for persons with the most severe disabilities.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53A-24-103
 FEDERAL REQUIREMENT FOR THIS RULE: Pub. L. No. 102-569, Title VI-C

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: There are no anticipated costs or savings due to this rule. All costs are currently covered by federal and state funding.

❖LOCAL GOVERNMENTS: There are no anticipated costs or savings due to this rule. All costs are currently covered by federal and state funding.

❖OTHER PERSONS: There are no anticipated costs or savings due to this rule. All costs are currently covered by federal and state funding.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs that are not currently covered by federal and state funding.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Scott W. Bean.

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

Education
 Applied Technology Education (Board for),
 Rehabilitation
 250 East 500 South
 Salt Lake City, UT 84111, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Carol B. Lear, School Law Specialist

R280. Education, Applied Technology Education (Board for), Rehabilitation.

R280-202. USOR Procedures for Individuals with the Most Severe Disabilities.

R280-202-1. Definitions.

A. "Individual with a disability" (hereinafter individual) means a person who has a disability which limits one or more of his major life activities and who meets the essential eligibility requirement for the receipt of services or the participation in programs or activities provided by the USOR or the State Board of Education.

B. "Executive Director" means the Executive Director of the Utah State Office of Rehabilitation.

C. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

D. "USOR" means the Utah State Office of Rehabilitation.

E. "Board" means the Utah State Board of Education.

F. "Supplemental Security Income (SSI)" means payments to adults and children who are determined to be severely disabled or blind and whose assets and income are below the limits set by the Social Security Administration.

G. "Social Security Disability Insurance (SSDI)" means payments to disabled workers under 65 and their families, or people who become disabled before age 22, or disabled widows or widowers 50 or over who are found to be eligible under Social Security Administration criteria.

R280-202-2. Authority and Purpose.

A. This rule is authorized pursuant to PL 102-569, Title VI-C, October, 1992, which directs state agencies to define for themselves individuals with the most severe disabilities and Section 53A-24-103 which directs that the USOR shall be under the policy direction of the Board.

B. The purpose of this rule is to define "persons with the most severe disabilities" for purposes of providing services and determining order of selection for services according to federal and state law.

R280-202-3. Eligibility Criteria.

In order to be classified as an individual with the most severe disabilities an individual shall meet one of the criteria under Subsection A below or the criteria under Subsection B below:

A. The USOR shall make the determination using the following documentation:

(1) Eligible for services from Division of Services for People with Disabilities, (DSPD); or

(2) Determined severely and persistently mentally ill (SPMI) by the State Division of Mental Health or any one of the private, non-profit mental health programs certified by the State Division of Mental Health; or

(3) Found to be permanently and totally disabled by the State Labor Commission; and

(4) Individuals who are allowed SSI/SSDI blind or disabled may or may not be considered most severe. To be considered most severe there must be two or more functional limitations; and

(5) The individual will require multiple VR services over an extended period of time.

B. If an appropriate determination has not been made by another agency, the individual must exhibit functional deficits in two or more of the following areas to be considered an individual with the most severe disabilities. Examples under the seven categories include:

(1) Mobility

(a) Requires assistive devices (cane, crutches, prosthesis, walker, wheelchair) to be mobile.

(b) Is unable to climb one flight of stairs without pause.

(c) Is unable to walk 100 meters without pause.

(d) Cannot leave a building independently in less than three minutes.

(e) Other mobility deficits as defined or approved by the USOR.

(2) Communication

(a) Expressive and receptive primary mode of communication is unintelligible to non-family members.

(b) Does not demonstrate understanding of simple requests or is unable to understand one-to-two step instructions.

(c) Other communication deficits as defined or approved by the USOR.

(3) Self-care: Is unable to perform normal activities of daily living without assistance.

(4) Self direction: Is unable to provide informed consent for life issues without the assistance of a court-appointed legal representative or guardian; or has been declared legally incompetent.

(5) Learning ability and inter-personal deficits

(a) Valid psychological assessment of conceptual intelligence reflects performance approximately two standard deviations or more below the mean observed in a population of persons of a comparable background; commonly defined as an IQ of 70 or below on a standardized measure of intelligence.

(b) Disfigurement or deformity so pronounced as to cause social rejection.

(c) Demonstrated behavior such that the individual is a danger to self and others without supervision.

(d) Other learning or interpersonal deficits as defined or approved by the USOR.

(6) Capacity for Independence

(a) Unable to perform tasks such as locate and use telephone.

(b) Unable to access public transportation without assistance.

(c) Unable to understand money or change making.

(d) Unable to tell time.

(e) Other deficits in independence as defined or approved by the USOR.

(7) Work skills and work tolerance

(a) Unable to perform sustained work for more than four hours per day.

(b) Unable to perform work outside sheltered environment.

(c) Unable to perform work in an integrated setting without support;

(d) Other work related deficits as defined or approved by the USOR; and

(e) The individual will require multiple vocational rehabilitation services over an extended period of time.

C. When the determination of individuals with the most severe disabilities is made under Subsection B above, the counselor must document the functional deficits.

KEY: disabled persons, rehabilitation 1999

**Pub. L. 102-569
53A-24-103**



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

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE No.: 21669

FILED: 11/13/1998, 12:13

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule sets forth the eligibility requirements for coverage under the Children's Health Insurance Program. These changes will somewhat liberalize the requirements for a child to be eligible for the program.

SUMMARY OF THE RULE OR CHANGE: Three changes are proposed. First, Section R382-10-10 deals with whether a child has access to other insurance coverage and is being changed. Previously if the employer paid 50% or more of the cost of the insurance, then it was considered available. Also, if enrollment had to wait for the next open enrollment period then the insurance was not available until the next enrollment period. The amendments impose a 5% of the household gross income cost standard to determine if the insurance is available. The child is also considered to have access to insurance regardless of any open enrollment period. Second, Section R382-10-18 previously limited the effective date to the date of a completed and signed application. The proposed amendments retroactively allow for a seven-day grace period, through June 30, 1999, if the person informs the Department that medical costs had been incurred during the seven days prior to the date of the application under certain circumstances. While citizens become aware of the existence of the Children's Health Insurance Program (CHIP), this change was deemed reasonable and fair to mitigate the unfairness for people that have a catastrophic event and do not apply on the same day as the event. Also, effective November 15, 1998, households that experience major events like a birth will be limited to thirty days to enroll the other child. Section R382-10-19 amends the enrollment period and makes technical changes to implement the foregoing changes to the date of enrollment.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5; and Title 26, Chapter 40

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This program is largely funded by federal money (81%). These changes will have some net increase on the state funds that would otherwise be expended for CHIP. However, they are within the appropriated funds and were anticipated when the program was funded by the 1998 Legislature. These changes will simplify administration of the program, which will offset some of the cost. The major cost will be the seven-day grace period. The Department believes that no more than 150 children will take advantage of the grace enrollment period. We also believe that the average claim would be about \$5,000, when the small claims and large claims are averaged. If so, the total impact on the state budget would be \$142,500 (19% of \$750,000).

❖LOCAL GOVERNMENTS: This rule does not apply to local government, so there should be no fiscal impact.

❖OTHER PERSONS: The change to Section R382-10-10 will have a mixed impact on children eligible for CHIP. The 5% of gross income standard may be more liberal in most cases, but it will be offset by eliminating the open enrollment exception. The 5% standard will be easier to administer and expedite the approval process. Previously the Department had to contact businesses and require them to supply information on the premium and contribution by the employer, which delayed the approval process. The Department believes it also better represents what a family would reasonably pay for private health insurance and therefore if the family chooses not to buy the available insurance it is fair that the child is ineligible. The change to Section R382-10-18 will have a positive impact on health care providers and children in the program. Fewer uninsured claims for the seven-day grace period will exist for both.

COMPLIANCE COSTS FOR AFFECTED PERSONS: These compliance costs are as outlined under "other persons."

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Health care providers will be positively impacted by this change by having fewer uninsured claims. Businesses will not have to provide information about the cost of employee health plans. Private health insurance providers should not see significant change in those enrolling in employer-based health coverage. If public comment provides additional information about the cost, then the rule will be carefully reevaluated.

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

Health
Children's Health Insurance Program
Cannon Health Building
288 North 1460 West
Box 143102
Salt Lake City, UT 84114-3102, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gayleen Henderson at the above address, by phone at (801) 538-6135, by FAX at (801) 538-6952, or by Internet E-mail at ghenders@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Rod L. Betit, Executive Director

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

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R382-10-10. Creditable Health Coverage.

(1) To be eligible for enrollment in the program, a child must meet the requirements of Sections 2110(b)(1)(C) and (2)(B) of the Social Security Act as enacted by Pub. L. No. 105-33.

(2) A child who is covered under a group health plan or other health insurance coverage including coverage under a parent's or legal guardian's employer, as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), is not eligible for CHIP assistance. ~~[- If the applicant has access to coverage under a parent's or legal guardian's employer-sponsored plan, the child is not eligible for CHIP assistance. - An employer-sponsored plan is a health benefit plan where the employer pays at least 50% of what it would cost to enroll the child. If the child has access to coverage, except that the child must wait for an open enrollment period, the child may enroll in CHIP until the next open enrollment period begins. If the child is not enrolled during the next available open enrollment period, the child will be ineligible for CHIP enrollment for three months after the end of the open enrollment period.]~~

(3) A child who has access to health insurance coverage through an employer where the cost to enroll the child in the plan is less than 5% of the household's gross annual income, is not eligible for CHIP assistance. The child is considered to have access to coverage even if the employer offers coverage only during an open enrollment period.

~~(3)4~~ The Department shall deny eligibility if the applicant, a custodial parent, or an absent parent with a legal obligation to provide health insurance coverage has voluntarily terminated health insurance coverage in the three months prior to the application date for enrollment under CHIP. An applicant or applicant's parent(s) who is involuntarily terminated from an employer's plan is eligible for CHIP without a three month waiting period.

~~(4)5~~ If an absent parent is court-ordered to provide health insurance for a child and could enroll the child in the parent's employer's health insurance plan, the child is not eligible for CHIP enrollment.

~~(5)6~~ A child with creditable health coverage operated or financed by the Indian Health Services is not excluded from enrolling in the program.

~~(6)7~~ An applicant must report at application and certification review whether any of the children in the household for whom enrollment is being requested has access to or is covered by a group health plan, other health insurance coverage, or a state employee's health benefits plan.

~~(7)8~~ An enrollee must report when any enrollee in the household begins to receive coverage under, or begins to have access to, any type of group health plan, other health insurance coverage, or a state employee's health benefits plan.

~~(8)9~~ The Department shall deny an application or recertification if the enrollee fails to respond to questions about health insurance coverage for children the household seeks to enroll or recertify in the program.

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R382-10-18. Effective Date of Enrollment and Recertification.

(1) The effective date of CHIP enrollment is the date a completed and signed application is received by the Department. Up to June 30, 1999, the Department will allow a grace enrollment period beginning no earlier than seven days before the date a

completed and signed application is received by the Department. The applicant must inform the Department that medical services were received during those seven days before the application is approved. The Department shall not pay for any services received[rendered] before the effective enrollment date[date the application is received by the Department].

(2) A household that the Department has determined to be eligible for CHIP, and has a child enrolled in CHIP, may enroll another eligible child. The effective date of enrollment will be the date of report, except as otherwise provided in R382-10-18(1). The effective date for enrollment in CHIP for a child meeting one of the criteria below will be the date of the event listed below, if the household reports the event to the Department within 30 days of the event. The events are:

- (a) when a new baby is born to a household member;
- (b) when a child is adopted or placed for the purpose of adoption by a household member;
- (c) when a parent of an enrolled child, or an enrolled child, marries, and a dependent child meeting CHIP eligibility criteria is added to the household as a result;
- (d) when a child who was previously ineligible for CHIP because he had health insurance coverage, or had access to an employer's health insurance plan, loses coverage or access involuntarily.

(3) When the report is made more than 30 days after the specified event, enrollment in CHIP will be effective beginning the date of report, except as otherwise provided in R382-10-18(1).

(2)4 The effective date of enrollment for a recertification is the first day of the month after the recertification month, if the recertification is completed by the end of the recertification month and the child continues to be eligible.

(3)5 If both the recertification form and the required verifications are not received by the end of the recertification month, the case will be closed unless the enrollee has good cause for not completing the recertification process on time. Good cause includes a medical emergency, death of an immediate family member, or natural disaster, or other similar occurrence.

(4)6 The Department may require an interview with the parent, child, or adult who has assumed responsibility for the care or supervision of a child, or other authorized representative as part of the recertification process.

R382-10-19. Enrollment Period.

(1) The enrollment period begins with either the date of application, or an earlier date as defined in R382-10-18, if the applicant is determined eligible for CHIP enrollment. Covered services the child received on or after the effective date of enrollment[date of application] are payable by CHIP for a child who was eligible upon application.

(2) A child eligible for CHIP enrollment receives 12 months of coverage unless the child turns 19 years of age before the end of the 12-month enrollment period, moves out of the state, becomes eligible for Medicaid, begins to be covered by or have access to coverage under a group health plan or other health insurance coverage, or enters a public institution. The month a child turns 19 years of age is the last month the child is eligible for CHIP.

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KEY: children's health benefits*
[1998]1999

26-1-5
26-40



Health, Health Care Financing
R410-14
 Division of Health Care Financing
 Administrative Hearing Procedures for
 Medicaid/UMAP Applicants, Recipients
 and Providers, and Non-
 Medicaid/UMAP Nursing Home
 Residents as per "OBRA"
 Preadmission Screening and Annual
 Resident Review (PASARR)
 Determinations/Resident Rights
 Requirements

NOTICE OF PROPOSED RULE
 (Amendment)
 DAR FILE No.: 21668
 FILED: 11/13/1998, 10:48
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This was a cumbersome rule that needs refining.

SUMMARY OF THE RULE OR CHANGE: The rule title was shortened, since it was unwieldy and contained some information that properly should be separate section items. This also allowed using the proper numbering system, thereby making the rule more easily readable and not as cryptic as it formerly was. A definition section was added, as well as new section headings, including "Availability of Hearing," "Request for Formal Hearing," "Reinstatement/Continuation of Services," "Notice of Formal Hearing," "Formal Papers," "Service," "Intervention," "Conduct of Hearing," "Ex Parte Communications," "Continuances or Further Hearings," "Record," "Proposed Decision and Final Agency Review," "Agency Review," "Judicial Review," and "Witnesses and Subpoenas." The amendments allow the Executive Director or his representative to send a recommended decision to the parties for comment prior to mailing a final decision. All remaining irrelevant material was deleted, and all remaining relevant material was left intact.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-1-5, 26-18-2.1, 26-23-2, and 63-46b-1
FEDERAL REQUIREMENT FOR THIS RULE: Section 1902(a)(3) SSA, 42 CFR 431, Subpart E

ANTICIPATED COST OR SAVINGS TO:

- ❖THE STATE BUDGET: Since this change deals only with the organization of the rule, there should be no fiscal impact.
 - ❖LOCAL GOVERNMENTS: Since this change deals only with the organization of the rule, there should be no fiscal impact.
 - ❖OTHER PERSONS: Since this change deals only with the administering of the rule, there should be no fiscal impact.
- COMPLIANCE COSTS FOR AFFECTED PERSONS: Since this change deals only with the organization of the rule, there should be no fiscal impact.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed changes to the administrative process followed by the Division of Health Care Financing to resolve disputes that lead to Formal Hearings should simplify the process for providers and citizens that come into contact with the process--Rod Betit.

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

Health
 Health Care Financing
 Cannon Health Building
 288 North 1460 West
 Box 142906
 Salt Lake City, UT 84114-2906, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Robert Stewart at the above address, by phone at (801) 538-6404, by FAX at (801) 538-6099, or by Internet E-mail at rstewart@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Rod L. Betit, Executive Director

R410. Health, Health Care Financing.

R410-14. ~~[Division of Health Care Financing]~~Administrative Hearing Procedures~~[for Medicaid/UMAP Applicants, Recipients and Providers, and Non-Medicaid/UMAP Nursing Home Residents as per "OBRA" Preadmission Screening and Annual Resident Review (PASARR) Determinations/Resident Rights Requirements]~~.

R410-14-1. ~~[Policy Statement]~~Introduction and Authority.

(1) ~~[It is the policy of the]~~Division ~~policy~~~~[of Health Care Financing]~~ is to resolve disputes at the lowest level. ~~This~~~~[e following]~~ rule~~s~~~~are~~is not meant to foreclose the Division's preference for informal resolutions through open discussion and negotiation between the Division~~;~~ and aggrieved persons~~[applicants, recipients and providers, and all other statutorily/regulatorily interested parties].~~

(2) This rule is authorized by Section 1902(a)(3) SSA, 42 CFR 431, Subpart E, and Sections 26-1-24, 26-18-2.3, and 63-46b-1.

R410-14-2. Definitions.

(1) The definitions in R414-1 and Section 63-46b-2 apply to this rule.

(2) In addition, as used in this rule:

(a) "Action" means a denial, termination, suspension, or reduction of Medicaid or UMAP covered services regarding an applicant or a recipient; or a reduction or denial of reimbursement for services.

(b) "Aggrieved Person" means any applicant, recipient, or provider adversely affected by any action or inaction of DHCF.

(c) "Applicability" means a determination of whether a statute, rule, or order should be applied, and if so, how the law as stated should be applied to specific facts and circumstances.

(d) "Date of Action" means the date on which a denial of eligibility, or termination, suspension, or reduction of Medicaid or UMAP covered services becomes effective, regarding an applicant or recipient; or regarding a provider, the date on which:

(i) a reduction or denial of reimbursement or a sanction becomes effective;

(ii) notice is given of licensing deficiencies; or

(iii) notice is given that DHCF will not accept a Plan of Correction of survey deficiencies required by licensing.

(e) "Order" means an agency action of particular applicability, issued by the presiding officer, that determines the legal rights, duties, privileges, immunities, or other legal interests of one or more specific persons, not a class of persons.

R410-14-[2]3. Administrative Hearing Procedures~~[Provide]~~.

(1) ~~[HEARING PROVISION:~~

~~—(a) Hearing Responsibility:~~

~~—(i) Classification of Hearing:~~

~~—(A) Formal Hearings. In accordance with Section 1902(a)(3) of the Social Security Act, 42 Code of Federal Regulations (CFR) Part 431, Subpart E, Sections 26-1-4.1 and 26-23-2, and 63-46b-1, et seq., a]All Title XIX (Medicaid) or Utah Medical Assistance Program (UMAP) applicants, recipients, or providers~~[and applicants under certain circumstances]~~ aggrieved by any action or inaction of the Department of Health (DOH), Division of Health Care Financing (DHCF), may file a written request for agency action pursuant to 63-46b-3 and in accordance with this rule.~~[will be given an opportunity for a hearing upon written request.]~~ All proceedings~~[hearings]~~ before DHCF,~~[the Division of Health Care Financing]~~ except as otherwise set forth, shall be conducted as a formal hearing. DHCF conducts hearings on many subjects including the following:~~

(~~B~~)a PASARR Hearings. As provided by Section 4211 of the Omnibus Budget Reconciliation Act of 1987 (OBRA), which amended Title XIX of the Social Security Act by adding Section 1919 to the "Act," all residents and potential residents of a nursing facility (whether Medicaid eligible or otherwise) who disagree with the pre-admission screening and appropriateness of placement decision made by DHCF~~[the Division of Health Care Financing]~~, shall be given an opportunity for a hearing upon written request. All ~~[such]~~ PASARR hearings as set forth above shall be conducted as a formal hearing in accordance with R410-14-11.

(~~C~~)b Nurse Aide Registry Hearings. As provided by Section 4211 of the Omnibus Budget Reconciliation Act of 1987 (OBRA), which amended Title XIX of the Social Security Act by adding Section 1919 to the "Act," all nurse aides employed by a certified

nursing facility who have successfully completed and passed the nurse aide training and competency evaluation program, or both, shall be identified on a nurse aide registry. In addition, such nurse aides shall be subject to investigation upon allegations of resident abuse, neglect, or misappropriation of resident property. ~~DHCF~~~~[The Division of Health Care Financing]~~ or its designated agents ~~is~~~~[shall be]~~ responsible ~~to~~~~[for]~~ investigat~~ing~~~~[such]~~ complaints. Before a substantiated claim can be entered into the registry, the nurse aide, upon written request, ~~is~~~~[shall be]~~ entitled to a hearing to be conducted by ~~DHCF~~~~[the Division of Health Care Financing]~~ or its designated agents. All ~~[such]~~ nurse aide registry hearings as set forth above shall be conducted as ~~[a]~~ formal hearings ~~in accordance with R410-14-11.~~

~~(D)C~~ Skilled Nursing Facility (SNF), Intermediate Care Facility (ICF) or Intermediate Care Facility/Mentally Retarded (ICF/MR) Hearings. As provided by 42 CFR 431, Subpart D, ~~DHCF~~~~[the Division of Health Care Financing]~~ must, for any SNF, ICF and ICF/MR, provide for appeals procedures that, as a minimum, satisfy the requirements of 42 CFR 431.153 through 431.155. ~~[Such h]~~ Hearings shall be conducted as a formal hearing in accordance with R410-14-~~11~~~~[2(1)(a)(i)(A)]~~.

~~(E)d~~ Informal Hearings. "Residents' Rights Hearings". As provided by Section ~~1919 of~~~~[4211 of the Omnibus Budget Reconciliation Act of 1987 (OBRA), which amended]~~ Title XIX of the Social Security Act, ~~[by adding Section 1919 to said "Act,"]~~ all residents of a nursing facility (whether Medicaid eligible or otherwise) have ~~been granted~~ certain specific "residents' rights" and may be aggrieved by action or inaction of a nursing facility in the meeting of those rights. Responsibility for enforcing nursing home compliance with the residents' rights requirement rests with ~~DHCF~~~~[the Division of Health Care Financing]~~. All "resident rights" hearings shall be conducted as an informal hearing.

~~(ii)2~~ A hearing is not required and will not be granted to an applicant, recipient, or provider if the sole issue is a federal or state law or policy requiring an automatic change in covered services adversely affecting some or all applicants, recipients, or providers (42 CFR 431.220).

~~(b)~~ Applicability:

~~(i)3~~ EXCEPT AS SPECIFIED HEREIN, ~~R410-14~~~~[THESE PROVISIONS]~~ ONLY APPLIES ~~[Y]~~ TO TITLE XIX MEDICAID OR ~~[F]~~UMAP RECIPIENTS OR PROVIDERS. This ~~[ese]~~ rule ~~[s]~~ does not apply to initial applications for medical assistance. A Medicaid or ~~[F]~~UMAP applicant who has been denied eligibility for medical assistance through the local Office of ~~the Department of Workforce Services (DWS)~~~~[Community Operations (OCO), Assistance Payments Administration (APA), Department of Social Services (DSS);]~~ must contact the Department of Workforce Services for a hearing, ~~[submit a written request for an eligibility determination hearing to: The Department of Social Services, Office of Administrative Hearings], P. O. Box 45500, Salt Lake City, Utah, 84145-0500 or the applicant may deliver the written request in person to the local OCO.~~

~~(c)~~ Eligibility Hearing for both Non-Medical Assistance AND Medical Assistance:]

~~(i)4~~ If eligibility for a non-medical assistance program in addition to Medicaid or ~~[F]~~UMAP is at issue, the Medicaid or ~~[F]~~UMAP eligibility determination hearing shall be conducted by the Department of ~~Workforce~~~~[Social]~~ Services (DWS) through the Office of Administrative Hearings. Requests for such hearings shall

be sent to the address in R410-14-~~3(3)~~~~[2(1)(b)(i)]~~. All ~~[such]~~ hearings shall be conducted according to ~~DWS~~~~[DSS]~~ hearing rules. ~~DWS~~~~[DSS]~~ shall propose a recommended decision concerning the medical assistance issue only and shall submit it to the Executive Director of DOH or his designated representative for ~~[agency]~~ review and final agency order. ~~[Thereafter the recommended decision shall be handled in accordance with Sections 63-46b-12 and 63-46b-15.]~~

~~(d)~~ Eligibility Hearing For Medical Assistance Only:]

~~(i)5~~ DWS shall forward ~~[A]~~all requests for hearings to consider eligibility ~~for~~~~[as to]~~ medical assistance only ~~[, shall be forwarded by DSS]~~ to DHCF. A formal hearing in accordance with the hearing procedures herein shall be conducted by DHCF.

~~(e)~~ Definitions:

~~(i)~~ The definitions of the Utah Administrative Procedure Act (UAPA), Section 63-46b-1, et seq., as set forth in Section 63-46b-2 apply to this rule.

~~(ii)~~ "Action" means a denial of Medicaid/UMAP eligibility as regards an applicant, denial, termination, suspension, or reduction of Medicaid/UMAP covered services in the case of recipients; or, a reduction or denial of reimbursement for such services, findings of licensing survey deficiencies requiring a Plan of Correction; failure of DHCF to accept a Plan of Correction required by licensing, or other sanctions as set forth in "DHCF ADMINISTRATIVE SANCTIONS PROCEDURES AND GUIDELINES", R414-22, in the case of providers:

~~(iii)~~ "Aggrieved Person" means any applicant, recipient or provider aggrieved by any action or inaction of DHCF.

~~(iv)~~ "Date of Action" means the date on which a denial of eligibility for, termination, suspension or reduction of Medicaid/UMAP covered services becomes effective, in the case of applicants or recipients; or, in the case of providers the date on which:

~~(A)~~ A reduction or denial or reimbursement or sanction becomes effective;

~~(B)~~ Notice is given of licensing survey deficiencies; or

~~(C)~~ Notice is given that DHCF will not accept a plan of correction of survey deficiencies required by licensing.

~~(v)~~ "Division Director" means the Director of the Division of Health Care Financing of the Utah Department of Health or his designated and authorized representative.

~~(vi)~~ "Executive Director" means the Executive Director of the Utah Department of Health or his designated and authorized representative.

~~(vii)~~ "Formal Hearing" means a hearing before a hearing officer, conducted in accordance with Title 63, Chapter 46b.

~~(viii)~~ "Informal Hearing" means a hearing before a hearing officer, conducted in accordance with Sections 63-46b-5, and Section 63-46b-11 through 63-46b-15. Except as by implication and context, no further specific procedural or appellate references regarding an "Informal Hearing" shall be had in this present rule, as Sections 63-46b-5, and Section 63-46b-11 through 63-46b-15 are to be controlling, except specifically R410-14-2(1)(c)(xi), below, as to the definition of "Request for an Informal Hearing".

~~(ix)~~ "Notice" means a written statement of the action DHCF intends to take, the reasons for the intended action, the specific regulations that support (or the change in federal or state law that requires) the action, the right to a hearing when applicable, the procedure to obtain a hearing, and an explanation of the

circumstances under which Medicaid/UMAP benefits or reimbursement will be continued if a hearing is requested:

~~(x) "Request for a Formal Hearing" means a clear expression in writing which meets the criteria of a "Request for Agency Action" as set forth by Section 63-46b-3 by an aggrieved person or authorized representative;~~

~~(xi) "Request for an Informal Hearing" means a clear expression in writing which meets the criteria of a "Request for Agency Action" as set forth by Section 63-46b-3 by an aggrieved person or authorized representative;~~

~~(f) Notice;~~

~~(i) When Notice Required;~~

R410-14-4. Availability of Hearing.

If there is no disputed issue of fact, the presiding officer may make a determination without an evidentiary hearing.

R410-14-5. Notice.

~~(A)1~~ DHCF shall give advance written notice to ~~(E)~~ each individual who is affected by an adverse action taken by DHCF, ~~[will be given advance notice of such action]~~ in accordance with R410-14-8~~[2+(f)(iii)]~~.

~~(ii)2~~ A notice under this section must contain:

~~(A)a~~ a statement of the action DHCF intends to take;

~~(B)b~~ the date the intended action takes effect;

~~(C)c~~ the reasons for the intended action;

~~(D)d~~ the specific regulations that support, or the change in federal or state law or policy, that requires the action;

~~(E)e~~ the aggrieved person's right to request a formal hearing before DHCF, when applicable, and the method by which such hearing may be obtained from DHCF;

~~(F)f~~ a statement that the aggrieved person may represent himself or use legal counsel, relative, friend or other spokesman at the formal hearing; and,

~~(G)g~~ if applicable, an explanation of the circumstances under which Medicaid or ~~[/]~~UMAP coverage or reimbursement will be continued if a formal hearing is timely requested.

~~(iii)3~~ DHCF shall ~~[with]~~ mail ~~[an]~~ advance notice at least ten calendar days before the date of the intended action EXCEPT as noted below:

~~(A)a~~ DHCF may mail a notice not later than the date of action if:

~~(i)~~ DHCF has factual information confirming the death of a recipient or ~~[/]~~provider;

~~(ii)~~ DHCF receives a clear, written statement signed by a recipient or ~~[/]~~provider that:

~~(A)~~ he no longer wishes services or reimbursement, or

~~(B)~~ he gives information that requires termination or reduction of services or reimbursement and ~~[indicates that he]~~ understands that this must be the result of supplying that information;

~~(iii)~~ the recipient has been admitted to an institution where he is ineligible under the State Plan for further services;

~~(iv)~~ the recipient's or ~~[/]~~provider's whereabouts are unknown and the Post Office returns DHCF mail directed to him indicating no forwarding address;

~~(v)~~ DHCF establishes the fact that the recipient has been accepted for Medicaid/UMAP services by another local jurisdiction, State, Territory or Commonwealth;

~~(vi)~~ a change in the level of medical care is prescribed by the recipient's physician; or

~~(vii)~~ a termination, suspension, or reduction of Medicaid or ~~[/]~~UMAP covered services or reimbursement is necessitated by an imminent peril to the public health, safety, or welfare.

~~(B)b~~ DHCF may shorten the period of advance mailed notice to five days before the date of action if:

~~(i)~~ DHCF has facts indicating that action should be taken because of probable fraud by the applicant or ~~[/]~~recipient or ~~[/]~~provider; and

~~(ii)~~ the facts have been verified, by affidavit, if possible.

~~(g) Request for Formal Hearing and Agency Response;~~

R410-14-6. Request for Formal Hearing.

~~(i)1~~ DHCF shall conduct formal hearings on all ~~[Formal hearings are held for]~~ "medical assistance only" issues. ~~[If an aggrieved person's request for an eligibility hearing concerns both non-medical assistance and medical assistance, he should refer to R410-14-2(1)(c)(i), above.]~~

~~(2)~~ An aggrieved person may request a formal hearing within the following deadlines, depending upon the type of request:

~~(A)a~~ An aggrieved ~~[UMAP or]~~ Medicaid provider may request a formal hearing within 30 calendar days from the date written notice is issued or mailed, whichever is later, ~~[by DHCF of an action or inaction].~~

~~(B)b~~ An aggrieved Medicaid or UMAP applicant or recipient may request a formal hearing regarding eligibility for "medical assistance only" within 90 calendar days from the date written notice is issued or mailed, whichever is later, ~~[by DHCF of an action or intended action].~~

~~(C)~~ An aggrieved UMAP applicant or recipient may request a formal hearing regarding eligibility within 90 calendar days from the date written notice is issued or mailed, whichever is later, ~~[by DHCF of an action or intended action].~~

~~(D)c~~ An aggrieved UMAP or Medicaid applicant or recipient may request a formal hearing regarding scope of service within 30 calendar days from the date written notice is issued or mailed, whichever is later, by DHCF of an action or intended action.

~~(ii)3~~ Failure to submit a timely request for a formal hearing ~~[with]~~ constitutes a waiver of a person's due process ~~[formal hearing or pre-hearing]~~ rights. A request for a hearing shall be in writing, shall be dated, and shall explain the reasons for which the hearing is requested. An aggrieved person may use the hearing request form which is attached to all negative eligibility action notices, ~~[or the form which is provided in Attachment "A,"]~~ which is entitled "Requests for Hearing/Agency Action". ~~[DHCF will provide copies of the form in Attachment A to all interested persons.]~~

~~(iii)4~~ The address for submitting a "Request for Hearing/Agency Action" for: (a) Medicaid or UMAP providers; and (b) Medicaid or UMAP eligibility hearings or scope of service hearings is as follows:

Division of Health Care Financing

~~[Attention: Formal Hearings]~~ Office of Hearings and Appeals

~~[P.O. Box 16580]~~ Box 142901

Salt Lake City, Utah ~~[84116-0580]~~ 84114-2901

~~(iv)~~ The address for submitting a "Request for Hearing/Agency Action" for Medicaid and UMAP applicants regarding eligibility issues is:

— The Department of Social Services
 — Office of Administrative Hearings
 — P.O. Box 45500
 — Salt Lake City, Utah 84145-0500

~~(v)5~~ [Requests for formal hearing will be docketed and scheduled within 30 calendar days.] DHCF [as respondent] shall schedule a hearing or begin negotiations in the matter in writing within 30 days of the date of issuance of the request for formal hearing or agency action.

~~(h)6~~ DOH or DHCF may deny or dismiss a request for a formal hearing if:

~~(r)a~~ The aggrieved person withdraws the request in writing;

~~(n)b~~ The aggrieved person fails to appear at or participate in a scheduled hearing or prehearing without good cause; ~~or~~

~~(c) The aggrieved person prolongs the hearing process without good cause;~~

~~(d) The aggrieved person's whereabouts is unknown as indicated by return of agency mail without forwarding address;~~

~~(iii)e~~ The provider fails to allow DHCF access to its records pursuant to R410-14-18(2)(b) [3];

~~(f) A party does not respond, when requested, to any correspondence made in connection with the matter by the presiding officer, such as failure to provide relevant medical records.~~

~~—(iv) Reinstatement/Continuation of Services.]~~

R410-14-7. Reinstatement/Continuation of Services.

~~(A)1~~ DHCF may reinstate services for recipients or suspend any adverse action for providers ~~as defined in R410-14-2(1)(c)(ii)~~ if ~~the an~~ aggrieved person requests a formal hearing not more than ten calendar days after the date of action.

~~(B)2~~ DHCF must reinstate or continue services for recipients or suspend adverse actions for providers until a decision is rendered after a formal hearing if:

~~(a)~~ adverse action is taken without giving the ten day advance ~~d~~ mailed notice to a recipient ~~or~~ ~~r~~ provider in all circumstances where such advance notice is required;

~~(b)~~ in those circumstances where advance notice is not required, ~~as set forth in R410-14-2(1)(f)(iii)(A);~~ the aggrieved person requests a formal hearing within ten calendar days following the date the adverse action notice is mailed; or

~~(c)~~ DHCF determines that the action resulted from other than the application of federal or state law or policy.

~~(C) DHCF may proceed with its intended action if: the aggrieved person withdraws his request for either a formal hearing in writing; or, the aggrieved person prolongs the hearing process without good cause; or, a recipient's whereabouts are unknown, as indicated by the return of agency mail directed to him which is not forwardable.~~

~~(j) Formal Hearing~~

~~(i) A request for a formal hearing must be made to the Division of Health Care Financing, 288 North 1460 West, P. O. Box 16580, Salt Lake City, Utah 84116-0580, Attention: "Formal Hearings."~~

~~(ii) Notice of Formal Hearing.]~~

R410-14-8. Notice of Formal Hearing.

~~(A)~~ DHCF shall notify the aggrieved person or his attorney, in writing, of the date, time, and place of the hearing. Notice shall

be mailed not less than ten calendar days before the scheduled date of the formal hearing.

R410-14-9. Form of Papers.

~~(iii)1~~ ~~[Form of Papers.]~~ All papers to be filed in a formal proceeding ~~[hearing]~~ shall:

~~(A)a~~ Be typewritten or legibly hand-written;

~~(B)b~~ Bear a caption clearly showing the title of the hearing;

~~(C)c~~ Bear the docket number, if any;

~~(D)d~~ Be dated and signed by the party or his authorized representative; ~~and shall contain his address and telephone number; and~~

~~(e) Contain the address and telephone number of the party or his representative, if any; and~~

~~(E)f~~ Consist of an original and two copies filed with DHCF.

~~(iv)2~~ Hearings may be delayed until the requirements of this section are met.

~~—(v) Service.]~~

R410-14-10. Service.

~~(A)1~~ The party filing papers and documents shall serve them upon all parties to the formal proceeding ~~[hearing]~~. Proof of service shall be filed with DHCF.

~~(B)2~~ Service shall be personally delivered or by mail, properly addressed with postage prepaid, one copy to each ~~entitled party~~ ~~entitled thereto~~. ~~If~~ ~~When~~ a party is represented ~~by an attorney~~, service upon the ~~representative~~ ~~attorney~~ ~~is~~ ~~shall be determined as~~ sufficient service upon the party ~~or parties~~.

~~(C)3~~ Proof of service shall be by certificate, affidavit, or acknowledgment.

~~(D)4~~ Wherever notice by DHCF is required, notification shall be effective upon the date of first class mailing to ~~the a~~ party's residence or business address.

~~(E)5~~ In addition to the methods set forth in this ~~ese~~ rule ~~s~~, a party may be served ~~as permitted by the Utah Rules of Civil Procedure~~ ~~in any manner permitted by law~~.

R410-14-11. Intervention.

~~(vi)~~ ~~As permitted by Section 63-46b-9~~ ~~10~~, a person may ~~intervene if~~; ~~intervention will be permitted provided the following requirements are met:~~

~~(A)1~~ The ~~p~~ ~~P~~erson ~~s~~ ~~desiring to intervene in a formal hearing must~~ petitions for leave to intervene at least seven days before the scheduled hearing, unless otherwise permitted by the ~~presiding~~ ~~[hearing]~~ officer.

~~(B)2~~ The petition must contain a clear and concise statement of the direct and substantial interest of the person seeking leave to intervene in the hearing.

~~(C)3~~ Persons seeking affirmative relief shall state the basis of such relief.

~~(D)4~~ Other parties to the hearing ~~must~~ have an opportunity to support or oppose intervention ~~in a manner permitted by the presiding officer~~.

~~(E)5~~ The ~~presiding~~ ~~[hearing]~~ officer may grant leave to intervene subject to such reasonable conditions as he may prescribe. An intervenor may be dismissed from the hearing if it appears that he has no direct or substantial interest in the hearing.

~~—(vii) Conduct of Hearing.]~~

R410-14-12. Conduct of Hearing.

(1) Hearings shall be conducted according to 63-46b-8, and as described in R414-14.

(~~A~~)² Formal hearings shall be conducted by an impartial presiding[hearing] officer who is appointed by DOH. The presiding[hearing] officer shall be empowered with such authority as granted by UCA Section 63-46b-1 through 22, [~~et seq.~~] except as may be limited by R410-14[these rules]. No presiding[hearing] officer shall have been directly involved in the initial determination of the action in question.

(3) The presiding officer may elect to hold a pre-hearing meeting for any of the following reasons:

(a) to formulate or simplify the issues;

(b) to obtain admissions of fact and documents, that will avoid unnecessary proof;

(c) to arrange for the exchange of proposed exhibits or prepared expert testimony;

(d) to outline procedures to be followed at the formal hearing;

or
(e) to agree to other matters that may expedite the orderly conduct of the hearing, or a settlement.

(f) Agreements reached during the conference shall be recorded, or the parties may enter into a written stipulation, or agree to a statement made on the record by the presiding officer.

(~~B~~)⁴ All formal hearings may[~~shall~~] be conducted only after adequate written notice of the hearing has been served on all parties setting forth the time, date and place of the hearing.

(~~C~~)⁵ Testimony shall be taken under oath or affirmation administered by the presiding[hearing] officer.

(~~D~~)⁶ Each party has[~~shall have~~] the right to:

(a) call and examine parties and witnesses;

(b) introduce exhibits;

(c) question opposing witnesses and parties on any matter relevant to the issue even though the matter was not covered in the direct examination;

(d) impeach any witness regardless of which party first called him to testify; and

(e) rebut the evidence against him.

(~~E~~)⁷ The rules of evidence as applied in civil actions in the courts of this state shall be generally followed in the hearings. Any relevant evidence may be admitted. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but shall not be sufficient by itself to support a finding unless[~~it would be~~] admissible over objection in civil actions. The presiding[hearing] officer shall give effect to the rules of privilege recognized by law. Irrelevant, immaterial, and unduly repetitious evidence shall be excluded.

[~~(F) The hearing officer may order the taking of interrogatories and depositions and assess the expense to the requesting party if the hearing officer determined such to be proper.~~]

(~~G~~)⁸ The presiding[hearing] officer may question any party or witness and may admit any evidence he believes is relevant or material.

(~~H~~)⁹ The presiding[hearing] officer shall control the taking of evidence in a manner[~~best determined to be~~] best suited to ascertain the facts and safeguard the rights of the parties. The presiding[hearing] officer may[~~shall~~] determine[~~explain the issues and~~] the order in which evidence will be received.

(10) The presiding officer shall maintain order, and may recess the hearing for the time necessary to regain order, if a person engages in disrespectful, disorderly, or contumacious conduct. The presiding officer may take measures to remove a person, including participants, from the hearing, if necessary, to maintain order. If a participant shows persistent disregard on matters of order and procedure, the presiding officer may enter a sanction on the person, including: restricting the person's participation, striking pleadings or evidence, or issuing an order of default.

(11) If a party desires to employ a court reporter to make a record of the hearing, the original transcript of the hearing shall be filed with the presiding officer at no cost to the agency.

(~~H~~)¹² [~~A~~]The moving party has the burden of proving by a preponderance of the evidence whatever facts it must establish to sustain its position.[~~A provider always has the burden of proof to show that services were, in fact, rendered as billed.~~]

[~~(J) The burden of proof as to a particular fact is on the party against whom a finding on that fact would be required in the absence of further evidence.~~]

[~~(viii) Ex Parte Communications~~]

R410-14-13. Ex Parte Communications.

(~~A~~)¹ Except as otherwise provided below, ex parte communications are prohibited.

(~~B~~)² The presiding[hearing] officer shall decline to listen to or accept any communication offered in violation of this rule and shall explain to the offeror that any communication received off the record and in violation of this rule must be made a part of the record and furnished to all parties.

(~~C~~)³ This rule shall not[~~NOT~~] apply to[~~the disposition of ex parte matters authorized by law, or~~] communications concerning status of the hearing and uncontested procedural matters.

[~~(ix) Continuances or Further Hearings~~]

R410-14-14. Continuances or Further Hearings.

(~~A~~)¹ The presiding[hearing] officer may continue a formal hearing to another time or place, or order a further hearing on his own motion or upon the showing of good cause, at the request of any party.

(~~B~~)² If[~~Where~~] the presiding[hearing] officer determines that additional evidence is necessary for the proper determination of the case, he may, at his discretion, [?] continue the hearing to a later date and order the party to produce additional evidence, [?] or close the hearing and hold the record open in order to permit the introduction of additional documentary evidence. Any evidence [so] submitted shall be made available to both parties and each party shall have the opportunity for rebuttal.

(~~C~~)³ Written notice of the time and place of a continued or further hearing shall be given in accordance with R410-14-~~7~~[~~2(1)(j)(ii)(A)~~], except [that] when a continuance is ordered during a hearing and adequate oral notice is given.

[~~(x) Record~~]

R410-14-15. Record.

A complete record of all formal hearings is[~~shall be~~] made by the presiding officer.[~~The testimony shall be electronically recorded or memorialized by court reporter.~~] The recording[~~or memorialization~~] shall be transcribed if requested by a party to the hearing. The requesting party shall pay the costs of transcription

and ~~for~~ copying ~~costs~~. DHCF shall maintain the complete record of the hearing in a secure area. ~~At the conclusion of the formal hearing, the complete record of the hearing will be maintained in a secured area and~~. The record ~~is~~ ~~shall be considered~~ the sole property of DHCF. DHCF or its designated agent ~~shall~~ ~~with~~ retain ~~electronic~~ recordings ~~/memorialization~~ of formal hearings for a period of one year. Written records and documents ~~shall~~ ~~with~~ be retained for a period not to exceed three years.

~~— (xi) Proposed Decision and Final Agency Review~~

R410-14-16. Proposed Decision and Final Agency Review.

~~(A)1~~ At the conclusion of the formal hearing, the ~~presiding~~ ~~hearing~~ officer shall take the matter under advisement and shall submit to the Executive Director of DOH ~~or his designated representative a recommended~~ ~~proposed~~ decision, based on the evidence and testimony introduced ~~in the proceeding~~ ~~at the hearing~~.

~~(B)2~~ The proposed decision shall be in writing and shall contain findings of fact and conclusions of law.

~~(C)3~~ The Executive Director of DOH ~~or his designated representative may:~~

~~(a)~~ adopt the proposed decision, or any portion of the decision;

~~(b)~~ reject the proposed decision, or any portion of the decision ~~thereof~~, and make his own independent determination based upon the record; or

~~(c)~~ remand the matter to the ~~presiding~~ ~~hearing~~ officer to take additional evidence, ~~and~~ the ~~presiding~~ ~~hearing~~ officer thereafter shall submit to the Executive Director of DOH ~~or his designated representative a new recommended~~ ~~proposed~~ decision ~~or~~;

~~(d)~~ send the proposed decision to the parties for comments prior to taking any of the above actions.

~~(B)4~~ The decision of ~~the~~ ~~Review by~~ the Executive Director ~~or his designated representative constitutes~~ ~~agency review and~~ final administrative ~~on~~ action, and is subject to judicial review in accordance with the procedures set forth in R410-14-17 ~~2(1)(j)(xiii)~~.

~~(E)5~~ The aggrieved person or his representative shall be notified of the final administrative action and the aggrieved person's right to judicial review of the action.

~~(F)~~ When the final administrative action is favorable to the aggrieved person, DHCF shall promptly take corrective action.

~~(G)~~ Subject to provisions for safeguarding confidential information, all hearing decisions shall be kept on file for public inspection.

~~(xii) Agency Review.~~

R410-14-17. Agency Review.

~~(A) Reconsideration.~~ ~~An aggrieved person may move for reconsideration of DHCF's final administrative action, in accordance with Section 63-46b-12 and 13~~ ~~applies~~.

~~(xiii) Judicial Review~~

R410-14-18. Judicial Review.

Judicial review shall be obtained according to Section 63-46b-1 and 63-46b-14 through 18 and Section 78-2a-3. ~~(A) Judicial review of a final agency action may be secured by the aggrieved party by filing a petition in the Utah Court of Appeals within 30 days after issuance of the Executive Director's final administrative~~

action. The petition shall be served upon the Executive Director and shall state the grounds upon which review is sought. The Executive Director shall file with his Answer certified documents, papers, transcripts of all testimony taken in the matter, recommended findings of fact and conclusions of law of the hearing officer, and the final administrative action of the Executive Director.

~~(B) Judicial review of final administrative action is governed by Section 63-46b-16 and Section 63-46b-1, and Section 78-2a-3.~~

R410-14-19[3]. Discovery.

~~(1) DISCOVERY PROVISIONS~~

~~(a)1~~ The Utah Rules of Civil Procedure are inapplicable to these proceedings and no formal discovery except as set forth in ~~this rule is~~ ~~hereinafter shall be~~ permitted.

~~(b)2~~ Unless otherwise limited by order of the ~~presiding~~ ~~hearing~~ officer, the scope of discovery in formal adjudicative proceedings ~~is~~ ~~shall be~~ as follows:

~~(i) Review of Applicant/Recipient and Provider Records~~

~~(A)a~~ DHCF shall be permitted to review all records ~~which are~~ pertinent to the hearing ~~that~~ ~~which~~ are in the custody or control of the applicant or recipient and ~~the applicant or recipient's~~ ~~their~~ health care providers. DHCF shall give at least three days ~~of~~ written notice to the custodian of such document(s).

~~(B)b~~ A provider shall allow DHCF ~~shall be allowed~~ to inspect ~~its~~ ~~a provider's~~ records ~~that~~ ~~which~~ are pertinent to the hearing. Inspection shall be made at the provider's business office during regular working hours and after at least three days written notice.

~~(ii) Review of DHCF Records and Files~~

~~(A)3~~ Upon written request at least three days prior to the hearing, the aggrieved person or his representative shall be permitted to examine all DHCF's documents and records for the formal hearing ~~Before the formal hearing and upon prior written request, the aggrieved person or his representative will be permitted to examine all documents and records to be used by the state at the formal hearing, not later than three days before the formal hearing~~. The aggrieved party may request the Medicaid Management Information System (MMIS) claim file upon 15 calendar days request. ~~This will be available for review 15 calendar days after DHCF receives a written request for the information.~~

~~(B)~~ At the formal hearing the aggrieved person or his representative will be given an opportunity to:

~~(a)~~ examine the aggrieved person's case file and all documents and records to be used by DHCF at the hearing;

~~(b)~~ bring witnesses to the hearing; and

~~(c)~~ establish all pertinent facts and circumstances.

~~(iii) Pre-hearing Procedure~~

~~(A)~~ The hearing officer may elect to hold a pre-hearing meeting for any of the following reasons: to formulate or simplify the issues; to obtain admissions of fact and documents which will avoid unnecessary proof; to arrange for the exchange of proposed exhibits or prepared expert testimony; to outline procedures to be followed, at the formal hearing; or to agree to such other matters as may expedite the orderly conduct of the hearing or the settlement thereof.

~~(B)~~ Agreements reached during the conference shall be recorded or the parties may enter into a written stipulation or agree to a statement made on the record by the hearing officer.

~~— (iv) Interrogatories, Depositions and Requests for Admissions]~~

~~(A)4~~ The presiding[hearing] officer may order the taking of interrogatories and depositions, ~~[and]~~ set appropriate time-frames, assess sanctions for non-compliance, and assess the expense to the requesting party if the presiding[hearing] officer determines such to be proper.

~~(B)5~~ The presiding[hearing] officer may permit the filing of Requests for Admission, set appropriate time-frames for responses, and assess sanctions for non-compliance.

~~— (v) Medical Examination]~~

~~(A)6~~ The presiding[hearing] officer may order at DHCF expense a medical assessment in order to obtain information necessary for a fair decision. This information is subject to confidentiality requirements and shall be made a part of the formal hearing record.

~~— (vi) Witnesses and Subpoenas]~~

R410-14-20. Witnesses and Subpoenas.

~~(A)1~~ A party shall arrange for the presence of his witnesses at the hearing.

~~(B)2~~ A subpoena to compel the attendance of a witness or the production of evidence may be issued by the presiding[hearing] officer, upon written request by a party and a sufficient showing of need.

~~(C)3~~ A subpoena may also be issued by the presiding[hearing] officer on his own motion.

~~(D)4~~ An application for subpoena ~~— duces tecum]~~ for the production by a witness of books, papers, correspondence, memoranda, or other records shall be made by affidavit to the presiding[hearing] officer. The application must include:

~~(a)~~ the name and address of the person or entity upon whom the subpoena is to be served;

~~(b)~~ a description of the documents, papers, books, accounts, letters, photographs, objects, or tangible things not privileged, that ~~[which]~~ the applicant seeks;

~~(c)~~ a showing that the material requested is relevant ~~[of the materiality]~~ to the issue involved in the hearing; and

~~(d)~~ a statement by the applicant that to the best of his knowledge, the witness ~~— has such items in his]~~ possesses ~~[ion]~~ or ~~[under his]~~ controls the requested material.

~~(E)5~~ The applicant shall arrange to serve[have] all subpoenas ~~[served which]~~ that the presiding[hearing] officer issues to him. A copy of the affidavit presented to the presiding[hearing] officer shall be served with the subpoena.

~~(F)6~~ Except for employees of DOH, witnesses subpoenaed for any hearing are entitled to appropriate fees and mileage. The witness shall file a written demand for the fees with the presiding[hearing] officer not later than ten days after the date the witness appeared at the hearing.

~~— (vii) Sanction by Hearing Officer]~~

~~(A)7~~ The presiding[hearing] officer may issue an order of default against ~~[sanction or penalize]~~ any party who[that] fails to obey an order entered by the presiding[hearing] officer.

R410-14-21[4]. Declaratory Orders.

(1) Declaratory orders shall be issued according to R380-1, and as described in R410-14-20 ~~[As required by Section 63-46b-21; this rule provides for procedures for requesting of DOH through~~

DHCF for the issuance of a declaratory order determining the applicability of a statute, rule, or order to specified circumstances].

~~(a) DEFINITIONS~~

~~(i) "Agency" means the Division of Health Care Financing, Utah Department of Health.~~

~~(ii) "Applicability" means a determination of whether a statute, rule, or order should be applied, and if so, how the law as stated should be applied to specific facts and circumstances.~~

~~(iii) "Declaratory Ruling" means an administrative interpretation or explanation of rights, status, and or other legal relations under a specific statute, rule, or order.~~

~~(iv) "Order" means an agency action of particular applicability that determines the legal rights, duties, privileges, immunities, or other legal interests of one or more specific persons, not a class of persons.~~

~~(b) PETITION PROCEDURE~~

~~(i) Any person or agency may petition for an Agency declaratory ruling.~~

~~(ii) The petition shall be addressed and delivered to the Director of DHCF.~~

~~(iii) The Agency shall stamp the petition with the date of receipt.~~

~~(c) PETITION CONTENTS~~

~~(i) The petition shall:~~

~~(A) Be clearly designated as a petition for Agency declaratory ruling;~~

~~(B) Identify the specific statute, rule, or order to be reviewed;~~

~~(C) Describe the situation or circumstances in which applicability is to be reviewed;~~

~~(D) Describe the reason or need for the applicability review;~~

~~(E) Include an address and a telephone number where the petitioner can be reached during regular work days and hours;~~

~~(F) Signed and dated by the petitioner; and~~

~~(G) Be in an order and form substantially like that of Attachment "B";]~~ (2) Copies of approved forms to petition for declaratory orders are available from DHCF upon request.

~~— (d) PETITION REVIEW AND DISPOSITION]~~

~~(i) DHCF through the Executive Director of DOH or his designated and authorized representative within DHCF shall:~~

~~(A) Review and consider the petition; and~~

~~(B) As appropriate in his discretion issue a declaratory ruling setting forth:~~

~~— the applicability or non-applicability of the specific statute, rule, or order at issue;~~

~~— the reasons for the applicability or non-applicability of the specific statute, rule, or order; and~~

~~— any requirements imposed on the Agency, the petitioner, or any other person as a result of the ruling.~~

~~(ii) The Director of DHCF or his designated and authorized representative as authorized by the Executive Director may as appropriate:~~

~~(A) Interview the petitioner;~~

~~(B) Consult with counsel or the Attorney General; or~~

~~(C) Take any action the Agency, in its judgment, determines necessary to provide that the petition receives adequate review and due consideration.]~~

~~(iii)3~~ If DHCF has not issued a declaratory order within 60 days after receipt of the request, the petition is denied.

([r]4) DHCF shall retain the request for declaratory ruling in its records.

([v]5) DHCF shall[with] not issue a declaratory order if an adjudicative proceeding involving the same parties and issue is pending before the Agency or the courts.

KEY: medicaid
199[3]9

26-1-24[+1]
26-1-5
26-18-2,3
[26-18-10
26-23-2]63-46b-1



Health, Health Systems Improvement, Emergency Medical Services

R426-1-8

Maximum Licensed Services Transportation Rates and Charges

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21649

FILED: 11/04/1998, 09:03

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: An increase of 3.5% to the rates and charges section of the Ambulance Rules was just approved. However, in calculating two of the rates, a mistake was made.

SUMMARY OF THE RULE OR CHANGE: The proposed change will increase the rate an ambulance service reimburses a paramedic service by \$1.04 per call. It also increases the off-road surcharge by \$0.08 per mile per off road call.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 8

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The Department merely sets the maximum rate. No part of the funds come to the state, so no cost is anticipated.

❖LOCAL GOVERNMENTS: Ambulance services that have approximately 50 paramedics on board runs per year will pay the paramedic service \$52.00 more for the calls. There are approximately nine ambulance services that use paramedics on board, so the aggregate amount would be \$468 more that will go to the paramedic service from the ambulance service. This money is billed by the ambulance service to the insurance company or the individual and passed through to the paramedic service.

❖OTHER PERSONS: There were approximately 695 off-road calls last year, at an average of 12 miles each. The aggregate cost to all individuals would be \$667.20.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Ambulance services will receive \$1.04 less on calls where a paramedic rescue service interfaces on a call. Costs to anyone requiring an off-road call will increase by \$0.08 per mile per call or an average of \$0.96 per call.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule corrects a mathematical error in the current rule. KPMG contracts with the Department to recommend appropriate rate changes and study the cost of ambulance service. When KPMG applied the percentage increase approved by the Emergency Medical Services Committee and the Department to the existing rates, an arithmetic error caused a miscalculation of two of the 12 rates. This rule also applies a recommended 3.5% increase to all rates as was intended. Utah's ambulance and paramedic rates continue to be among the lowest in the nation and this modest increase is justified given the additional costs to the providers in question--Rod Betit.

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

Health
Health Systems Improvement,
Emergency Medical Services
Cannon Health Building
288 North 1460 West
PO Box 142004
Salt Lake City, UT 84114-2004, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Leslie Johnson at the above address, by phone at (801) 538-6292, by FAX at (801) 538-6808, or by Internet E-mail at ljohonso@doh.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/04/1999

AUTHORIZED BY: Rod L. Betit, Executive Director

R426. Health, Health Systems Improvement, Emergency Medical Services.

R426-1. Ambulance Rules.

R426-1-8. Maximum Licensed Services Transportation Rates and Charges.

.....

- (3) Base Rates -
 - (a) Basic Life Support - \$226.62 per transport.
 - (b) Advanced Life Support - Intermediate - \$269.12 per transport.
 - (c) Advanced Life Support - Paramedic Ambulance Transfer Service inter-facility transports, and Paramedic Ambulance transports that provide basic life support - \$339.94 per transport.

(d) Advanced Life Support - Paramedic ambulance transports that, under physician medical direction, provide basic or intermediate ambulance transports that have paramedics on-board to continue advanced life support initiated by a paramedic rescue service - Basic ambulance service - \$407.92 per transport, Intermediate ambulance service - \$450.42 per transport. Any ambulance service that interfaces with a paramedic rescue service must have an interlocal or equivalent agreement in place, dealing with reimbursing the paramedic agency for services provided up to the maximum of ~~[\$140.60]~~\$141.64 per transport.

(4) Mileage Rate - \$9.92 per mile or fraction thereof. In all cases mileage shall be computed from the point of pickup to the point of delivery.

(5) Surcharges -

(a) Emergency - A surcharge of \$22.48 per transport may be assessed for emergency responses.

(b) Night - A surcharge of \$22.48 per transport may be assessed for ambulance service between the hours of 8:00 p.m. and 8:00 a.m.

(c) Off-road - Where the ambulance is required to travel for ten miles or more on unpaved roads, a surcharge of ~~[\$18.65]~~\$18.73 per transport may be assessed.

.....

KEY: emergency medical services

~~[July 6, 1998]~~1999

26-8

Notice of Continuation December 9, 1997



Health, Health Systems Improvement, Emergency Medical Services

R426-6

Emergency Medical Services Grants Program Rules

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE No.: 21657

FILED: 11/10/1998, 09:50

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: A review of the EMS Grants Program determined that a few rule changes would make the program more equitable to all agencies and would clarify operational guidelines.

SUMMARY OF THE RULE OR CHANGE: The proposed change will add rules for per capita and high school training funding, which previously were not defined. Rules will reflect that grants will be effective from July 1 to June 30 each year. Information regarding the application process was deleted because it is in the Grant Guidelines. Matching fund requirements were deleted as they are in the Grant

Guidelines. Criteria for the Emergency Medical Services (EMS) Grants Review Subcommittee to base competitive grant awards on, were defined in the rule change.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 8

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The Bureau will possibly see an increase in travel for the Grants Review Subcommittee to review grants. At the present time, the Subcommittee meeting is one entire day and the Bureau picks up per diem and travel costs. The change could possibly add a day to the Review Subcommittee's time and would cost approximately \$500 more per year in per diem and travel costs.

❖LOCAL GOVERNMENTS: There would be no cost to local government, because this is a grant program. They receive funds through per capita and competitive grants each year.

❖OTHER PERSONS: The only agencies involved with EMS grants are local ambulance services, first response agencies, and dispatch agencies. Most of these agencies are local government. However, the agencies that are not local government must be non-profit entities providing emergency medical care. There is no cost to them because this is a grant program. They would receive funds through per capita and competitive grants each year.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no additional costs to anyone in order to comply with the proposed rule change.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No cost to business; others affected by rule will know standards that apply--Rod Betit.

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

Health
Health Systems Improvement,
Emergency Medical Services
Cannon Health Building
288 North 1460 West
PO Box 142004
Salt Lake City, UT 84114-2004, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Leslie Johnson at the above address, by phone at (801) 538-6292, by FAX at (801) 538-6808, or by Internet E-mail at ljjohnso@doh.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/04/1999

AUTHORIZED BY: Rod Betit, Executive Director



R426. Health, Health Systems Improvement, Emergency Medical Services.**R426-6. Emergency Medical Services Grants Program Rules.****R426-6-1. Authority and Purpose.**

(1) This rule is established under ~~[Subsection]Title 26[-], Chapter 8[-2.5(3)(b)]~~.

(2) The purpose of R426-6 is to provide guidelines for the equitable distribution of grant funds specified under the Emergency Medical Services Grants Program.

R426-6-2. Definitions.

~~[(1) As used in R426-6:](1) Competitive grant means a grant awarded on a competitive basis for a share of available funds.~~

~~[(a)2] Department means Utah Department of Health.~~

~~[(b)3] EMS Committee means the State Emergency Medical Services (EMS) Committee defined in [Subsection]Title 26[-], Chapter 8[-2(9)].~~

~~[(c)4] County EMS Council or Committee means a group of persons recognized by the county commission as the legitimate entity within the county to formulate policy regarding the provision of EMS. It is recommended that the committee have the following representation: A physician and a nurse involved in the provision of emergency medical care; an ambulance service representative; a paramedic service representative, if available within county; a dispatcher representative; a local health department director or his designee and; a county commissioner or his designee; other members as locally appointed.~~

~~[(d)5] Multi-county EMS council or committee means a group of persons recognized by an association of counties as the legitimate entity within the association to formulate policy regarding the provision of EMS. It is recommended that the committee have the following representation: A physician and a nurse involved in the provision of emergency medical care; an ambulance service representative; a paramedic service representative, if available within county; a dispatcher representative; a local health department director or his designee and; a county commissioner or his designee; other members as locally appointed.~~

~~(6) Grants Review Subcommittee means a subcommittee appointed by the EMS Committee to review, evaluate, prioritize and make grant funding recommendations to the EMS Committee.~~

~~[(e)7] Matching Funds means that portion of funds, in cash, contributed by the grantee to total project expenditures.~~

~~[(f) State Grant Review Committee means a committee appointed by the EMS Committee to review, evaluate, prioritize and make grant funding recommendations to the EMS Committee.](8) Per Capita grants mean block grants determined by prorating available funds on a per capita basis as delineated in Title 26, Chapter 8.~~

R426-6-3. Eligibility.

Grantees shall be limited to agencies or political subdivisions of local or state government or incorporated non-profit entities.

~~[R426-6-4. Funding Criteria:~~

~~—Grant awards may be made under R426-6 for any application which improves the delivery of EMS within the State of Utah.~~

~~]R426-6-4. Grant Implementation.~~

~~In accordance with Title 26, Chapter 8, awards shall be implemented by grants between the Department and the grantee.~~

~~(1) Grant awards are effective on July 1 and must be used by June 30 of the following year.~~

~~(2) Grant funding is on a reimbursable basis after presentation of documentation of expenditures which are in accordance with the approved grant awards budget.~~

R426-6-5. Competitive Grant[Application]Process.

~~[(1) Application forms:~~

~~—(a) The department shall make available, upon request, grant application forms which include, but are not limited to the following information:~~

~~—(i) Applicant name, address, name of agent and agent signature;~~

~~—(ii) Applicant representative responsible for implementation of the grant proposal;~~

~~—(iii) Applicant representative responsible for fiscal management of the grant proposal;~~

~~—(iv) A concise description of the grant proposal, including need, implementation plan, expected benefits and evaluation criteria; and~~

~~—(v) Dated signatures from representatives of required review agencies indicating receipt of a copy of the grant application for review.]~~

~~[(2)1] [Grants Program Guidelines:~~

~~—(a) —]The G[g]rant P[p]rogram G[g]uidelines, [including]outlining the review schedule, funding amounts, eligible expenditures, and awards schedule shall be established annually by the EMS Committee[~~in their January meeting~~].~~

~~[—(3) Application and Review Process:~~

~~—(a) Completed application forms will be accepted by the Department in accordance with the guidelines and schedule established pursuant to R426-6-5-2. Incomplete forms may be rejected by the Department and returned to the applicant.]~~

~~(2) The department may accept only complete applications which are submitted by the deadlines established by the EMS Committee.~~

~~[(b)3] It is the intent of the EMS Committee that there be local EMS council or committee review and prioritization of grant applications. Therefore, copies of grant applications shall be provided by grant applicants to their respective county EMS councils or committees and the multi-county EMS councils or committees, where organized, for a period of at least 30 days for review and prioritization before consideration by the State Grants Review [C]subcommittee. State reviews may not be conducted for grant proposals which have not been first submitted to the county or the multi-county EMS councils or committees.~~

~~—(c) After receiving the recommendations of the State Grant Review Committee, the EMS Committee shall conduct a final grant evaluation for prioritization and funding authorization. During this process, the EMS Committee may reject or authorize full or partial funding of any or all grant proposals.]~~

~~[(d)4] State or non-profit agencies whose service area includes multiple local EMS Committee jurisdictions shall bypass county and multi-county reviews.~~

(5) The Grants Review Subcommittee shall review the competitive grant applications and forward its recommendations to the EMS Committee. The EMS Committee shall review and comment on the Grants Review Subcommittee recommendations and forward to the Department.

(6) Grant recipients shall provide matching funds in the amount of 50% of total approved expenditures or a greater amount as annually set forth in the Grant Guidelines.

(7) The Grants Review Subcommittee may recommend reducing or waiving the matching fund requirements where appropriate in order to respond to special or pressing local or state EMS problems.

(8) The Grants Review Subcommittee shall make recommendations based upon the following criteria:

(a) the impact on patient care;

(b) a description of the size and significant impediments of the geographic service area;

(c) the population demographics of the service area;

(d) the urgency of the need;

(e) call volume;

(f) the per capita grant allocated to each agency, and its relative benefit on the agency to provide EMS service;

(g) local county prioritization;

(h) a description of the agency; and

(i) percent of responses to non-residents of the service area.

(9) Applications requesting grant award extensions past June 30, must be made to the department by May 30 of the grant year. Requests made after that time will not be accepted. Grants extensions may only be given for unforeseen circumstances.

R426-6-6. Interim Grant Awards.

~~— (1) The EMS Committee may, at its discretion, consider interim or emergency applications for grant funding assistance where:~~

~~— (a) Grant funds are available;~~

~~— (b) The need is clearly demonstrated by the applicant;~~

~~— (c) The need did not exist at the time of the previous EMS grant application cycle; and~~

~~— (d) Delay of funding to the next scheduled grant cycle would impair the proposal or the level of EMS care provided by the agency.~~

~~— (2) Applications shall:~~

~~— (a) Follow the same format as annual grant applications;~~

~~— (b) Where possible, be endorsed by the county EMS council or committee prior to submission to the Department; and~~

~~— (c) Where possible be submitted to the Department at least 30 days prior to the next scheduled EMS Committee meeting.~~

R426-6-7. Matching Fund Requirements.

~~— (1) Grant recipients shall, for the following categories, provide matching funds in the amount of 50% of total approved expenditures:~~

~~— (a) Equipment, excluding vehicles, used in direct patient care, communications, extrication or rescue operations;~~

~~— (b) Registration fees, including travel and per diem costs, for Department approved training programs, seminars or workshops. Travel and per diem reimbursement may be requested only where one-way travel to the conference site is 100 miles or more and shall be computed using state approved rules.]~~

~~— (2) Grant recipients shall, for ambulances or emergency vehicles, provide matching funds in the amount of 60% of total approved expenditures. Grant funds shall not exceed \$20,000 per vehicle.~~

~~— (3) Initial training of Department certifiable personnel shall be funded at levels specified by the EMS Committee.~~

~~— (4) Matching funds are not required for demonstration or research projects unless specifically stipulated by the EMS Committee.~~

~~— (5) The EMS Committee may reduce or waive the above matching fund requirements where deemed appropriate in order to respond to special or pressing local or state EMS problems.]~~

R426-6-6. Per Capita Grant Process.

(1) Agency applicants shall verify agency personnel rosters as part of the grant application process.

(2) The department shall determine the amounts of the per capita grants by prorating available funds on a per capita basis by county.

(3) The Department shall allocate funds to licensed EMS providers, designated dispatch agencies and designated first response units by using the following point totals for their personnel: certified Dispatchers, Basic EMTs, EMT-IVs = 1; certified Intermediate EMTs = 2; and certified Paramedics = 3.

(a) For the purpose of point allocation, an EMS certified individual shall be affiliated with only one licensed or designated provider.

(b) The number of certified personnel is based upon the personnel rosters of each licensed EMS provider, designated dispatch agency and designated first response unit as of January 1 immediately prior to the grant year, which begins July 1.

(5) No matching funds are required for per capita grants.

(6) Grant awards are effective on July 1 and must be used by June 30 of the following year. No extensions will be given.

(7) Per capita funds may be used as matching funds for competitive grants.

R426-6-7. High School Training Program Grant.

(1) The department shall provide a grant by contract with a single non-profit entity for the purpose of teaching the "What To Do Until the Ambulance Arrives" program or a similar program to Utah high school students. Any change to the curriculum of the program must be approved by the Department and the Utah State Board of Education. These programs are limited to Utah high schools for Utah high school students.

(2) The contract will be effective from July 1 through June 30. Contract awards may not be extended or amended.

R426-6-8. Interim or Emergency Grant Awards.

(1) The Grants Review Subcommittee may recommend interim or emergency grants if all the following are met:

(a) Grant funds are available;

(b) The applicant clearly demonstrates the need;

(c) the application was not rejected by the Grants Review Subcommittee during the current grant cycle; and

(d) Delay of funding to the next scheduled grant cycle would impair the agency's ability to provide EMS care.

(2) Applicants for interim or emergency grants shall:

(a) submit an interim/emergency grant application, following the same format as annual grant applications; and

(b) submit the interim/emergency grant application to the Department at least 30 days prior to the EMS Committee meeting at which the grant application will be reviewed.

(3) The Grants Review Subcommittee shall review the interim/emergency grant application and forward recommendations to the EMS Committee. The EMS Committee shall review and comment on the Grants Review Subcommittee recommendations and forward to the Department.

[R426-6-8. Grant Implementation:

~~(1) In accordance with Subsection 26-8-2.5(3)(b), awards shall be implemented by grants between the Department and the grantee:~~

~~(a) Grant awards shall reflect the authorization of the EMS Committee and shall terminate on the date set by the EMS Committee.~~

~~(b) Grant funding shall be on a reimbursable basis after presentation of documentation of expenditures which are in accordance with the approved grant awards budget.~~

~~(c) Grant awards may be extended or amended only upon application to the EMS Committee at least 30 days prior to a regularly scheduled EMS Committee meeting. Grant awards will not be extended or amended after their expiration date.]~~

KEY: emergency medical services

~~[1992]1999~~

26-8

Notice of Continuation December 2, 1997



Health, Health Systems Improvement,
Primary Care and Rural Health
R434-20
Special Population Health Care
Provider Financial Assistance Program

NOTICE OF PROPOSED RULE

(New)

DAR FILE NO.: 21666

FILED: 11/12/1998, 16:50

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is required by Title 26, Chapter 9e. The statute gives the responsibility to the committee to "make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to implement the provisions of this chapter," as per Subsection 26-9e-5(2)(f). The statutes create a program to promote and facilitate the recruitment and retention of primary health care providers to service special populations in medically underserved urban areas of the state by making available scholarships and loan repayment awards to recipients who agree to practice for a minimum two year

commitment. Recipients include dentists, mental health therapists, physicians, and physician assistants.

SUMMARY OF THE RULE OR CHANGE: The new rule, R434-20, provides criteria for the implementation of the Special Populations Health Care Provider Financial Assistance and Retention Act and the award of education loan repayment (grant) or scholarship funds to dentists, primary care physicians, physician assistants, and mental health therapists willing to work for a specified period of time in medically underserved urban areas of Utah. The rule includes: grant and scholarship administrative procedures; grant and scholarship recipient eligibility and selection criteria; grant and scholarship recipient service obligation requirements; release from service obligation, extension of contract, and schedule of breach of grant and scholarship recipient repayment; medically underserved urban area site determination; as well as definitions and explanations of eligible loans, program assessment and strategies, and reporting requirements.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 9e

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Cost to Utah Department of Health to print and distribute the new rules to health care providers and medically underserved urban sites throughout the state. Funding is provided in the statute to cover administrative costs of this program and rule.

❖LOCAL GOVERNMENTS: This new rule does not require an increased workload or cost to local governments.

❖OTHER PERSONS: This new rule does not require an increased workload or cost of other persons. There is an anticipated savings to medically underserved urban sites who opt to participate in this program, and a positive long-term impact is expected due to retention of health care providers at those participating medically underserved urban sites. Normal costs for recruiting and retaining health care providers should remain the same, or lessen with time.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs associated with affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT

THE RULE MAY HAVE ON BUSINESSES: This rule should have a positive fiscal impact on businesses in medically underserved areas if health care providers are more accessible in these areas. The rule changes will also make the process for applying for a grant or scholarship easier to understand and easier to fairly administer--Rod Betit.

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

Health
Health Systems Improvement,
Primary Care and Rural Health
Cannon Health Building
288 North 1460 West
PO Box 142005
Salt Lake City, UT 84114-2005, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Iona M. Thraen at the above address, by phone at (801) 538-6113, by FAX at (801) 538-6387, or by Internet E-mail at hdoh.ithraen@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Rod L. Betit, Executive Director

R434. Health, Health Systems Improvement, Primary Care and Rural Health.

R434-20. Special Population Health Care Provider Financial Assistance Program.

R434-20-1. Purpose.

This rule provides criteria for the implementation of the Special Population Health Care Provider Financial Assistance and Retention Act; the award of grant funds to primary health care providers to repay loans taken for educational expenses; and the award of scholarship funds to individuals seeking to become primary health care providers, in exchange for practicing for a specified period of time in a medically underserved urban area of the state.

R434-20-2. Definitions.

The definitions as they appear in Section 26-9e-2 apply. In addition:

- (1) "Applicant" means a person who submits a completed application for a grant or scholarship under this part.
- (2) "Approved site" means an eligible site which is approved by the committee pursuant to Subsection 26-9e-2(15).
- (3) "Department" means the Utah Department of Health.
- (4) "Eligible site" means a site that the committee has designated as meeting the eligibility criteria established by the committee and is in a medically underserved urban area pursuant to Subsections 26-9e-5 (1)(f) and 26-9e-2(15).
- (5) "Grant" means loan repayment as defined in Subsection 26-9e-2(6).
- (6) "Postgraduate training" means internship, practicum, preceptorship, or residency training required for primary health care provider licensure and as required by this rule.
- (7) "Scholarship" means an award of money for educational expenses given to an individual under a contract where the individual agrees to become a primary health care provider in exchange for practicing for a specified period of time in a medically underserved urban area in the state.

R434-20-3. Grant Administration.

- (1) The department may provide a grant to repay loans taken for primary health care provider educational expenses.
- (2) The grant recipient may not enter into any other similar contracts until he satisfies the service obligation described in the grant.
- (3) For a grant recipient with a four year contract, the state shall provide 20% of the grant at the completion of the first three

months, 20% of the grant at the completion of year one, 20% at the completion of year two, 20% at the completion of year three, and 20% at the completion of year four.

(4) For a grant recipient with a three year contract, the state shall provide 25% of the grant at the completion of the first three months, 25% of the grant at the completion of year one, 25% at the completion of year two, and 25% at the completion of year three.

(5) For a grant recipient with a two year contract, the state shall provide 33% of the grant at the completion of the first three months, 33% of the grant at the completion of year one, and 34% at the completion of year two.

(6) A grant recipient must have a permanent, unrestricted license to practice in their primary health care specialty in Utah before his first day of practice under the grant contract.

(7) A grant recipient must obtain approval from the committee, of the eligible site to complete his service obligation, prior to beginning to fulfill his service obligation at an eligible site.

(8) A grant recipient must obtain approval prior to changing the approved site where he fulfills his service obligation.

R434-20-4. Full-Time Equivalency Provisions for Grant Recipients.

(1) The annual grant amount is based on the level of full-time equivalency that the grant recipient agrees to work.

(2) A grant recipient who provides services for at least 40 hours per week may be awarded a grant based on the percentages outlined in Section R434-20-3.

(3) A grant recipient who provides services for less than 40 hours per week may be awarded a proportionately lower grant based on a full-time equivalency of 40 hours per week.

R434-20-5. Grant Eligibility and Selection.

(1) In selecting a grant recipient for a grant award, the committee shall evaluate the applicant based on the following selection criteria:

- (a) the extent to which an applicant's training in a primary health care specialty needed at an eligible site;
- (b) the applicant's commitment to serve in a medically underserved urban area which can be demonstrated in any of the following ways:
 - (i) has worked or volunteered at a community or migrant health center, homeless shelter, public health department clinic, or other service commitment to the underserved;
 - (ii) has work or educational experience with special populations through the Peace Corps, VISTA, or a similar volunteer agency;
 - (iii) has cultural or language skills that may be essential for provision of primary health care services to special populations;
 - (iv) other facts or experience that the applicant can demonstrate to the committee that establishes his commitment to serve special populations;
- (c) the availability of the applicant to begin service, with greater consideration being given to applicants available for service at earlier dates;
- (d) the length of the applicant's proposed service obligation, with greater consideration given to applicants who agree to serve for longer periods of time;
- (e) the applicant's:
 - (i) academic standing;

(ii) prior professional or personal experience serving special populations;

(iii) board certification or eligibility;

(iv) postgraduate training achievements;

(v) peer recommendations;

(vi) other facts that the applicant can demonstrate to the committee that establishes his professional competence or conduct;

(f) the applicant's financial need;

(g) the applicant's willingness to accept Medicaid, Medicare, or Utah Medical Assistance patients;

(h) the applicant's willingness to provide care regardless of a patient's ability to pay;

(i) the applicant's ability and willingness to provide care;

(j) the applicant's achieving an early match with an eligible site.

(2) To be eligible for a grant, an applicant must be a United States citizen or permanent resident.

(3) To be eligible for a grant, an applicant must be enrolled in or have completed postgraduate training prior to submitting an application to participate in the grant program.

(4) Only grant applicants who are available to begin practicing as a primary health care provider in the state within one year from the date of application are eligible for this program.

R434-20-6. Dentist Grant Eligibility and Selection.

(1) In selecting a Dentist grant recipient for a grant award, the committee shall evaluate the applicant based on the selection criteria listed in Section R434-20-5.

(2) In selecting a Dentist grant recipient for a grant award, the committee shall also evaluate the Dentist applicant based on the following selection criteria:

(a) must have attended a dental school in the United States or Canada accredited by the American Dental Association.

(b) must have passed the Western Regional Examining Board, pursuant to Subsection R156-69-302b(2)(a).

(c) must have passed the Central Regional Dental Testing Service, Inc., or Northeast Regional Board of Dental Examiners, Inc., or Southern Regional Testing Agency, Inc., examinations, pursuant to Subsection R156-69-302b(2)(b).

(d) must have passed the Utah Dentist and Dental Hygienist Law Examination, pursuant to Subsection R156-69-302b(1).

R434-20-7. Mental Health Therapist Grant Eligibility and Selection.

(1) In selecting a Mental Health Therapist grant recipient for a grant award, the committee shall evaluate the applicant based on the selection criteria listed in Section R434-20-5.

(2) In selecting a clinical psychologist grant recipient for a grant award, the committee shall also evaluate the clinical psychologist applicant based on the following selection criteria:

(a) must have attended a school in the United States or Canada accredited by a regional institutional accrediting body identified in the "Accredited Institutions of Postsecondary Education" and recognized by the Association of State and Provincial Psychology Boards as listed in the "Doctoral Psychology Programs Meeting Designation Criteria", pursuant to Subsection R156-61-302a(1), awarding a degree that meets the requirements of Subsection 58-61-304(1)(d).

(b) must be completing or have completed a minimum two year supervised clinical internship prior to submitting an application to participate in the grant program.

(c) must have passed the Examination for the Professional Practice of Psychology developed by the American Association of State Psychology Board, pursuant to Subsection R156-61-302c(1)(a).

(d) must have passed the Utah Psychology Law Examination, pursuant to Subsection R156-61-302c(1)(b).

(3) In selecting a clinical social worker grant recipient for a grant award, the committee shall also evaluate the clinical social worker applicant based on the following selection criteria:

(a) must have attended a school in the United States or Canada accredited by the United States Council on Social Work Education or the Canadian Association of Schools of Social Work, awarding a degree in social work.

(b) must be completing or have completed a minimum 4,000 hours of supervised clinical social work and mental health therapy training which includes 1,000 hours of face to face therapy completed over a duration of not less than two years, prior to submitting an application to participate in the grant program.

(c) must have passed the Utah Social Work Law, Rules, and Ethics Examination, pursuant to Subsection R156-60a-302d(1)(a).

(d) must have passed the National Basic Examination of the American Association of State Social Work Boards, pursuant to Subsection R156-60a-302d(2)(b).

(e) must have passed the National Clinical Examination of the American Association of State Social Work Boards or the Clinical Social Workers Examination of the State of California, pursuant to Subsection R156-60a-302d(1)(b).

(4) In selecting a marriage and family therapist grant recipient for a grant award, the committee shall also evaluate the marriage and family therapist applicant based on the following selection criteria:

(a) must have attended a school in the United States or Canada accredited by or in a candidacy status by the Commission on Accreditation for Marriage and Family Therapy Education, awarding a degree in marriage and family therapy.

(b) must be completing or have completed 4,000 hours of marriage and family therapy training and 1,000 hours supervised mental health therapy training completed over a duration of not less than one year, prior to submitting an application to participate in the grant program.

(c) must have passed the Utah Marriage and Family Therapy Law and Ethics Examination and the Examination of Marital and Family Therapy written for the Association of Marital and Family Therapy Regulatory Boards, pursuant to Subsection R156-60b-302d(1).

(5) In selecting a professional counselor grant recipient for a grant award, the committee shall also evaluate the professional counselor applicant based on the following selection criteria:

(a) must have attended a school in the United States or Canada accredited by a regional institutional accrediting body identified in the "Accredited Institutions of Postsecondary Education", for the Commission of Recognition of Postsecondary Accreditation of the American Council on Education, awarding a degree that meets the requirements of Subsection 58-60-405(4).

(b) must be completing or have completed 4,000 hours of supervised professional counselor training and 1,000 hours of supervised training in mental health therapy completed over a duration of not less than one year, prior to submitting an application to participate in the grant program.

(c) must have passed the Utah Professional Counselor Law, Rules, and Ethics Examination, pursuant to Subsection R156-60c-302d(1)(a).

(d) must have passed the National Counseling Examination of the National Board of Certified Counselors, pursuant to Subsection R156-60c-302d(1)(b).

(e) must have passed the National Clinical Mental Health Counseling Examination of the National Board of Certified Counselors, pursuant to Subsection R156-60c-302d(1)(c).

R434-20-8. Physician Grant Eligibility and Selection.

(1) In selecting a Physician grant recipient for a grant award, the committee shall evaluate the applicant based on the selection criteria listed in Section R434-20-5.

(2) In selecting a Physician grant recipient for a grant award, the committee shall also evaluate the Physician applicant based on the following selection criteria:

(a) must have attended an accredited school of allopathic or osteopathic medicine, accredited by the Liaison Committee on American Medical Education or by the American Osteopathic Association Bureau of Professional Education, which awards a degree of Doctor of Medicine or Doctor of Osteopathy.

(b) must be enrolled in or have completed a minimum three year postgraduate training program in the United States or Canada accredited by the Accreditation Committee on Graduate Medical Education or the American Osteopathic Association Bureau of Professional Education or accredited by the Royal College of Physicians and Surgeons of Canada, prior to submitting an application to participate in the grant program.

(c) must have passed the examination requirements for licensure as a physician or surgeon or osteopathic physician or surgeon in Utah, pursuant to Section R156-67-302d or Section R156-68-302b.

R434-20-9. Physician Assistant Grant Eligibility and Selection.

(1) In selecting a Physician Assistant grant recipient for a grant award, the committee shall evaluate the applicant based on the selection criteria listed in Section R434-20-5.

(2) In selecting a Physician Assistant grant recipient for a grant award, the committee shall also evaluate the Physician Assistant applicant based on the following selection criteria:

(a) must be enrolled in or completing a physician assistant program accredited by the Commission on Accreditation of Allied Health Education Programs.

(b) must have passed the National Commission on the Certification of Physician Assistants/National Board of Medical Examiners Physician Assistant National Certification Exam, pursuant to Section R156-70a-302(1).

(c) must have passed the Utah Physicians Assistant Law and Rules Examination, pursuant to Section R156-70a-302(2).

(d) must have a permanent, unrestricted license to practice medicine as a physician assistant in Utah.

(e) must submit a copy of the delegation of services agreement signed by the supervising physician and substitute supervising physician for approval by the committee.

(3) The department may not provide a grant to a physician assistant until the physician assistant passes the National Commission on the Certification of Physician Assistants/National Board of Medical Examiners Physician Assistant National Certification Exam.

R434-20-10. Eligible Bona Fide Loans.

(1) A bona fide loan may include the following:

(a) a commercial loan made by a bank, credit union, savings and loan association, insurance company, school, or credit institution;

(b) a governmental loan made by a federal, state, county, or city agency;

(c) a loan made by another person which is documented by a contract notarized at the time of the making of the loan; indicative of an arm's length transaction, and with competitive term and rate as other loans available to primary health care provider students.

(d) a loan that the applicant conclusively demonstrates is a bona fide loan.

R434-20-11. Extension of Grant Contract.

(1) A grant recipient who has signed a grant contract for less than four years may apply on or after his first day of practice under a grant to extend his grant contract by one or two years, up to a maximum of four years total.

(2) The grant contract may be extended only at an approved site.

(3) A grant recipient who desires to extend his grant contract must inform the committee in writing of his interest in extending his grant contract at least six months prior to the termination of his unextended grant contract.

R434-20-12. Schedule of Breach of Grant Contract Repayment.

(1) A grant recipient who fails to complete the service obligation shall begin to repay the penalty to the department within 30 days of the breach. The department may submit for immediate collection all amounts due from a breaching grant recipient who does not begin to repay within 30 days.

(2) The amount to be paid back shall be determined from the end of the month in which the grant recipient breached the contract as if the grant recipient had breached at the end of the month.

(3) The breaching grant recipient shall pay the total amount due within one year of breaching the contract. The scheduled payback may not be less than four equal quarterly payments.

R434-20-13. Scholarship Administration.

(1) The department may provide scholarship funds to a scholarship recipient for a maximum of four years of postgraduate schooling or until completion of postgraduate schooling, whichever is shorter.

(2) For each academic year the committee may award \$12,000 to a scholarship recipient.

(3) The committee may pay tuition and fees directly to the school and determine the amount and frequency of direct payments to the student.

(4) The scholarship recipient may not enter into a scholarship contract other than with the program established in Section 26-9e-1 until the service obligation agreed upon in the state scholarship contract is satisfied.

(5) A scholarship recipient must work full-time, as defined by the scholarship recipient's employer and as specified in his contract with the department.

(6) A scholarship recipient must serve one year of service obligation for each year he received a scholarship under this program.

(7) The committee may cancel a scholarship at any time if it finds that the scholarship recipient has voluntarily or involuntarily terminated his schooling, postgraduate training, or if it appears to be a reasonable certainty that the scholarship recipient does not intend to practice as required by statute, rules, and contract in a medically underserved urban area in the state.

(8) Upon completion of schooling and required postgraduate training, the scholarship recipient is responsible to find employment at an eligible site in a medically underserved urban area of Utah.

(9) A scholarship recipient must obtain approval from the committee prior to beginning service obligation at an eligible site.

(10) A scholarship recipient must obtain approval from the committee prior to changing the approved site where he fulfills his service obligation.

(11) A dental, medical, mental health therapist, and osteopathic scholarship recipient must:

(a) begin required postgraduate training within six months after he obtains his degree. Postgraduate training must be continuous unless the scholarship recipient obtains prior approval from the director of the scholarship recipient's training program and from the committee.

(b) obtain an unrestricted license to practice in the state and begin practicing for the agreed upon period of time at an approved site within six months of completion of postgraduate training.

(12) Medical and Osteopathic scholarship recipients shall:

(a) select for postgraduate training a residency in one of the following areas: family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. If the scholarship recipient desires to choose a postgraduate training program in a medical specialty other than family practice, general internal medicine, general pediatrics, or obstetrics/gynecology, he must demonstrate the need for the medical specialty in a medically underserved urban area and obtain approval from the committee.

(b) attend a minimum three-year postgraduate training program.

(13) Physician assistant scholarship recipients:

(a) must obtain a temporary physician assistant license and begin practicing medicine at an eligible site for the agreed upon period of time within six months of completion of physician assistant education.

(b) must submit a copy of the delegation of services agreement signed by the supervising physician and substitute supervising physician for approval by the committee.

(c) shall take the National Commission on the Certification of Physician Assistants/National Board of Medical Examiners Physician Assistant National Certification Exam the first time it is offered after completion of physician assistant schooling. After the physician assistant scholarship recipient passes this exam he shall

obtain a permanent, unrestricted license as a physician assistant as soon as possible.

(d) if the physician assistant scholarship recipient fails the National Commission on the Certification of Physician Assistants/National Board of Medical Examiners Physician Assistant National Certification Exam, he must retake the exam within one year of failure of the National Certification Exam. If the physician assistant scholarship recipient fails the exam a second time, or fails to retake the exam, he shall be in default of the scholarship contract. The period when the temporary license is lost due to failing the exam and the physician assistant scholarship recipient is unable to practice at an approved site, does not count against retiring the service obligation under the contract.

R434-20-14. Scholarship Applicant Eligibility and Selection.

(1) In selecting a recipient for a scholarship, the committee shall evaluate the applicant based on the following selection criteria:

(a) the applicant's commitment to serve in a medically underserved urban area, which may be demonstrated in any of the following ways:

(i) has worked or volunteered to serve special populations or other service commitment to the underserved;

(ii) has work or educational experience with special populations through the Peace Corps, VISTA, or a similar volunteer agency;

(iii) has cultural or language skills that may be essential for provision of primary health care services to special populations;

(iv) has declared a commitment to practice in a medically underserved urban area as expressed in the essay which is required as part of the scholarship application;

(v) other facts or experience that the applicant can demonstrate to the committee that establishes his commitment to special populations.

(b) the applicant's need for assistance in financing his education;

(c) the applicant's academic ability as demonstrated by official transcripts and official school admission test scores;

(d) the applicant's evidence that he has been accepted by or currently attends an accredited school approved by the committee;

(e) the applicant's personal and professional references demonstrating the applicant's good character and potential to successfully complete school.

(2) In selecting a scholarship recipient, the committee may give preference to:

(a) applicants who agree to serve in a medically underserved urban area of the state for a greater length of time in return for scholarship assistance;

(b) physician applicants who agree to complete their postgraduate training in one of the following specialties: family practice, general internal medicine, general pediatrics, obstetrics/gynecology, or psychiatry.

(3) To be eligible to receive a scholarship, an applicant must be a United States citizen or permanent resident.

(4) Before the committee awards a scholarship, applicants must participate in an interview with the committee or its designee.

(5) To remain eligible to receive scholarship funds, a scholarship recipient must satisfactorily complete each year of school and be a full-time matriculated student.

R434-20-15. Scholarship Recipient Obligations.

(1) A scholarship recipient must maintain minimum continuous registration to maintain full-time student status until he completes all requirements for his degree. The maximum years leading to a degree may not exceed six years, unless extended pursuant to R434-20-11.

(2) Within six months before and not exceeding one month following completion of postgraduate training, a scholarship recipient shall provide to the department documented evidence from an eligible site of its intent to hire him.

(3) Upon completion of schooling or postgraduate training, the scholarship recipient is responsible for finding employment at an eligible site in a medically underserved urban area of Utah.

(4) A scholarship recipient must obtain an unrestricted license to practice in Utah prior to beginning practice at the approved site.

(5) A scholarship recipient must obtain approval from the committee prior to beginning to fulfill his service obligation at an eligible site.

(6) A scholarship recipient must begin employment at the approved site within six months of completion of postgraduate training.

(7) A scholarship recipient, upon completion of postgraduate training, must demonstrate willingness to serve special populations by:

(a) accepting Medicare, Medicaid, or Utah Medical Assistance Program patients;

(b) providing care regardless of patient's ability to pay;

(c) showing ability and willingness to provide care.

(8) The minimum length of service obligation is two years, or such longer period to which the applicant and the committee agree.

(9) The scholarship recipient must obtain committee approval prior to changing the approved site where he fulfills his service obligation.

R434-20-16. Dentist Scholarship Recipient Obligations.

(1) A Dentist scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must attend a dental school in the United States or Canada accredited by the American Dental Association.

(b) must enroll in a one year residency.

(c) must pass the Western Regional Examining Board, pursuant to Subsection R156-69-302b(2)(a).

(d) must pass the Central Regional Dental Testing Service, Inc., or Northeast Regional Board of Dental Examiners, Inc., or Southern Regional Testing Agency, Inc., examinations, pursuant to Subsection R156-69-302b(2)(b).

(e) must pass the Utah Dentist and Dental Hygienist Law Examination, pursuant to Subsection R156-69-302b(1).

R434-20-17. Mental Health Therapist Scholarship Recipient Obligations.

(1) A clinical psychologist scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must attend a school in the United States or Canada accredited by a regional institutional accrediting body identified in

the "Accredited Institutions of Postsecondary Education" and recognized by the Association of State and Provincial Psychology Boards as listed in the "Doctoral Psychology Programs Meeting Designation Criteria", pursuant to Subsection R156-61-302a(1), awarding a degree that meets the requirements of Subsection 58-61-304(1)(d).

(b) must complete a minimum two year supervised clinical internship.

(c) must pass the Examination for the Professional Practice of Psychology developed by the American Association of State Psychology Board, pursuant to Subsection R156-61-302c(1)(a).

(d) must pass the Utah Psychology Law Examination, pursuant to Subsection R156-61-302c(1)(b).

(2) A clinical social worker scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must attend a school in the United States or Canada accredited by the United States Council on Social Work Education or the Canadian Association of Schools of Social Work, awarding a degree in social work.

(b) must complete a minimum 4,000 hours of supervised clinical social work and mental health therapy training which includes 1,000 hours of face to face therapy completed over a duration of not less than two years.

(c) must pass the Utah Social Work Law, Rules, and Ethics Examination, pursuant to Subsection R156-60a-302d(1)(a).

(d) must pass the National Basic Examination of the American Association of State Social Work Boards, pursuant to Subsection R156-60a-302d(2)(b).

(e) must pass the National Clinical Examination of the American Association of State Social Work Boards or the Clinical Social Workers Examination of the State of California, pursuant to Subsection R156-60a-302d(1)(b).

(3) A marriage and family therapist scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must attend a school in the United States or Canada accredited by or in a candidacy status by the Commission on Accreditation for Marriage and Family Therapy Education, awarding a degree in marriage and family therapy.

(b) must complete 4,000 hours of marriage and family therapy training and 1,000 hours supervised mental health therapy training completed over a duration of not less than one year.

(c) must pass the Utah Marriage and Family Therapy Law and Ethics Examination and the Examination of Marital and Family Therapy written for the Association of Marital and Family Therapy Regulatory Boards, pursuant to Subsection R156-60b-302d(1).

(4) A professional counselor scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must attend a school in the United States or Canada accredited by a regional institutional accrediting body identified in the "Accredited Institutions of Postsecondary Education", for the Commission of Recognition of Postsecondary Accreditation of the American Council on Education, awarding a degree that meets the requirements of Subsection 58-60-405(4).

(b) must complete 4,000 hours of supervised professional counselor training and 1,000 hours of supervised training in mental health therapy completed over a duration of not less than one year.

(c) must pass the Utah Professional Counselor Law, Rules, and Ethics Examination, pursuant to Subsection R156-60c-302d(1)(a).

(d) must pass the National Counseling Examination of the National Board of Certified Counselors, pursuant to Subsection R156-60c-302d(1)(b).

(e) must pass the National Clinical Mental Health Counseling Examination of the National Board of Certified Counselors, pursuant to Subsection R156-60c-302d(1)(c).

R434-20-18. Physician Scholarship Recipient Obligations.

(1) A Physician scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must attend a school of allopathic or osteopathic medicine in the United States or Canada, accredited by the Liaison Committee on American Medical Education or by the American Osteopathic Association Bureau of Professional Education, which awards a degree of Doctor of Medicine or Doctor of Osteopathy.

(b) must enroll in and complete a minimum three year postgraduate training program in the United States or Canada accredited by the Accreditation Committee on Graduate Medical Education or the American Osteopathic Association Bureau of Professional Education or accredited by the Royal College of Physicians and Surgeons of Canada.

(c) must pass the examination requirements for licensure as a physician or surgeon or osteopathic physician or surgeon in Utah, pursuant to Section R156-67-302d or Section R156-68-302b.

R434-20-19. Physician Assistant Scholarship Recipient Obligations.

(1) A Physician Assistant scholarship recipient must abide by the scholarship recipient obligations listed in Section R434-20-15 and complete the following service obligations:

(a) must enroll in and complete a physician assistant program accredited by the Commission on Accreditation of Allied Health Education Programs.

(b) shall take the National Commission on the Certification of Physician Assistants/National Board of Medical Examiners Physician Assistant National Certification Exam pursuant to Section R156-70a-302(1), the first time it is offered after completion of physician assistant schooling. After the scholarship recipient passes this exam he shall obtain a permanent unrestricted license to practice as soon as possible.

(c) if the scholarship recipient fails the National Commission on the Certification of Physician Assistants/National Board of Medical Examiners Physician Assistant National Certification Exam, he must retake the exam within one year of failure of the national certification exam. If the scholarship recipient fails the exam a second time, or fails to retake the exam, he shall be in default of the scholarship contract. The period when the temporary license is lost due to failing the exam and the scholarship recipient is unable to practice at an approved site does not count against retiring the obligated service under the contract.

(d) shall take the Utah Physicians Assistant Law and Rules Examination, pursuant to Section R156-70a-302(2).

(e) must obtain a temporary license to practice medicine as a physician assistant prior to beginning service obligation at the approved site.

(f) must submit a copy of the delegation of services agreement signed by the supervising physician and substitute supervising physician for approval by the committee.

R434-20-20. Extension of Contract with Scholarship Recipient.

(1) The committee may extend the period within which the scholarship recipient must complete his dental, medical, mental health therapist, osteopathic, or physician assistant education:

(a) if the scholarship recipient has a serious illness;

(b) if the scholarship recipient is activated by the military;

(c) for other good cause shown, as determined by the committee.

(2) The service obligation may be extended only at an eligible site.

R434-20-21. Schedule of Breach of Scholarship Contract Repayment.

(1) A scholarship recipient who breaches his scholarship contract shall be evaluated based on the criteria listed in Subsections 26-9e-9(4) and 26-9e-9(5), as well as the following criteria:

(a) A scholarship recipient who fails to complete the required minimum postgraduate training within the time period agreed upon with the committee shall within 90 days after the deadline for completing his postgraduate training or within 90 days of his failure to continue his postgraduate training, whichever occurs earlier, repay:

(i) all scholarship money received according to a schedule established by the committee;

(ii) if not repaid within one year of default, 12% per annum interest on unrepaid scholarship amounts.

(b) The amount to be paid back shall be determined from the end of the month in which the scholarship recipient breached the contract as if the scholarship recipient had breached at the end of the month.

(c) The breaching scholarship recipient shall pay the total amount due within four years of breaching the contract. The scheduled pay back may not be less than four equal payments.

R434-20-22. Release of Recipient from Service Obligation.

(1) The committee may release a recipient from his service obligation without penalty:

(a) if the service obligation has been fulfilled;

(b) if he dies;

(c) for other good cause shown, as determined by the committee.

(2) Extreme hardship sufficient to release the recipient without penalty includes:

(a) inability to complete dental, medical, mental health therapist, osteopathic, or physician assistant school or fulfill service obligation due to permanent disability that prevents the recipient from completing school or performing any work for remuneration or profit;

(b) a family member, for which the recipient is the principal care giver, has a life-threatening chronic illness.

R434-20-23. Eligible Site Determination.

(1) Criteria the committee shall use to determine an eligible site include:

Human Services, Recovery Services **R527-200** Administrative Procedures

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21675

FILED: 11/16/1998, 15:49

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Under Subsection 62A-11-104(11), the Office of Recovery Services (ORS) is required to determine whether an applicant or recipient of cash assistance or Medicaid is cooperating with ORS. The current sections of this rule which deal with proceedings to determine noncooperation, address the cash assistance (IV-A) recipient but do not mention the Non-IV-A Medicaid recipient. To correct this oversight, references to the Non-IV-A Medicaid recipient have been added to the "Definitions" and "Adjudicative Proceedings" sections of the rule. Because the position of Associate Director has been renamed Regional Director and the position of Associate Regional Director has been created in ORS, reference to Associate Director has been deleted from the rule and Regional Director and Associate Regional Director have been added since they are designated presiding officers in adjudicative proceedings. Under Section 62A-11-326.1 when a medical support order exists, ORS is authorized to serve a notice to enroll a dependent child in a medical insurance plan directly on the employer without obtaining an intermediate "order to enroll" as was formerly required. Because adjudicative proceedings to establish intermediate enrollment orders are no longer necessary, the reference to them in this rule has been eliminated. However, because an obligor has the right to contest a notice to enroll which ORS serves directly on the employer, a new paragraph has been added under the "Adjudicative Proceedings" section of this rule to make it clear that an administrative review to establish an order is available.

SUMMARY OF THE RULE OR CHANGE: In Section R527-200-2, references to Non-IV-A Medicaid recipients or applicants have been added to Subsections R527-200-2(d) and R527-200-2(e) so that they are included with IV-A recipients or applicants as those who may be subject to proceedings to determine noncooperation. A reference to Non-IV-A Medicaid recipients has also been added to Section R527-200-6, in the renumbered Subsection R527-200-6(13), to show that an administrative review following a contested noncooperation determination may be requested by a Non-IV-A Medicaid recipient as well as a IV-A recipient. Because the "associate director" position in the Office of Recovery Services (ORS) has been renamed "regional director," the corresponding change in Section R527-200-4 has been

- (a) Within a medically underserved urban area:
 - (i) the percentage of the population with incomes under 200% of the federal poverty level;
 - (ii) the percentage of the population 65 years of age and over;
 - (iii) the percentage of the population under 18 years of age;
 - (iv) the percentage of population that is homeless;
 - (v) the percentage of population that is migrant or seasonal farm workers;
 - (vi) the percentage of population that has HIV/AIDS;
 - (vii) the distance to the nearest primary health care provider and barriers to reaching the primary health care provider.
- (c) The committee may give preference to sites which provide letters of support from:
 - (i) a majority of practicing primary health care providers in the service area;
 - (ii) county and civic leaders;
 - (iii) hospital administrators;
 - (iv) business leaders, local chamber of commerce, citizens, and
 - (v) local health departments.
- (2) An eligible site approved to have a grant or scholarship recipient must offer a salary and benefit package competitive with salaries and benefits of other providers in the service area.
- (3) A medically underserved urban area must apply to and gain approval from the committee in order to be determined eligible for a scholarship or grant recipient to complete their service obligation.

R434-20-24. Annual Assessment and Strategy.

- (1) The committee shall annually complete an assessment and strategy on techniques to promote and facilitate the recruitment and retention of primary health care providers to serve special populations in medically underserved areas of the state.
- (2) The committee shall develop alternative service obligation criteria that a grant or scholarship recipient may use to fulfill his service obligation if the grant or scholarship recipient is unable to fulfill his service obligation at an approved site due to reasons beyond his control.

R434-20-25. Reporting.

The committee may require the recipient to provide information regarding the academic performance, commitment to medically underserved urban areas, continuing financial need, service obligation fulfillment, and other information reasonably necessary for the administration of the program during the period the recipient is in dental, medical, mental health therapist, osteopathic, or physician assistant school; postgraduate training; and in practice.

KEY: grants, scholarships

1999

26-9e



made. Because the new position, "associate regional director," has been created and designated as a presiding been deleted from Subsection R527-200-6(5) because it is no longer necessary to establish an intermediate enrollment order before requiring the employer to enroll the dependent children in a medical insurance plan as long as there is an underlying medical support order. A new Subsection R527-200-6(6) has been added to include the administrative review of a contested notice to enroll in the list of adjudicative proceedings. Subsections previously numbered R527-200-6(6) through R527-200-6(13) have been renumbered R527-200-6(7) through R527-200-6(14).

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 62A-11-203, 62A-11-304.1, 62A-11-304.2, 62A-11-307.2, and Title 63, Chapter 46b

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None of the proposed changes in the rule will create changes in existing ORS practices or procedures and, therefore, will not result in additional costs or savings to the state. Noncooperation determination proceedings (which include Non-IV-A Medicaid applicants and recipients) are already provided for under state statute (Sections 62A-11-107 and 62A-11-307.2). Direct notice to enroll proceedings are addressed in state statute at Section 62A-11-326.1 and in rule at Section R527-201-9. The administrative review process for contesting a notice to enroll is currently available under the Utah Administrative Procedures Act, see Title 63, Chapter 46b.

❖LOCAL GOVERNMENTS: None--administrative rules of the Office of Recovery Services do not apply to local governments.

❖OTHER PERSONS: The proposed rule changes which already exist in state law and represent current ORS practices and procedures will not result in additional costs or savings to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed rule changes which already exist in state law and represent current ORS practices and procedures will not result in additional compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed amendment represents a necessary update of the ORS Administrative Procedures rule in light of existing statutory requirements concerning Non-IV-A Medicaid applicants and recipients, changes which have recently been made in the ORS Medical Support Services rule (R527-201) regarding enrollment of children in a medical insurance plan, and recent changes in ORS positions. Because the proposed changes to this rule merely reflect the content of laws and a rule which are already in effect, no additional fiscal impact on businesses will result.

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

Human Services
Recovery Services
Fourteenth Floor, Eaton/Kenway Bldg.
515 East 100 South

PO Box 45011
Salt Lake City, UT 84145-0011, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Wayne Braithwaite at the above address, by phone at (801) 536-8986, by FAX at (801) 536-8509, or by Internet E-mail at hsdadmin.hsrssl.c.wbraithw@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Emma Chacon, Director

**R527. Human Services, Recovery Services.
R527-200. Administrative Procedures.**

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R527-200-2. Definitions.

1. Terms used in this rule are defined in Sections 62A-11-202, 62A-11-303, and 63-46b-2.

2. In addition,

- a. "office" means the Office of Recovery Services;
- b. "participate" means

(i) in a proceeding that was initiated by a notice of agency action, present relevant information to the presiding officer within the time period described by statute or rule for requesting a hearing; and

(ii) if a hearing is scheduled, participate means attend the hearing;

c. "party" means the Office of Recovery Services and the respondent.

d. in all proceedings except those conducted to determine the noncooperation of a IV-A or Non-IV-A Medicaid recipient or applicant, "party" does not mean the obligee, also called the custodial parent.

e. in a proceeding to determine the noncooperation of a IV-A or Non-IV-A Medicaid recipient or applicant, the[~~IV-A~~] recipient or applicant is the respondent and is therefore a "party".

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R527-200-4. Designation of Presiding Officers.

The following persons are designated presiding officers in adjudicative proceedings:

- 1. team agents;
- 2. team managers;
- 3. program coordinators;
- 4. program specialists;
- 5. quality assurance specialists;
- 6. associate regional directors;
- 7. regional directors;
- 8. directors;

[8]9. other persons designated by the director of the Office of Recovery Services.

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R527-200-6. Adjudicative Proceedings.

The following actions are considered to be adjudicative proceedings:

1. hearings, conferences, or administrative reviews to establish, modify, or renew child support orders;
2. conferences to determine paternity;
3. conferences or hearings to establish a judgment for genetic testing costs;
4. conferences or hearings to establish a judgment for birth expenses;
5. conferences or hearings to establish, modify, or renew an order ~~to enroll a child in an insurance plan or~~ regarding liability for medical and dental expenses of a dependent child;
6. administrative reviews to establish an order when a notice to enroll a child in a medical insurance plan is contested;
- [6]7. conferences or hearings to establish an order against a garnishee enforcing an administrative garnishment;
- [7]8. administrative reviews to determine whether the information concerning a support debt which will be reported to consumer reporting agencies is accurate;
- [8]9. conferences or hearings to establish the cause of an overpayment obligation, and to modify, or renew the obligation;
- [9]10. hearings, conferences, or administrative reviews to amend an administrative order; and
- [10]11. hearings, conferences, or administrative reviews to set aside an administrative order.
- [11]12. administrative reviews to establish an order which determines past-due support following a request for agency action.
- [12]13. administrative reviews to establish an order when an office determination of noncooperation is contested by IV-A or Non-IV-A Medicaid recipients.
- [13]14. conferences or hearings to establish a judgment against a responsible party for costs and/or fees, and to impose penalties associated with legal action taken by the office.

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KEY: administrative law, child support, overpayment*, welfare fraud

[October 16, 1997]1999	62A-11-203
Notice of Continuation November 7, 1996	62A-11-304.1
	62A-11-304.2
	62A-11-307.2
	63-46b



Natural Resources, Parks and
Recreation
R651-215
Personal Flotation Devices

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21664

FILED: 11/12/1998, 07:32

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Safety equipment is required on board vessels on waters in Utah to comply with federal changes.

SUMMARY OF THE RULE OR CHANGE: This rule change more clearly defines safety equipment required for the public to maintain health and well being while on Utah waters. It also complies with federal changes.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 73-18-8

ANTICIPATED COST OR SAVINGS TO:

- ❖THE STATE BUDGET: This rule is to comply with federal changes in language and does not affect state budget.
 - ❖LOCAL GOVERNMENTS: This rule simplifies requirements for personal flotation devices and does not affect local budget.
 - ❖OTHER PERSONS: This rule is used to simplify requirements to personal flotation devices for the boating public.
- COMPLIANCE COSTS FOR AFFECTED PERSONS: Boaters already have personal flotation devices so this rule should not require any expenditure by boaters.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact.

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

Natural Resources
Parks and Recreation
116
1594 West North Temple
Box 146001
Salt Lake City, UT 84114-6001, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Dee Guess at the above address, by phone at (801) 538-7320, by FAX at (801) 537-3144, or by Internet E-mail at nrdomain.dguess@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Dave Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.

R651-215. Personal Flotation Devices.

R651-215-1. [PFD]Definitions.

(1) "PFD" means personal flotation device.

(2) "Vessel length" is the measurement of the permanent part of the hull, from bow to stern, across the deck down the centerline, excluding sheer.

(3) "Wear" means to have the PFD properly worn with all fasteners connected.

(4) "White water canoe" means a one or two person capacity hard hulled canoe designed for white water activities and is equipped with: floatation (e.g., factory end chambers or float bags) and thigh straps or retention devices to hold the operator(s) in the vessel if it rolls.

[R651-215-2. Personal Flotation Device Requirements:

TABLE

VESSEL SIZE	PFD TYPES I	II	III	IV	V
Class A	+	+	+		#
Class 1	+	+	+	*	#
Class 2	+	+	+	*	#
Class 3	+	+	+	*	#

"+" means at least one of these types are needed for each person on board.

"*" means must have in addition to the other PFD requirements.

"#" means it may be carried in lieu of any required PFD but only if approved on the label for the activity for which the vessel is being used.

Also see sections R651-215-5 to 12.]

R651-215-2. PFD Requirements for Vessels Less than 16 Feet in Length.

No person shall operate or give permission for the operation of a vessel less than 16 feet in length unless there is at least one Type I, II, or III PFD for each person on board.

[R651-215-3. Determining the Class of Vessel:

To determine the class of vessel, measure the length of the vessel from bow to stern across the deck down the centerline, excluding sheer. Only measure that part of the hull which is permanent.

- Class A vessels are less than 16 feet;
- Class 1 vessels are 16 feet to less than 26 feet;
- Class 2 vessels are 26 feet to less than 40 feet; and
- Class 3 vessels are 40 feet to 65 feet in length.]

R651-215-3. PFD Requirements for Vessels 16 Feet or More in Length.

No person shall operate or give permission for the operation of a vessel 16 feet or more in length unless there is at least one Type I, II, or III PFD for each person on board. In addition to the total number of PFD's, there shall also be one Type IV PFD on board.

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R651-215-8. [River]Carrying Passengers for Hire PFD Requirements.

On rivers, if carrying passengers for hire, Type I PFDs are required, except kayak or white water canoe operators or a working[a] river guide may wear a Type III PFD, if approved on the label for [the]this activity. The required Type IV PFD shall be a ring life buoy on [class 2 or 3]vessels 26 feet or more in length.

R651-215-9. River Throw Bag in Lieu of Type IV PFD.

On rivers, in lieu of the Type IV PFD requirement, a throw bag with a minimum of 40 feet of line may be carried.

R651-215-10. Passengers for Hire [Type IV]PFD Requirement.

When carrying passengers for hire, except on rivers, Type I PFDs are required. The required Type IV PFD shall be a ring life buoy on [class 2 or 3]vessels 26 feet or more in length.

R651-215-11. Required Wearing of PFDs.

~~[(1) "Wear" means to have the PFD properly worn with all fasteners connected:]~~(1) An inflatable PFD may not be used to meet the requirements of this Section.

(2) All persons on board a personal watercraft or a sailboard shall wear a PFD.

(3) The operator of a vessel under 19 feet in length shall require each passenger 12 years of age or younger to wear a PFD. This rule is also applicable to vessels 19 feet or more in length, except when the child is inside the cabin area.

(4) On rivers, every person on board a vessel shall wear a PFD, except PFDs may be loosened or removed by persons 13 years of age or older on designated flat water areas as listed in Section R651-215-12. When carrying passengers for hire, the river guide is responsible for the passengers on his vessel to be in compliance with this Subsection.

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KEY: boating

[1994]1999

73-18-8

Notice of Continuation February 10, 1997



Natural Resources, Forestry, Fire and State Lands
R652-70-2300
 Management of Bear Lake Sovereign Lands

NOTICE OF PROPOSED RULE

(Amendment)
 DAR FILE NO.: 21672
 FILED: 11/16/1998, 09:53
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Bear Lake is a navigable body of water, the bed of which is sovereign land. The Division of Forestry, Fire and State Lands has completed an inventory of boat docks, launch ramps, retaining walls, mooring buoys and other improvements which may have been constructed or placed on the bed of Bear Lake without authorization from the division. The division has contacted the affected adjoining landowners and is in the process of legitimizing the improvements through

issuance of permits, easements, and other appropriate land use authorizations. The proposed rule will facilitate this process by apprising adjoining landowners of the relevant factual background for the division's approach to resolving ownership questions and issuing land use authorizations.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment specifies that the bed of Bear Lake is sovereign land, identifies the criteria to be applied in determining the ordinary high water mark at statehood, and establishes the full pool elevation of 5,923.68 feet as the location of the ordinary high water mark in the absence of evidence to the contrary. This elevation is consistent with the elevation used by the state of Idaho in administration of Bear Lake sovereign land.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 65A-1-4(2)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Implementation of the proposed amendment in association with existing statute and rule will result in an insignificant increase in the Sovereign Land Management Account of less than \$10,000 over a ten-year period.

❖LOCAL GOVERNMENTS: No cost or savings have been identified. Local government in Rich County will be affected only to the extent that local government disagrees with the division as to the location of the ordinary high water mark. To date there has been no disagreement. No disagreement is expected.

❖OTHER PERSONS: Compliance costs will be consistent with the price schedule established by the division. The aggregate amount will be less than \$10,000 over ten years. COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs are much more associated with statute than this proposed rule. Section 65A-3-1 identifies trespass situations, some of which will be resolved through implementation of the proposed rule. The average total cost for each adjoining landowner that needs a permit is \$250 over ten years.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Businesses adjoining Bear Lake sovereign land already are in compliance with the proposed rule and existing statute.

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

Natural Resources
Forestry, Fire and State Lands
Room 3520
1594 West North Temple
PO Box 145703
Salt Lake City, UT 84114-5703, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Karl Kappe at the above address, by phone at (801) 538-5495, by FAX at (801) 533-4111, or by Internet E-mail at nrsif.kkappe@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 01/08/1999.

THIS RULE MAY BECOME EFFECTIVE ON: 01/11/1999

AUTHORIZED BY: Karl Kappe, Strategic Planner

R652. Natural Resources; Forestry, Fire and State Lands.

R652-70. Sovereign Lands.

R652-70-2300. Management of Bear Lake Sovereign Lands.

(1) Lands lying below the ordinary high water mark of Bear Lake as of the date of statehood are owned by the state of Utah and shall be administered by the division as sovereign lands.

(2) Upon application for a specific use of state lands near the boundary of Bear Lake, or in the event of a dispute as to the ownership of the sovereign character of the lands near the boundary of Bear Lake, the division may evaluate all relevant historical evidence of the lake elevation, the water erosion along the shoreline, the topography of the land, and other relevant information to determine the relationship of the land in question to the ordinary high water mark.

(3) In the absence of evidence establishing the ordinary high water mark as of the date of statehood, the division shall administer all the lands within the bed of Bear Lake and lying below the level of 5,923.68 feet above mean sea level as being sovereign lands.

(4) The division, after notice to affected state agencies and any person with an ownership in the land, may enter into agreements to establish boundaries with owners of land adjoining the bed of Bear Lake; provided that the agreements shall not set a boundary for sovereign lands below the level of 5,923.68 feet above mean sea level.

KEY: sovereign lands, permits, administrative procedure
[1994]1999 65A-10-1
Notice of Continuation April 11, 1997

Pardons (Board of), Administration

R671-403

Restitution

NOTICE OF PROPOSED RULE

(New)

DAR FILE No.: 21665

FILED: 11/12/1998, 09:03

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule expired when a five-year review was not completed in time. (DAR Note: Because the five-year review was not completed, the rule expired and was removed from the *Utah Administrative Code*, see DAR No. 21645 in the November

15, 1998, *Utah State Bulletin*. This filing puts the rule back into place.)

SUMMARY OF THE RULE OR CHANGE: This rule defines the process of Board of Pardons and Parole affirmation and/or origination of restitution.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 77-27-5, 77-27-6, and 77-27-5.5

ANTICIPATED COST OR SAVINGS TO:

◆THE STATE BUDGET: The cost within the state budget will not change. The funds to support this process are already established in the Board of Pardons Budget hearing expenses.

◆LOCAL GOVERNMENTS: There will be no fiscal impact on local government as all processes are funded and coordinated through state entities and state funds.

◆OTHER PERSONS: There will be no fiscal impact on other persons as all processes are funded and coordinated through state entities and state funds.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to individuals, partnerships, corporations, etc. as all necessary expenses for this process are state funded.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no negative impact on business. However, a positive impact exists as this rule allows the Board to order restitution from offenders that have victimized business.

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

Pardons (Board of) Administration Room 300 448 East 6400 South Murray, UT 84107, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

John Green at the above address, by phone at (801) 261-6470, by FAX at (801) 261-6481, or by Internet E-mail at bpsmain.jgreen@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/05/1999

AUTHORIZED BY: Michael R. Sibbett, Chairman

R671. Pardons (Board of), Administration.

R671-403. Restitution.

R671-403-1. Policy.

The Board will consider restitution in all cases where restitution has been ordered by the court, when requested by the

Department of Corrections or other criminal justice agencies, or other appropriate cases.

R671-403-2. Procedure.

In cases where restitution has been ordered by the court and is included as part of the judgment and commitment, the Board will consider whether affirming such restitution is appropriate and whether persons have or are prepared to make restitution. The board may also originate orders of restitution on any crime(s) of commitment.

The Board will consider ordering restitution or affirming court ordered restitution in the following instances:

1. When ordered by the sentencing court and the order is included as part of the judgment and commitment provided to the Board by the court except for class B and class C misdemeanors;

2. When ordered by or as a part of a disciplinary proceeding as a result of misconduct;

3. When requested by the Department of Corrections or other criminal justice agency for the costs of extradition or return to custody;

4. When requested by the Department of Corrections for the costs of programs such as unpaid fees at community correction centers, therapy or other service fees, and after attempts to collect from the offender have repeatedly failed; and

5. When new information is made available which was not available to the court at the sentencing or restitution hearing, under the following procedure:

The Board may request that the Department of Corrections investigate the matter and the background and ability of the offender to pay and provide the Board with a written report and recommendation.

A restitution hearing may be conducted by a Board panel or hearing officer. Prior to the hearing, the offender and the victim(s) will be notified in writing of the hearing and will be provided with copies of the investigative report and other documentation unless it is of a confidential nature. The offender and the victim(s) will have the right to be present at the hearing and present evidence in their behalf. Where hearings are conducted by a hearing officer, the hearing officer will make a written report and recommendation to the Board which will be considered in a regularly scheduled Board meeting.

KEY: restitution, government hearings, parole 1999

77-27-5
77-27-6
77-27-5.5



Regents (Board of), Administration

R765-607

Utah Higher Education Tuition Assistance Program

NOTICE OF PROPOSED RULE

(New)

DAR FILE NO.: 21673

FILED: 11/16/1998, 11:47

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To provide policy and procedures for implementing the Utah Higher Education Tuition Assistance Program enacted in H.B. 135 by the 1998 General Session of the Utah Legislature.

(DAR Note: H.B. 135 is found at 1998 Utah Laws 103, and was effective July 1, 1998.)

SUMMARY OF THE RULE OR CHANGE: Establish procedures for institution participation for matching grant program.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 53B-7-501 and 53B-7-502

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Rule governs administration of a new, small program, which will be handled by current staff with no budget request for administration.

❖LOCAL GOVERNMENTS: Affects only designated public institutions of higher education. Their application process will be simple, not requiring any extra staff resources.

❖OTHER PERSONS: Individuals will receive scholarships in the future. Program will not cause them to incur costs.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Participation by higher education institutions is voluntary. They may incur from \$100 to \$500 expenses, within current budgets.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Private businesses are not involved or affected.

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

Regents (Board of)
Administration
Suite 500, 3 Triad Center
355 West North Temple
PO Box 45202
Salt Lake City, UT 84180-1205, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Chalmers Gail Norris at the above address, by phone at (801) 321-7205, by FAX at (801) 321-7299, or by Internet E-mail at gnorris@utahsbr.edu.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/04/1999

AUTHORIZED BY: Chalmers Gail Norris, Associate Commissioner for Student Financial Aid

R765. Regents (Board of), Administration.**R765-607. Utah Higher Education Tuition Assistance Program.****R765-607-1. Purpose.**

To provide Utah Higher Education Assistance Authority ("UHEAA") policy and procedures for implementing the Utah Higher Education Tuition Assistance Program ("UTAP," or "program"), UCA Title 53B, Chapter 7, Part 5, enacted in H.B. 135 by the 1998 General Session of the Utah Legislature.

R765-607-2. References.

2.1. Utah Code. Title 53B, Utah System of Higher Education, Chapter 7, Part 5.

2.2. State Board of Regents Policy R610, Board of Directors of the Utah Higher Education Assistance Authority.

R765-607-3. Effective Date.

These policies and procedures are effective January 4, 1999.

R765-607-4. Policy.

4.1. Program Description - UTAP is a matching grant program to provide incentives for Utah System of Higher Education community colleges and Utah State University to raise money for scholarships at the community colleges and at centers of the Utah State University. In UCA 53B-7-501, the Legislature recognizes "that tuition and general fee costs to students at Utah community colleges and established branch campuses and centers represent significant challenges for many of the students they serve, and that additional scholarship moneys for financially needy students attending those institutions is needed to ensure financial access to higher education. Program funds may be used only for matching grants for scholarship endowments to higher education institutions as provided herein.

4.2. Program Administration - In State Board of Regents Policy R610, the Board has delegated to the UHEAA Board of Directors the authority for govern UTAP on behalf of the Board of Regents. The program is administered by the Associate Commissioner for Student Financial Aid as Executive Director of UHEAA, reporting to the Commissioner of Higher Education.

4.3. Institutions Eligible to Participate - Eligible institutions include Snow College, Dixie College, the College of Eastern Utah, Utah Valley State College, Salt Lake Community College, and Utah State University on behalf of its off-campus centers.

4.4. Students Eligible to Receive UTAP Scholarships - To be eligible to receive a scholarship funded by an institutional endowment fund established under UTAP, a student must:

4.4.1. Be unconditionally admitted and currently enrolled in a degree, diploma, or certificate program at the community college entity (specific campus or extension of the specific campus) for which the scholarship endowment fund is established, or at a branch campus or center of Utah State University for receipt of a scholarship from the University's UTAP endowment fund.

4.4.3. Be a first-time student at the institution or be maintaining satisfactory progress, as defined by the institution, toward the degree, diploma, or certificate objective in which enrolled.

4.4.4. Meet all requirements of general eligibility for Federal Higher Education Act Part IV Student Financial Aid Programs, as defined in applicable U. S. Department of Education Regulations

and the current edition of the Department of Education Student Aid Handbook.

4.4.5. Have a demonstrated need for financial assistance based on the defined Cost of Attendance for the applicable student category at the institution and the expected family contribution as determined by the Federal need analysis process for Higher Education Act Title IV student financial assistance programs.

4.5. Initial Allocation of Appropriated Funds - Money appropriated to the program for a specific fiscal year, plus any remaining balance at the end of the preceding fiscal year, shall be allocated to eligible institutions as follows:

4.5.1. Fifty percent of the amount available for allocation each fiscal year shall be allocated in equal proportions to:

4.5.1.1. Snow College, for its main campus and extensions;

4.5.1.2. Dixie College, for its main campus and extensions;

4.5.1.3. College of Eastern Utah, for its main campus and extensions of the main campus;

4.5.1.4. College of Eastern Utah, for its San Juan Campus and extensions of the San Juan Campus;

4.5.1.5. Utah Valley State College, for its main campus and extensions;

4.5.1.6. Salt Lake Community College, for its Taylorsville Campus and extensions of the Taylorsville Campus; and

4.5.1.7. Salt Lake Community College, for its South City Campus and extensions of the South City Campus.

4.5.2. Fifty percent of the amount available for allocation each fiscal year shall be allocated to the Utah State University for its instructional centers at Roosevelt, Blanding, Randolph, Price, Moab, Brigham City, Tooele, Richfield, and Ephraim, and such other centers as UHEAA may determine.

4.6. Submission of Proposals - For each of the individual entities listed in section 4.5, the institution may submit to UHEAA proposals for one-to-one matching grants from the funds allocated pursuant to section 4.5.

4.6.1. An institution may submit a proposal only when it has raised, from nonappropriated sources other than federal funds or reimbursed overhead funds, the one-to-one match for the amount of program moneys requested in the proposal.

4.6.2. The proposal shall include the following information, certifications, and stipulations:

4.6.2.1. The amount of the UTAP matching grant requested, and a certification that the institutional matching amount is available and has been raised from nonappropriated sources other than federal funds or reimbursed overhead funds;

4.6.2.2. A statement that if the requested program grant is approved, the institution will establish a specific restricted institutional endowment fund, separate and distinct from any foundation funds, for scholarships for students who meet the requirements enumerated in section 4.4.

4.6.2.3. A statement that money in the specified endowment fund shall be invested in compliance with rules of the State Money Management Council applicable to gift funds.

4.6.2.4. A statement that principal of the specified endowment fund will not be expended and that up to 50% of the money earned on principal in the endowment fund in a fiscal year may, at the institution's option, be retained and added to principal, but at least 50% of the money earned on principal in the endowment fund in a fiscal year will be used for scholarships for qualifying students with demonstrated financial need in the following fiscal year.

4.6.2.5. A statement that the institution agrees to maintain appropriate financial records, and records regarding the determination of scholarship awards to qualifying students, verifying its compliance with the terms stated in its proposal, and to make such records available upon request for review by UHEAA or State Board of Regents officers or auditors for a period of five years after the applicable transaction dates.

4.7. Three Year Reservation of Allocations and Reallocation of Allocations Not Used After Three Fiscal Years - Money allocated for a specific eligible entity in a fiscal year shall remain in reserve for proposals for the specific eligible entity for that fiscal year and two following fiscal years, and any money reserved for which the institution does not submit an eligible proposal by the end of the three-year period shall be returned to the pool of program money available for allocation for the following fiscal year.

4.8. Investment of Program Funds - Funds appropriated for the program shall be invested by UHEAA with the State Treasurer's Public Treasurer Investment Fund, and interest earned prior to disbursement for qualifying proposals shall be retained in the program fund and added to the pool available for allocation in the following fiscal year.

4.9. Disbursement of Funds for Qualifying Proposals - When a qualifying proposal is received pursuant to section 4.6, UHEAA shall promptly disburse the matching grant to the institution.

KEY: financial aid, higher education
1999

53B-7-501
53B-7-502



Regents (Board of), Administration
R765-685
Utah Educational Savings Plan Trust

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21674

FILED: 11/16/1998, 11:47

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Amendment to Title 53B, Chapter 8a as enacted in H.B. 241 by the 1998 General Session of the Utah Legislature.

SUMMARY OF THE RULE OR CHANGE: Provides criteria for determining eligibility of proprietary schools.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 53B, Chapter 8a; and Title 67, Chapter 16

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Rule change to implement 1998 legislative change (H.B. 241) requires no change in staff or operating budget for administration of the Trust.

❖LOCAL GOVERNMENTS: Local governments are not involved or affected.

❖OTHER PERSONS: Individual beneficiaries of participation agreements will be able to use savings account proceeds at qualifying proprietary schools.

(DAR Note: H.B. 241 is found at 1998 Utah Laws 123, and was effective May 4, 1998.)

COMPLIANCE COSTS FOR AFFECTED PERSONS: Proprietary schools wishing to qualify may incur costs for regional or national accreditation. Difficult to estimate costs--probably as much as \$5,000. Many, however, already meet accreditation requirement.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Proprietary schools may incur costs as described under "compliance costs for affected persons." Qualifying schools may enjoy increased enrollment/cash flows.

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

Regents (Board of) Administration Suite 550, 3 Triad Center 355 West North Temple PO Box 45202 Salt Lake City, UT 84180-1205, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Chalmers Gail Norris at the above address, by phone at (801) 321-7205, by FAX at (801) 321-7299, or by Internet E-mail at gnormis@utahsbr.edu.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/04/1999

AUTHORIZED BY: Chalmers Gail Norris, Associate Commissioner for Student Financial Aid

R765. Regents (Board of), Administration. R765-685. Utah Educational Savings Plan Trust.

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R765-685-3. Definitions.

Many terms used in this rule are defined in Section 53B-8a-102. In addition, the following terms are defined by this rule.

3.1. The term "academic period" shall mean one semester or one quarter or an equivalent period for a vocational technical institution.

3.2. The word "account" shall denote the account in the program fund established and maintained under the trust for a beneficiary.

3.3. The term "account balance" shall mean the fair market value of an account as of the accounting date.

3.4. The term "accounting date" shall mean the date, not later than the last business day of each quarter as determined by the program administrator.

3.5. The term "administrative fee" shall mean the fee charged by the trust on cancellation or for multiple substitution of beneficiaries.

3.6. The term "dependent person" shall mean a person who is unable to meet all of the criteria listed in subsection 3.8 of this rule.

3.7. The term "domicile" shall mean a person's true, fixed and permanent home. It is the place where the person intends to remain, and to which the person expects to return without intending to establish a new domicile elsewhere.

3.8. The term "independent person" shall mean a person who meets all of the following criteria. An independent person is one:

3.8.1. whose parent has not claimed such person as a dependent on federal or state income tax returns for the tax year preceding the date of a request to establish a vested participation agreement;

3.8.2. who demonstrates no financial dependence upon parent(s); and

3.8.3. whose parents' income is not taken into account by any private or governmental agency furnishing educational financial assistance to the person, including scholarships, loans, and other assistance.

3.9. "Notice to Delay Trust Benefits" shall mean the form which a participant submits to the program administrator of the trust to delay benefits under a participation agreement.

3.10. "Notice to Adjust Payments" shall mean the form which a participant submits to the program administrator of the trust to change the payment amount or payment schedule of the participation agreement.

3.11. "Request to Substitute Beneficiary" shall mean the form which a participant submits to the program administrator of the trust to request the substitution of a beneficiary.

3.12. "Notice to Terminate Agreement" shall mean the form which a participant submits to the program administrator of the trust to terminate a participation agreement under the trust.

3.13. "Notice to Use Trust Benefits" shall mean the form which a participant submits to the program administrator of the trust to notify the trust of the date benefits are to begin and level of benefits to be paid.

3.14. The term "parent" shall mean one of the following:

3.14.1. A person's father or mother; or

3.14.2. A court-appointed legal guardian. The term "parent" shall not apply if the guardianship has been established primarily for the purpose of conferring the status of resident on a person.

3.15. The word "payments" shall denote the money paid by the participant to the trust under the participation agreement.

3.16. The term "public treasurer" shall mean the Assistant Commissioner for Student Loan Finance who has the responsibility for the safekeeping and investment of all trust funds.

3.17. The term "qualified proprietary school approved by the board" shall mean a proprietary school which is fully accredited by a regional accrediting association or commission, the Accrediting Commission for Career Schools and Colleges of Technology, or the Accrediting Council for Independent Colleges and Schools, for which the student loan cohort default rate most recently published by the U.S. Department of Education is less than 20 percent, and which has not been placed on a reimbursement basis for financial

aid programs by the U.S. Department of Education or under any limitation, suspension, or termination action or letter of credit requirement from the U.S. Department of Education or a guaranty agency under the Federal Family Education Loan Program.

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KEY: higher education, educational savings trust
[June 6, 1997]1999 **53B-8a**



Tax Commission, Property Tax **R884-24P-63**

Performance Standards and Training Requirements Pursuant to Utah Code Ann. Section 59-2-406

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 21676
FILED: 11/16/1998, 16:14
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-2-406 requires the Tax Commission to establish rules specifying the performance standards and applicable training requirements for all contracts required by that section.

SUMMARY OF THE RULE OR CHANGE: The proposed rule section sets forth performance standards and training requirements for the party contracting to perform motor vehicle-related or property tax functions.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-2-406

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: 1998 H.B. 177 states that if the party performing the Section 59-2-406 services fails to meet the performance or training standards set forth in Tax Commission rule, that party will be subject to a penalty in the form of a reduced payment for the services it performs. While there is a potential that the Tax Commission would be subject to a penalty for failure to meet the rule standards when the Tax Commission performs the Section 59-2-406 services, we expect the Tax Commission will not incur penalties, but will meet the standards set forth in the rule.

❖LOCAL GOVERNMENTS: 1998 H.B. 177 states that if the party performing the Section 59-2-406 services fails to meet the performance or training standards set forth in Tax Commission rule, that party will be subject to a penalty in the form of a reduced payment for the services it performs. While there is a potential that a county would be subject to a penalty for failure to meet the rule standards when that county performs the Section 59-2-406 services, we expect

counties will not incur penalties, but will meet the standards set forth in the rule.

❖OTHER PERSONS: Penalties for failure to comply with the rule's performance and training standards are assessed on the party failing to meet those standards--either a county or the Tax Commission.

(DAR Note: H.B. 177 is found at 1998 Utah Laws 109, and was effective July 1, 1998.)

COMPLIANCE COSTS FOR AFFECTED PERSONS: 1998 H.B. 177 states that if the party performing the Section 59-2-406 services fails to meet the performance or training standards set forth in Tax Commission rule, that party will be subject to a penalty in the form of a reduced payment for the services it performs. While there is potential that the Tax Commission or a county would be subject to a penalty for failure to meet the rule standards, we expect that neither the Tax Commission nor the counties will incur penalties, but will meet the standards set forth in the rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The penalties to either the County or the Tax Commission for noncompliance are expected to be very minimal if they occur at all.

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

Tax Commission
Property Tax
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Pam Hendrickson at the above address, by phone at (801) 297-3900, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Pam Hendrickson, Commissioner

R884. Tax Commission, Property Tax.

R884-24P. Property Tax.

R884-24P-63. Performance Standards and Training Requirements Pursuant to Utah Code Ann. Section 59-2-406.

A. The party contracting to perform services shall develop a written customer service performance plan within 60 days after the contract for performance of services is signed.

1. The customer service performance plan shall address:

a) procedures the contracting party will follow to minimize the time a customer waits in line; and

b) the manner in which the contracting party will promote alternative methods of registration.

2. The party contracting to perform services shall provide a copy of its customer service performance plan to the party for whom it provides services.

3. The party for whom the services are provided may, no more often than semiannually, audit the contracting party's performance based on its customer service performance plan, and may report the results of the audit to the county commission or the state tax commissioners, as applicable.

B. Each county office contracting to perform services shall conduct initial training of its new employees.

C. The Tax Commission shall provide regularly scheduled training for all county offices contracting to perform motor vehicle functions.

KEY: taxation, personal property, property tax, appraisal
[~~August 11, 1998~~1999 59-2-406
Notice of Continuation May 8, 1997



End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a PROPOSED RULE in the *Utah State Bulletin*, it may receive public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

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

Following the RULE ANALYSIS, the text of the CHANGE IN PROPOSED RULE is usually printed. The text shows only those changes made since the PROPOSED RULE was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [example]). A row of dots in the text (•••••) indicates that unaffected text was removed to conserve space. If a CHANGE IN PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends December 31, 1998. At its option, the agency may hold public hearings.

From the end of the waiting period through March 31, 1999, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

CHANGES IN PROPOSED RULES are governed by *Utah Code* Section 63-46a-6 (1996); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

The Changes in Proposed Rules Begin on the Following Page.

Environmental Quality, Solid and Hazardous Waste
R315-304
Industrial Solid Waste Landfill Requirements

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 21439
FILED: 11/12/1998, 15:46
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: As a result of comments received, the definitions of new and existing Class III Landfills are changed.

SUMMARY OF THE RULE OR CHANGE: Changes are made in wording and order to clarify the definitions of the terms "Existing Class III Landfill" and "New Class III Landfill."

(DAR Note: The original proposed amendment upon which this change in proposed rule is based was published in the October 1, 1998, issue of the Utah State Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-6-105 and 19-6-108
FEDERAL REQUIREMENT FOR THIS RULE: 40 CFR 257, 1997 ed.

ANTICIPATED COST OR SAVINGS TO:

- THE STATE BUDGET: The rule changes do not affect state entities. Therefore, there will be no cost or savings impact on the state budget.
LOCAL GOVERNMENTS: Since the rule changes do not affect local governments, there will be no cost or savings impact on local governments.
OTHER PERSONS: Since the clarification of the definitions have no impact on costs, there will be no cost or savings impacts to other persons beyond that already required by Rule R315-304.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The clarifications to the definitions will have no effect on costs of compliance. Therefore, compliance costs for affected persons will not change beyond that already required by Rule R315-304.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no fiscal impact as a result of the proposed changes in the rule beyond that already required by Rule R315-304--Dianne R. Nielson, Ph.D.

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

Environmental Quality
Solid and Hazardous Waste
Cannon Health Building
288 North 1460 West
PO Box 144880
Salt Lake City, UT 84114-4880, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carl E. Wadsworth at the above address, by phone at (801) 538-6170, by FAX at (801) 538-6715, or by Internet E-mail at eqshw.cwadswor@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/05/1999

AUTHORIZED BY: Dennis R. Downs, Executive Secretary

R315. Environmental Quality, Solid and Hazardous Waste.
R315-304. Industrial Solid Waste Landfill Requirements.
R315-304-1. Applicability.

- (1) Except for a Class IIIb Landfill that receives waste exclusively from on-site, the requirements of Rule R315-304 apply to each Class III Landfill as specified.
(2) For a Class IIIb Landfill that receives waste exclusively from on site:
(a) the requirements of Rule R315-304 become effective [June 1] July 15, 1999.
(b) The owner or operator of a landfill may;
(i) apply to the Executive Secretary for an extension of time beyond [June 1] July 15, 1999 to meet the requirements of Rule R315-304; and
(ii) be placed on a compliance schedule by the Executive Secretary.
(3) The requirements of Rule R315-304 do not apply to the following materials managed at an industrial facility:
(a) fly ash waste, bottom ash waste, slag waste, or flue gas emission control dust generated primarily from the combustion of coal or other fossil fuels;
(b) wastes from the extraction, beneficiation, and processing of ores and minerals;
(c) electric arc furnace slag, open hearth furnace slag, and other slags generated during carbon steel production; and
(d) cement kiln dust.

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R315-304-3. Definitions.

Terms used in Rule R315-304 are defined in Section R315-301-2. In addition, for the purpose of Rule R315-304, the following definitions apply.

- (1) "Class IIIa Landfill" means an industrial solid waste landfill that is not open to the general public and may accept:
(a) any nonhazardous industrial waste;
(b) waste that is exempt from hazardous waste regulations under Section R315-2-4; or
(c) conditionally exempt small quantity generator hazardous waste as defined by Section R315-2-5.
(2) "Class IIIb Landfill" means an industrial solid waste landfill that is not open to the general public and may accept any nonhazardous industrial solid waste except:
(a) waste that is exempt from hazardous waste regulations under Section R315-2-4, excluding Subsections R315-2-4(b)(3),

(4), (5), (7), and (14), unless approved by the Executive Secretary; or

(b) conditionally exempt small quantity generator hazardous waste as defined by Section R315-2-5.

~~— (3) Except for a Class IIIb Landfill that receives waste exclusively from on-site, "Existing Class III Landfill" means an industrial solid waste landfill that was receiving waste on or before January 1, 1998:~~

~~— (4) Except for a Class IIIb Landfill that receives waste exclusively from on-site, "New Class III Landfill" means an industrial solid waste landfill that began receiving waste after January 1, 1998:~~

~~— (5) For a Class IIIb Landfill that receives waste exclusively from on-site, "Existing Class III Landfill" means an industrial solid waste landfill that was receiving waste on or before June 1, 1999:~~

~~— (6) For a Class IIIb Landfill that receives waste exclusively from on-site, "New Class III Landfill" means an industrial solid waste landfill that began receiving waste after June 1, 1999:]~~

(3) "Existing Class III Landfill" means:

(a) for a Class IIIa Landfill and a Class IIIb Landfill that does not receive waste exclusively from on-site, an industrial solid waste landfill that began receiving waste on or before January 1, 1998; and

(b) for a Class IIIb Landfill that receives waste exclusively from on-site, an industrial solid waste landfill that began receiving waste on or before July 15, 1999.

(4) "New Class III Landfill" means:

(a) for a Class IIIa Landfill and a Class IIIb Landfill that does not receive waste exclusively from on-site, an industrial solid waste landfill that began receiving waste after January 1, 1998; and

(b) for a Class IIIb Landfill that receives waste exclusively from on-site, an industrial solid waste landfill that began receiving waste after July 15, 1999.

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KEY: solid waste management, waste disposal
[1998]1999

Notice of Continuation May 2, 1997

19-6-105

19-6-108

40 CFR 257



Tax Commission, Property Tax

R884-24P-52

Criteria for Determining Primary Residence Pursuant to Utah Code Ann. Sections 59-2-102 and

59-2-103

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 21326

FILED: 11/16/1998, 16:14

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-2-103 provides for a residential exemption on up to one acre of land per residential unit.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment clarifies language in current amendment for this rule relating to property temporarily unoccupied.

(DAR Note: The original proposed amendment upon which this change in proposed rule is based was published in the August 15, 1998, issue of the *Utah State Bulletin*.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 59-2-102 and 59-2-103

ANTICIPATED COST OR SAVINGS TO:

❖**THE STATE BUDGET:** There could be a slight property tax reduction because of the change affecting buildings under construction in some counties where they were not previously given the residential exemption.

❖**LOCAL GOVERNMENTS:** There could be a slight property tax reduction because of the change affecting buildings under construction in some counties where they were not previously given the residential exemption.

❖**OTHER PERSONS:** Slight property tax savings for a limited number of homeowners. Amendments will ensure that all property eligible for the exemption receives it. A few homeowners were not receiving the exemption for the whole parcel of land (up to 1 acre) in their residential unit.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs. County Assessors will be coding residential properties uniformly as a result of this rule to insure intracounty equity.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There could be a savings to the owner of a project under construction on lien date if the structure will qualify for primary residential exemption when complete.

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

Tax Commission
Property Tax
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Pam Hendrickson at the above address, by phone at (801) 297-3900, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/31/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 01/01/1999

AUTHORIZED BY: Pam Hendrickson, Commissioner

R884. Tax Commission, Property Tax.

R884-24P. Property Tax.

R884-24P-52. Criteria for Determining Primary Residence Pursuant to Utah Code Ann. Sections 59-2-102 and 59-2-103.

- A. "Household" is as defined in Section 59-2-1202.
- B. "Primary residence" means the location where domicile has been established.
- C. Except as provided in D. and F.3., the residential exemption provided under Section 59-2- 103 is limited to one primary residence per household.
- D. An owner of multiple properties may receive the residential exemption on all properties for which the property is the primary residence of the tenant.
- E. Factors or objective evidence determinative of domicile include:
 - 1. whether or not the individual voted in the place he claims to be domiciled;
 - 2. the length of any continuous residency in the location claimed as domicile;
 - 3. the nature and quality of the living accommodations that an individual has in the location claimed as domicile as opposed to any other location;
 - 4. the presence of family members in a given location;
 - 5. the place of residency of the individual's spouse or the state of any divorce of the individual and his spouse;
 - 6. the physical location of the individual's place of business or sources of income;
 - 7. the use of local bank facilities or foreign bank institutions;
 - 8. the location of registration of vehicles, boats, and RVs;
 - 9. membership in clubs, churches, and other social organizations;
 - 10. the addresses used by the individual on such things as:
 - a) telephone listings;
 - b) mail;
 - c) state and federal tax returns;
 - d) listings in official government publications or other correspondence;
 - e) driver's license;
 - f) voter registration; and
 - g) tax rolls;
 - 11. location of public schools attended by the individual or the individual's dependents;
 - 12. the nature and payment of taxes in other states;
 - 13. declarations of the individual:
 - a) communicated to third parties;
 - b) contained in deeds;
 - c) contained in insurance policies;
 - d) contained in wills;
 - e) contained in letters;
 - f) contained in registers;
 - g) contained in mortgages; and
 - h) contained in leases.
 - 14. the exercise of civil or political rights in a given location;
 - 15. any failure to obtain permits and licenses normally required of a resident;

- 16. the purchase of a burial plot in a particular location;
- 17. the acquisition of a new residence in a different location.
- F. Administration of the Residential Exemption.
 - 1. Except as provided in F.2. and F.4., the first one acre of land per residential unit shall receive the residential exemption.
 - 2. If a parcel has high density multiple residential units, such as an apartment complex or a mobile home park, the amount of land, up to the first one acre per residential unit, eligible to receive the residential exemption shall be determined by the use of the land. Land actively used for residential purposes qualifies for the exemption.
 - 3. If the county assessor determines that a property under construction will qualify as a primary residence upon completion, the property shall qualify for the residential exemption while under construction.
 - 4. A property assessed under the Farmland Assessment Act shall receive the residential exemption only for the homesite.
 - 5. A property with multiple uses, such as residential and commercial, shall receive the residential exemption only for the percentage of the property that is used as a primary residence.
 - 6. ~~[A property that otherwise qualifies for the residential exemption shall not lose the exemption if the property is temporarily unoccupied.]~~If the county assessor determines that an unoccupied property will qualify as a primary residence when it is occupied, the property shall qualify for the residential exemption while unoccupied.

KEY: taxation
~~[December 23, 1997]~~1999 **59-2-102**
Notice of Continuation May 8, 1997 **59-2-103**



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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

Upon reviewing a rule, an agency may: repeal the rule by filing a PROPOSED RULE; continue the rule as it is by filing a NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (NOTICE); or amend the rule by filing a PROPOSED RULE and by filing a NOTICE. By filing a NOTICE, the agency indicates that the rule is still necessary.

NOTICES are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. NOTICES are effective when filed. NOTICES are governed by *Utah Code* Section 63-46a-9 (1996).

Commerce, Corporations and Commercial Code **R154-100**

Utah Administrative Procedures Act Rules

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 21658
FILED: 11/10/1998, 11:37
RECEIVED BY: NL

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 13-1-6 entitled "Rules and Regulations" directs the executive director to prescribe rules and procedures for the management and operation of the department. Additionally, Section 63-46b-5 entitled "Procedures for Informal Adjudicative Proceedings" sets forth an agencies obligation to prescribe procedures for informal adjudicative proceedings within its agency.

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 a few verbal comments regarding the ability to resolve an issue in an informal adjudicative proceeding. Generally, the comments supported the flexibility of the rule and the elimination of the government red tape to resolve a simple issue.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The division believes that the ability to provide the public with an informal adjudicative proceeding to resolve simple corporate and business registration issues without the complexity and cost

of a formal adjudicative proceeding is a substantial justification for the continuation of the rule. The division can better serve the public by responding to their issues and needs in a more efficient and time-saving manner.

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

Commerce
Corporations and Commercial Code
Second Floor, Heber M. Wells Building
160 East 300 South
Box 146705
Salt Lake City, UT 84114-6705, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Kenneth Allen at the above address, by phone at (801) 530-6135, by FAX at (801) 530-6438, or Internet E-mail at brsec.kallen@state.ut.us.

AUTHORIZED BY: Kenneth Allen, General Counsel

EFFECTIVE: 11/10/1998



Corrections, Administration **R251-401** Supervision Fees

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 21670
FILED: 11/13/1998, 15:23
RECEIVED BY: NL

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 64-13-21 requires the department to make rules specifying the criteria for suspension or waiver of the supervision fee and the circumstances under which an offender may request a hearing.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is needed to clarify the terms of collecting supervision fees from offenders on probation and parole.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Corrections Administration
Suite 400
6100 South Fashion Blvd.
Murray, UT 84107, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Pam Elliott at the above address, by phone at (801) 265-5514, by FAX at (801) 265-5726, or Internet E-mail at crdeptdo.crdept.pelliott@email.state.ut.us.

AUTHORIZED BY: H. L. Haun, Executive Director

EFFECTIVE: 11/13/1998



Housing Finance Agency,
Administration
R460-8
Americans with Disabilities Act (ADA)
Complaint Procedures

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 21659
FILED: 11/10/1998, 13:45
RECEIVED BY: NL

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 9-4-910 grants the agency the power to adopt, amend, and repeal rules. Section 9-4-911 states that the agency shall make rules governing the activities authorized by its enabling legislation.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments were received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: It is necessary to continue this rule because it contains the written procedures for a person to file a complaint and any appeals, and it provides written requirements the Agency must follow in its investigation of the complaint.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Housing Finance Agency Administration
554 South 300 East
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Grant S. Whitaker at the above address, by phone at (801) 521-6950, by FAX at (801) 323-2660, or Internet E-mail at gwhitake@uhfa.state.ut.us.

AUTHORIZED BY: Grant S. Whitaker, Deputy Director

EFFECTIVE: 11/10/1998



Labor Commission, Safety
R616-1
Coal Mine Rules

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 21667
FILED: 11/13/1998, 08:43
RECEIVED BY: NL

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 enacted pursuant to Sections 34A-1-104 and 40-2-1.1 which give the Commission authority to enact rules for the protection of life, health, and safety of all persons with respect to all coal prospects, mines, tunnels, banks, open cut workings, and coal strip mines in the State of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary to effectuate the directions of Title 40, Chapter 2, "Coal Mines," that all coal mines be subject to thorough and efficient inspection under the auspices of the Labor Commission.

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

Labor Commission
Safety
Third Floor, Heber M. Wells Office Building
160 East 300 South
PO Box 146600
Salt Lake City, UT 84114-6600, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Larry Patrick at the above address, by phone at (801) 530-6872, by FAX at (801) 530-6390, or Internet E-mail at icmain.lpatrick@email.state.ut.us.

AUTHORIZED BY: R. Lee Ellertson, Commissioner

EFFECTIVE: 11/13/1998

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 written comments have been received concerning this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: It is critical for the Utah Department of Transportation (UDOT) to communicate with Utah citizens about transportation issues and activities. Public input plays a valuable role in making appropriate, community-based transportation decisions. UDOT's office of Community Relations (Administration) is the established division responsible for managing the communication process.

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

Transportation
Administration
Calvin Rampton Complex
4501 South 2700 West
Box 141200
Salt Lake City, UT 84119, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Melanie Buck at the above address, by phone at (801) 965-4389, by FAX at (801) 965-4391, or Internet E-mail at mbuck@state.ut.us.

AUTHORIZED BY: Neal Christensen, Director

EFFECTIVE: 11/10/1998

◆ ————— ◆
Transportation, Administration
R907-40
External Relations

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 21661
FILED: 11/10/1998, 15:48
RECEIVED BY: NL

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 72-1-204(4) charges the Community Relations Division with: a) coordinating, organizing, and managing the department's public hearing process; b) responding to citizens' complaints and requests; c) developing and implementing the department's public information programs; d) assisting the divisions and regions in the department's citizen involvement programs; and e) preparing and distributing internal department communications. Items (a), (b), (c), and (d) of the provision are directly related to the need for external communication with the public and other affected government agencies.

◆ ————— ◆
End of the Five-Year Notices of Review and Statements of Continuation

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 (*Utah Code* Section 63-46a-9 (1996)). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file an extension with the Division 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. The five-year review extension is governed by *Utah Code* Subsection 63-46a-9(4) and (5) (1996).

Administrative Services

Finance

No. 21650 (filed 11/04/98 at 09:45 a.m.): R25-4. Uniform Clothing Allowance for State Employees.

Enacted: 11/04/93 (No. 14840 NEW, filed 09/01/93 at 2:10 p.m., published 09/15/93)

Extended Due Date: March 4, 1999

(DAR Note: A proposed repeal of this rule was published in the November 15, 1998, *Utah State Bulletin* under DAR No. 21622.)

No. 21651 (filed 11/04/98 at 09:45 a.m.): R25-9. Payment of Professional Dues and License Fees.

Enacted: 11/04/93 (No. 14845 NEW, filed 09/01/93 at 2:10 p.m., published 09/15/93)

Extended Due Date: March 4, 1999

(DAR Note: A proposed repeal of this rule was published in the November 15, 1998, *Utah State Bulletin* under DAR No. 21630.)

No. 21652 (filed 11/04/98 at 09:45 a.m.): R25-10. Honorariums.

Enacted: 11/04/93 (No. 14846 NEW, filed 09/01/93 at 2:10 p.m., published 09/15/93)

Extended Due Date: March 4, 1999

(DAR Note: A proposed repeal of this rule was published in the November 15, 1998, *Utah State Bulletin* under DAR No. 21631.)

No. 21653 (filed 11/04/98 at 09:45 a.m.): R25-11. Service and Retirement Awards for State Employees.

Enacted: 11/04/93 (No. 14847 NEW, filed 09/01/93 at 2:10 p.m., published 09/15/93)

Extended Due Date: March 4, 1999

(DAR Note: A proposed repeal of this rule was published in the November 15, 1998, *Utah State Bulletin* under DAR No. 21632.)

No. 21654 (filed 11/04/98 at 09:45 a.m.): R25-12. American Express Cards.

Enacted: 11/04/93 (No. 14848 NEW, filed 09/01/93 at 2:10 p.m., published 09/15/93)

Extended Due Date: March 4, 1999

(DAR Note: A proposed repeal of this rule was published in the November 15, 1998, *Utah State Bulletin* under DAR No. 21633.)

End of the Notices of Five-Year Review Extensions Section

NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. These effective dates are at least 31 days and not more than 120 days after the date the following rules were published.

Abbreviations

AMD = Amendment

CPR = Change in Proposed Rule

NEW = New Rule

R&R = Repeal and Reenact

REP = Repeal

Community and Economic Development

Community Development

No. 21371 (AMD): R199-8. Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance.

Published: September 15, 1998

Effective: November 10, 1998

Environmental Quality

Air Quality

No. 21455 (AMD): R307-220-3. Hospital, Medical, Infectious Waste Incinerators.

Published: October 1, 1998

Effective: November 25, 1998

No. 21456 (NEW): R307-222. Existing Incinerators for Hospital, Medical, Infectious Waste.

Published: October 1, 1998

Effective: November 25, 1998

Solid and Hazardous Waste

No. 21436 (AMD): R315-301. Solid Waste Authority, Definitions, and General Requirements.

Published: October 1, 1998

Effective: November 16, 1998

No. 21437 (AMD): R315-302. Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements.

Published: October 1, 1998

Effective: November 16, 1998

No. 21438 (AMD): R315-303. Landfilling Standards.

Published: October 1, 1998

Effective: November 16, 1998

No. 21440 (AMD): R315-305-5. Requirements for Operation.

Published: October 1, 1998

Effective: November 16, 1998

No. 21441 (AMD): R315-306. Energy Recovery and Incinerator Standards.

Published: October 1, 1998

Effective: November 16, 1998

No. 21442 (AMD): R315-308. Ground Water Monitoring Requirements.

Published: October 1, 1998

Effective: November 16, 1998

No. 21443 (AMD): R315-309. Financial Assurance.

Published: October 1, 1998

Effective: November 16, 1998

No. 21444 (AMD): R315-312-1. Applicability.

Published: October 1, 1998

Effective: November 16, 1998

No. 21445 (AMD): R315-314-1. Applicability.

Published: October 1, 1998

Effective: November 16, 1998

No. 21446 (AMD): R315-315. Special Waste Requirements.

Published: October 1, 1998

Effective: November 16, 1998

No. 21447 (AMD): R315-317. Other Processes, Variances, and Violations.

Published: October 1, 1998

Effective: November 16, 1998

No. 21448 (AMD): R315-320. Waste Tire Transporter and Recycler Requirements.

Published: October 1, 1998

Effective: November 16, 1998

Water Quality

No. 21247 (AMD): R317-100. Utah State Project Priority System and List for the Utah Wastewater Project Assistance Programs.

Published: July 15, 1998

Effective: November 9, 1998

Financial Institutions

Administration

No. 21431 (AMD): R331-24. Accounting for Accrued Uncollected Income by Banks and Industrial Loan Corporations.

Published: October 1, 1998

Effective: November 3, 1998

Human Services

Child and Family Services

No. 21466 (NEW): R512-3. Procedures for
Establishing Policy.

Published: October 1, 1998

Effective: November 5, 1998

Labor Commission

Industrial Accidents

No. 21451 (AMD): R612-2-3. Filings.

Published: October 1, 1998

Effective: November 3, 1998

No. 21452 (AMD): R612-2-5. Regulation of Medical
Practitioner Fees.

Published: October 1, 1998

Effective: November 3, 1998

End of the Notices of Rule Effective Dates Section

RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective from January 2, 1998, including notices of effective date received through November 16, 1998, the effective dates of which are no later than December 1, 1998. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *Index of Changes*. Nonsubstantive changes, while not published in the *Bulletin*, do become part of the *Utah Administrative Code (Code)* and are included in this *Index*, as well as 120-Day (Emergency) rules that do not become part of the *Code*. The rules are indexed by Agency (Code Number) and Keyword (Subject).

A copy of the *Rules Index* is available for public inspection at the Division of Administrative Rules (4120 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (<http://www.rules.state.ut.us/>).

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

AMD = Amendment	NSC = Nonsubstantive rule change
CPR = Change in proposed rule	REP = Repeal
EMR = Emergency rule (120 day)	R&R = Repeal and reenact
NEW = New rule	* = Text too long to print in <i>Bulletin</i> , or repealed text not printed in <i>Bulletin</i>
5YR = Five-Year Review	
EXD = Expired	

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ADMINISTRATIVE SERVICES					
<u>Administration</u>					
R13-1	Public Petitions for Declaratory Orders	21435	5YR	09/11/98	98-19/104
R13-2	Access to Records	20537	NSC	01/06/98	Not Printed
R13-3	American With Disabilities Act Grievance Procedures	20631	5YR	01/08/98	98-3/89
<u>Administrative Rules</u>					
R15-4	Administrative Rulemaking Procedures	20976	AMD	07/01/98	98-9/3
R15-4-3	Publication Dates and Deadlines	20952	AMD	07/01/98	98-8/2
R15-5	Administrative Rules Adjudicative Proceedings	21393	5YR	08/21/98	98-18/49
R15-5	Administrative Rules Adjudicative Proceedings	21394	NSC	10/17/98	Not Printed
<u>Facilities Construction and Management</u>					
R23-1	Procurement of Construction	21212	AMD	10/29/98	98-13/4
R23-4	Suspension/Debarment From Consideration for Award of State Contracts	20702	5YR	01/28/98	98-4/128
R23-4	Suspension/Debarment From Consideration for Award of State Contracts	21213	AMD	10/29/98	98-13/7
R23-5	Contingency Funds	20703	5YR	01/28/98	98-4/128

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R23-6	Value Engineering and Life Cycle Costing of State Owned Facilities Rules and Regulations	20704	5YR	01/28/98	98-4/129
R23-7	Utah State Building Board Policy Statement Master Planning	20705	5YR	01/28/98	98-4/129
R23-8	Planning Fund Use	20706	5YR	01/28/98	98-4/130
R23-9	Building Board State/Local Cooperation Policy	20707	5YR	01/28/98	98-4/130
R23-10	Naming of State Buildings	20708	5YR	01/28/98	98-4/131
R23-11	Facilities Allocation and Sale Procedures	20709	5YR	01/28/98	98-4/131
R23-12	State of Utah Parking Policy	21186	5YR	06/01/98	98-12/37
R23-12	State of Utah Parking Policy	21206	REP	10/29/98	98-13/9
R23-13	State of Utah Parking Rules for Facilities Managed by the Division of Facilities Construction and Management	21150	5YR	05/15/98	98-11/200
R23-21	Division of Facilities Construction and Management Lease Procedures	20710	5YR	01/28/98	98-4/132
R23-24	Capital Projects Utilizing Non-appropriated Funds	20711	5YR	01/28/98	98-4/132
R23-29	Across the Board Delegation	21208	AMD	10/29/98	98-13/10
<u>Finance</u>					
R25-5	Payment of Per Diem to Boards	21623	5YR	10/30/98	98-22/140
R25-6	Relocation Allowance	21624	5YR	10/30/98	98-22/140
R25-7	Travel-Related Reimbursements for State Employees	21626	5YR	10/30/98	98-22/141
R25-8	Meal Allowance	21628	5YR	10/30/98	98-22/141
<u>Purchasing and General Services</u>					
R33-6	Modification and Termination of Contracts for Supplies and Services	21514	5YR	10/05/98	98-21/96
R33-7	Cost Principles	21515	5YR	10/05/98	98-21/96
R33-9	Insurance Procurement	21516	5YR	10/05/98	98-21/97
AGRICULTURE AND FOOD					
<u>Administration</u>					
R51-2	Administrative Procedures for Informal Proceedings Before the Utah Department of Agriculture and Food	20931	5YR	03/19/98	98-8/63
<u>Animal Industry</u>					
R58-1	Admission and Inspection of Livestock, Poultry, and Other Animals	21337	AMD	09/15/98	98-16/3
R58-18-9	Identification	21182	AMD	07/16/98	98-12/10
R58-19	Compliance Procedures	20279	NEW	01/05/98	97-24/12
<u>Marketing and Conservation</u>					
R65-2	Utah Cherry Marketing Order	21512	5YR	10/05/98	98-21/97
R65-5	Utah Red Tart and Sour Cherry Marketing Order	21513	5YR	10/05/98	98-21/98
R65-11	Utah Sheep Marketing Order	20699	NEW	03/19/98	98-4/8

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Plant Industry</u>					
R68-3	Utah Fertilizer Act Governing Fertilizers and Soil Amendments	21389	AMD	10/16/98	98-18/13
R68-3-2	Registration of Products	21559	NSC	11/12/98	Not Printed
R68-5	Grain Inspection	21509	5YR	10/05/98	98-21/98
R68-9	Utah Noxious Weed Act	21510	5YR	10/05/98	98-21/98
R68-14	Quarantine Pertaining to Gypsy Moth - Lymantria Dispar	21511	5YR	10/05/98	98-21/99
R68-15	Quarantine Pertaining to Japanese Beetle, (Popillia Japonica)	20838	5YR	03/05/98	98-7/72
R68-15	Quarantine Pertaining to Japanese Beetle, (Popillia Japonica)	20962	AMD	05/16/98	98-8/2
R68-15-1	Quarantine Pertaining to Japanese Beetle, (Popillia Japonica)	21471	NSC	10/17/98	Not Printed
R68-15-3	Areas Under Quarantine	21096	AMD	07/02/98	98-11/24
R68-16	Quarantine Pertaining to Pine Shoot Beetle, Tomiicus piniperda	21432	5YR	09/11/98	98-19/104
R68-17	Quarantine Pertaining to Necrotic Strain of the Potato Virus Y	21433	5YR	09/11/98	98-19/105
R68-19	Compliance Procedures	20280	NEW	01/15/98	97-24/13
R68-19-4	Citation	20813	AMD	04/15/98	98-6/16
<u>Regulatory Services</u>					
R70-201	Compliance Procedures	20281	NEW	01/15/98	97-24/14
R70-201-4	Citation	20814	AMD	04/15/98	98-6/16
R70-530	Food Establishment Sanitation Rule	20721	R&R	05/16/98	98-4/10
R70-530	Food Protection	21231	AMD	09/15/98	98-14/4
ALCOHOLIC BEVERAGE CONTROL					
<u>Administration</u>					
R81-1-6	Violation Schedule	21033	AMD	07/01/98	98-10/3
R81-1-18	Pilot Wine Tasting Program	21032	AMD	07/01/98	98-10/5
R81-1-18	Pilot Wine Tasting Program	21266	NSC	07/29/98	Not Printed
ATTORNEY GENERAL					
<u>Administration</u>					
R105-2	Records Access and Management	21538	NSC	10/23/98	Not Printed
CAREER SERVICE REVIEW BOARD					
<u>Administration</u>					
R137-2	Government Records Access and Management Act	21265	5YR	07/01/98	98-14/101
COMMERCE					
<u>Corporations and Commercial Code</u>					
R154-100	Utah Administrative Procedures Act Rules	21658	5YR	11/10/98	98-23/48

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Occupational and Professional Licensing</u>					
R156-1	General Rules of the Division of Occupational and Professional Licensing	20973	AMD	06/04/98	98-9/4
R156-3a	Architect Licensing Act Rules	20200	AMD	see CPR	97-23/4
R156-3a	Architect Licensing Act Rules	20200	CPR	02/18/98	98-2/79
R156-15-302d	Qualifications for Licensure - Examination Requirements	20894	AMD	05/05/98	98-7/8
R156-16a	Optometry Practice Act Rules	20778	AMD	04/01/98	98-5/4
R156-17a	Pharmacy Practice Act Rules	20492	AMD	02/24/98	98-1/3
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	20696	5YR	01/27/98	98-4/133
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	20940	AMD	see CPR	98-8/4
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	20940	CPR	07/16/98	98-12/29
R156-31	Nurse Practice Act Rules	21029	REP	07/01/98	98-10/7*
R156-31b	Nurse Practice Act Rules	21030	NEW	07/01/98	98-10/8
R156-31b	Nurse Practice Act Rules	21234	AMD	08/20/98	98-14/36
R156-31b-102	Definitions	21278	AMD	09/01/98	98-15/3
R156-37	Controlled Substance Act Rules of the Division of Occupational and Professional Licensing	20878	AMD	05/04/98	98-7/8
R156-37	Utah Controlled Substances Act Rules	21092	NSC	05/21/98	Not Printed
R156-37-605	Emergency Verbal Prescription of Schedule II Controlled Substances	20941	AMD	05/19/98	98-8/8
R156-38	Residence Lien Restriction and Lien Recovery Fund Rules	21019	AMD	see CPR	98-10/14
R156-38	Residence Lien Restriction and Lien Recovery Fund Rules	21019	CPR	08/20/98	98-14/88
R156-40	Recreational Therapy Practice Act Rules	20697	5YR	01/27/98	98-4/133
R156-40	Recreational Therapy Practice Act Rules	20695	AMD	see CPR (First)	98-4/73
R156-40	Recreational Therapy Practice Act Rules	20695	CPR (First)	see CPR (Second)	98-8/55
R156-40	Recreational Therapy Practice Act Rules	20695	CPR (Second)	07/16/98	98-12/31
R156-44a	Nurse Midwife Practice Act Rules	21405	AMD	10/22/98	98-18/4
R156-47b	Massage Practice Act Rules	21147	AMD	07/07/98	98-11/24
R156-47b	Massage Therapy Practice Act Rules	21269	NSC	07/22/98	Not Printed
R156-49	Dietitian Rules	21390	AMD	10/19/98	98-18/9
R156-49	Dietitian Rules	21558	5YR	10/19/98	98-22/142
R156-53	Landscape Architects Licensing Act Rules	21148	AMD	07/07/98	98-11/27
R156-53	Landscape Architects Licensing Act Rules	21318	5YR	07/23/98	98-16/89
R156-54	Radiology Technologist and Radiology Practical Technician Licensing Act Rules	20173	AMD	see CPR	97-22/12
R156-54	Radiology Technologist and Radiology Practical Technician Licensing Act Rules	20173	CPR	02/03/98	98-1/199
R156-55a	Utah Construction Trades Licensing Act Rules	20650	AMD	03/05/98	98-3/23
R156-55a-302b	Qualifications for Licensure - Experience Requirements	20836	NSC	03/17/98	Not Printed

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R156-55a-302b	Qualifications for Licensure - Experience Requirements	21275	NSC	07/22/98	Not Printed
R156-56	Utah Uniform Building Standard Act Rules	20987	AMD	07/01/98	98-9/6
R156-56-302	Licensure of Inspectors	20883	AMD	05/04/98	98-7/28
R156-56-706	Amendments to the IPC	20990	AMD	07/01/98	98-9/24
R156-56-706	Amendments to the IPC	20989	AMD	07/01/98	98-9/23
R156-56-706	Amendments to the IPC	20991	AMD	07/01/98	98-9/25
R156-56-706	Amendments to the IPC	21203	NSC	07/01/98	Not Printed
R156-59	Employee Leasing Company Act Rules	20701	5YR	01/27/98	98-4/134
R156-59	Employee Leasing Company Act Rules	20651	AMD	see CPR	98-3/28
R156-59	Employee Leasing Company Act Rules	20651	CPR	05/04/98	98-7/71
R156-60a	Social Worker Licensing Act Rules	20992	AMD	06/04/98	98-9/26
R156-60b	Marriage and Family Therapist Licensing Act Rules	20581	AMD	02/18/98	98-2/18
R156-60b	Marriage and Family Therapist Licensing Act Rules	21007	AMD	06/16/98	98-10/17
R156-60b-302a	Qualifications for Licensure - Education Requirements	21229	AMD	08/20/98	98-14/39
R156-60b-502	Unprofessional Conduct	20790	NSC	02/19/98	Not Printed
R156-60c	Professional Counselor Licensing Act Rules	20359	AMD	02/03/98	98-1/6
R156-60c	Professional Counselor Licensing Act Rules	21008	AMD	06/16/98	98-10/20
R156-60c-302a	Qualifications for Licensure - Education Requirements	21230	AMD	08/20/98	98-14/40
R156-60c-502	Unprofessional Conduct	20728	NSC	02/19/98	Not Printed
R156-60d	Substance Abuse Counselor Act Rules	20273	AMD	01/15/98	97-24/16
R156-61	Psychologist Licensing Act Rules	20342	AMD	02/03/98	98-1/10
R156-61-502	Unprofessional Conduct	20729	NSC	02/19/98	Not Printed
R156-63	Security Personnel Licensing Act Rules	20930	AMD	05/19/98	98-8/9
R156-63-502	Unprofessional Conduct	21174	NSC	06/03/98	Not Printed
R156-67-302d	Qualifications for Licensure - Examination Requirements	20974	AMD	06/04/98	98-9/29
R156-68	Utah Osteopathic Medical Practice Act Rules	21319	5YR	07/23/98	98-16/89
R156-68-302b	Qualifications for Licensure - Examination Requirements	20975	AMD	06/04/98	98-9/30
R156-69	Dentist and Dental Hygienist Practice Act Rules	20776	AMD	04/01/98	98-5/6
R156-72	Acupuncture Licensing Act Rules	21149	AMD	07/07/98	98-11/29
<u>Real Estate</u>					
R162-1	Authority and Definitions	20798	AMD	04/23/98	98-6/17
R162-2	Exam and License Application Requirements	20799	AMD	04/23/98	98-6/19
R162-3	License Status Change	20800	AMD	04/23/98	98-6/21
R162-4	Office Procedures - Real Estate Principal Brokerage	20801	AMD	04/23/98	98-6/23
R162-5	Property Management	20802	AMD	04/23/98	98-6/26
R162-6	Licensee Conduct	20803	AMD	04/23/98	98-6/27
R162-7	Enforcement	20804	AMD	04/23/98	98-6/32
R162-10	Administrative Procedures	20805	AMD	04/23/98	98-6/33

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R162-102	Licensing Procedures	21335	AMD	10/02/98	98-16/5
R162-106	Professional Conduct	21151	AMD	07/14/98	98-11/30
R162-107	Unprofessional Conduct	20625	NEW	03/04/98	98-2/22
<u>Securities</u>					
R164-2	Investment Adviser - Unlawful Acts	21507	EXD	10/01/98	98-21/102
R164-4	Licensing Requirements	20679	AMD	03/04/98	98-3/31
R164-5	Broker-Dealer and Investment Adviser Books and Records	20680	AMD	03/04/98	98-3/38
R164-6-1g	Dishonest or Unethical Business Practices	20681	AMD	03/04/98	98-3/40
R164-26-6	Consent to Service	20682	AMD	03/04/98	98-3/44
COMMUNITY AND ECONOMIC DEVELOPMENT					
<u>Community Development</u>					
R199-8	Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance	21371	AMD	11/10/98	98-18/12
<u>Community Development, Community Services</u>					
R202-100	Community Services Block Grant Rules	20282	AMD	01/15/98	97-24/17
<u>Community Development, Fine Arts</u>					
R207-1	Utah Arts Council General Program Rules	20811	5YR	02/25/98	98-6/77
R207-2	Policy for Donations and Loans to the State Fine Art Collection	20812	5YR	02/25/98	98-6/77
R207-2	Policy for Donations and Loans to the State Fine Art Collection	21175	AMD	09/03/98	98-12/10
<u>Community Development, History</u>					
R212-12	Computerized Record of Cemeteries, Burial Locations and Plots, and Granting Matching Funds	20528	NEW	03/10/98	98-2/23
<u>Community Development, Library</u>					
R223-1	Adjudicative Procedures	21090	5YR	05/01/98	98-11/201
CORRECTIONS					
<u>Administration</u>					
R251-107	Executions	20160	AMD	01/15/98	97-22/16
R251-112	Americans With Disabilities Act Complaint Procedures	20841	5YR	03/06/98	98-7/72
R251-112	Americans With Disabilities Act Complaint Procedures	20842	AMD	06/15/98	98-7/32
R251-112	Americans With Disabilities Act Implementation and Complaint Process	20986	NSC	06/15/98	Not Printed
R251-304	Contract Procedures	20843	5YR	03/06/98	98-7/73
R251-304	Contract Procedures	20844	AMD	06/15/98	98-7/34
R251-307	Community Service	21207	5YR	06/11/98	98-13/30

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R251-307	Community Service	21198	REP	09/01/98	98-13/12
R251-401	Supervision Fees	21670	5YR	11/13/98	98-23/48
R251-703	Vehicle Direction Station	20196	AMD	01/15/98	97-23/6
R251-707	Legal Access	20198	AMD	01/15/98	97-23/8
R251-710	Search	20379	AMD	03/15/98	98-1/14

CRIME VICTIM REPARATIONS

Administration

R270-1	Award and Reparation Standards	21061	AMD	07/01/98	98-10/23
R270-1	Award and Reparation Standards	21228	NSC	07/22/98	Not Printed

EDUCATION

Administration

R277-104	USOE ADA Complaint Procedure	21191	5YR	06/04/98	98-13/30
R277-106	Professional Practices Advisory Commission Appointment Process	21342	NEW	10/05/98	98-17/3
R277-116	USOE Internal Audit Procedure	21076	AMD	06/17/98	98-10/25
R277-400	Emergency Preparedness Plan	21467	AMD	11/03/98	98-19/3
R277-410	Accreditation of Schools	21468	AMD	11/03/98	98-19/4
R277-436	Gang Prevention and Intervention Programs in the Schools	21192	5YR	06/04/98	98-13/31
R277-436	Gang Prevention and Intervention Programs in the Schools	21159	AMD	07/02/98	98-11/31
R277-437	Student Enrollment Options	21343	AMD	10/05/98	98-17/4
R277-437	Student Enrollment Options	21641	EXD	11/01/98	98-22/144
R277-438	Dual Enrollment	21369	NSC	08/20/98	Not Printed
R277-444	Distribution of Funds to Arts and Sciences Organizations	21344	AMD	10/05/98	98-17/6
R277-451	The State School Building Program	21259	REP	08/15/98	98-14/41
R277-452	Procedures for Filing Comprehensive Capital Outlay Plan	21345	NEW	10/05/98	98-17/7
R277-458	70% Utilization of School Buildings	21260	AMD	08/15/98	98-14/43
R277-460	Distribution of Substance Abuse Prevention Account	21403	5YR	09/01/98	98-18/49
R277-469	Textbook Commission Operating Procedures	20779	NEW	04/07/98	98-5/7
R277-470	Distribution of Funds for Charter Schools	21469	NEW	11/03/98	98-19/4
R277-502	Teacher Certification Procedures	21261	AMD	08/15/98	98-14/45
R277-504	Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, and Special Education (Birth-Age 5) Certification	20780	AMD	04/07/98	98-5/10
R277-508	Employment of Substitute Teachers	20899	5YR	03/13/98	98-7/73
R277-514	Suspension and Revocation of Teaching Certificates	20781	R&R	04/07/98	98-5/13
R277-516	Library Media Certificates and Programs	20657	5YR	01/14/98	98-3/89
R277-518	Vocational-Technical Certificates	20658	5YR	01/14/98	98-3/90
R277-600	Student Transportation Standards and Policies	20659	5YR	01/14/98	98-3/90
R277-605	Extracurricular Student Activities	20660	5YR	01/14/98	98-3/91

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R277-606	Interscholar Competitive Sports in High School	20661	5YR	01/14/98	98-3/91
R277-610	Released-Time Classes for Religious Instruction	20662	5YR	01/14/98	98-3/91
R277-615	Foreign Exchange Students	20663	5YR	01/14/98	98-3/92
R277-616	Education for Homeless and Emancipated Students and State Funding for Homeless and Economically Disadvantaged Ethnic Minority Students	21160	AMD	07/02/98	98-11/32
R277-700	The Elementary and Secondary School Core Curriculum and High School Graduation Requirements	20664	5YR	01/14/98	98-3/92
R277-701	Values Education	20665	5YR	01/14/98	98-3/93
R277-702	Procedures for the Utah General Educational Developmental Certificate	20666	5YR	01/14/98	98-3/93
R277-709	Education Programs Serving Youth in Custody	20667	5YR	01/14/98	98-3/94
R277-710	Accelerated Learning Programs	20668	5YR	01/14/98	98-3/94
R277-716	Alternative Language Services (ALS)	20669	5YR	01/14/98	98-3/94
R277-718	Utah Career Teaching Scholarship Program	20670	5YR	01/14/98	98-3/95
R277-721	Deadline for CACFP Sponsor Participation in Food Distribution Program	20671	5YR	01/14/98	98-3/95
R277-722	Withholding Payments and Commodities in the CACFP	20672	5YR	01/14/98	98-3/96
R277-730	Alternative High School Curriculum	20673	5YR	01/14/98	98-3/96
R277-732	Community Education	20674	5YR	01/14/98	98-3/97
R277-735	Standards and Procedures for Corrections Education Programs Serving Inmates of the Utah Department of Corrections	21642	EXD	11/01/98	98-22/144
R277-740	Subchapter One of the Education Improvement and Consolidation Act of 1981	20900	5YR	03/13/98	98-7/74
R277-746	Driver Education Programs for Utah Schools	20901	5YR	03/13/98	98-7/74
R277-747	Private School Student Driver Education	20902	5YR	03/13/98	98-7/74
R277-751	Special Education Extended School Year	20903	5YR	03/13/98	98-7/75
R277-907	ATC/ATCSR Membership Hour Accounting	21161	NEW	07/02/98	98-11/34
R277-912	Standards and Procedures for Post-Secondary Applied Technology Education Accreditation	20904	5YR	03/13/98	98-7/75
R277-912	Standards and Procedures for Post-Secondary Applied Technology Education Accreditation	21077	NSC	05/07/98	Not Printed
<u>Applied Technology Education (Board for), Rehabilitation</u>					
R280-200	Rehabilitation	20905	5YR	03/13/98	98-7/76
R280-200	Rehabilitation	21078	NSC	05/07/98	Not Printed
R280-200	Rehabilitation	21256	NSC	07/07/98	Not Printed
R280-201	USOR ADA Complaint Procedure	21643	EXD	11/01/98	98-22/144
R280-202	USOR Procedures for Individuals with the Most Severe Disabilities	21644	EXD	11/01/98	98-22/144
ENVIRONMENTAL QUALITY					
<u>Air Quality</u>					
R307-1	Utah Air Conservation Rules	21100	AMD	09/15/98	98-11/37
R307-1	Utah Air Conservation Rules	21587	NSC	11/12/98	Not Printed

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R307-1-1	Foreword and Definitions	20096	AMD	01/08/98	97-21/4
R307-1-1	Foreword and Definitions	20202	AMD	01/08/98	97-23/10
R307-1-1	Foreword and Definitions	20736	AMD	04/22/98	98-5/16
R307-1-2	General Requirements	21015	AMD	08/13/98	98-10/26
R307-1-3	Control of Installations	20219	AMD	02/05/98	97-23/20
R307-1-3	Control of Installations	20740	NSC	02/05/98	Not Printed
R307-1-5 (Changed to R307-105)	Emergency Controls	21104	AMD	09/15/98	98-11/37
R307-1-6 (Changed to R307-120)	Eligibility of Pollution Control Expenditures for Sales Tax Exemption and Income Tax Credit	21105	AMD	09/15/98	98-11/39
R307-1-6 (Changed to R307-121)	Eligibility of Pollution Control Expenditures for Sales Tax Exemption and Income Tax Credit	21105	AMD	09/15/98	98-11/39
R307-1-6 (Changed to R307-122)	Eligibility of Pollution Control Expenditures for Sales Tax Exemption and Income Tax Credit	21105	AMD	09/15/98	98-11/39
R307-1-8 (Changed to R307-801)	Asbestos Certification, Asbestos Work Practices, and Implementation of Toxic Substances Control Act, Title II	21106	AMD	09/15/98	98-11/43
R307-2 (Changed to R307-110)	State Implementation Plan	21107	AMD	09/15/98	98-11/55
R307-2-12	Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide	20099	AMD	01/08/98	97-21/14
R307-2-12	Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide	21280	NSC	07/27/98	Not Printed
R307-2-13	Section IX, Control Measures for Area and Point Sources, Part D, Ozone	21031	AMD	see CPR	98-10/28
R307-2-13	Section IX, Control Measures for Area and Point Sources, Part D, Ozone	21031	CPR	11/02/98	98-19/93
R307-3 (Changed to R307-342)	Qualification of Contractors, Test Procedures for Testing of Vapor Recovery Systems for Gasoline Delivery Tanks	21108	AMD	09/15/98	98-11/58
R307-4 (Changed to R307-130)	Air Quality Board Penalty Policy and AHERA Enforcement Response Policy	21109	AMD	09/15/98	98-11/61
R307-4 (Changed to R307-135)	Air Quality Board Penalty Policy and AHERA Enforcement Response Policy	21109	AMD	09/15/98	98-11/61
R307-6	De minimis Emissions from Air Strippers and Soil Venting Projects	21009	REP	08/13/98	98-10/29
R307-7	Exemption from Notice of Intent Requirements for Used Oil Fuel Burned for Energy Recovery	21101	REP	09/15/98	98-11/65
R307-7-3	Requirements	21563	NSC	11/12/98	Not Printed
R307-8	Oxygenated Gasoline Program	20771	AMD	04/22/98	98-5/26
R307-8 (Changed to R307-301)	Oxygenated Gasoline Program	21110	AMD	09/15/98	98-11/66
R307-8-3	Average Oxygen Content Standard	20100	AMD	01/08/98	97-21/15

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R307-10 (Changed to R307-214)	National Emission Standards for Hazardous Air Pollutants	21111	AMD	09/15/98	98-11/74
R307-10-2	Part 63 Sources	20737	AMD	06/26/98	98-5/34
R307-11 (Changed to R307-320)	Employer-Based Trip Reduction Program	21112	AMD	09/15/98	98-11/75
R307-13 (Changed to R307-170)	Continuous Emission Monitoring Systems Program	21113	AMD	09/15/98	98-11/78
R307-14	Requirements for Ozone Nonattainment Areas and Davis and Salt Lake Counties	21102	REP	09/15/98	98-11/82
R307-15 (Changed to R307-415)	Operating Permit Requirements	21114	AMD	09/15/98	98-11/83
R307-16 (Changed to R307-215)	Acid Rain Requirements	21115	AMD	09/15/98	98-11/99
R307-16 (Changed to R307-417)	Acid Rain Requirements	21115	AMD	09/15/98	98-11/99
R307-17	Emissions Standards for Residential Solid Fuel Burning Devices and Fireplaces	21103	REP	09/15/98	98-11/100
R307-18 (Changed to R307-210)	Stationary Sources	21011	AMD	08/13/98	98-10/32
R307-19 (Changed to R307-115)	General Conformity	21116	AMD	09/15/98	98-11/101
R307-20 (Changed to R307-220)	Emission Standards: Plan for Designated Facilities	21117	AMD	09/15/98	98-11/101
R307-21 (Changed to R307-221)	Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills	21118	AMD	09/15/98	98-11/102
R307-101	General Requirements	21119	NEW	09/15/98	98-11/104
R307-102	General Requirements: Broadly Applicable Requirements	21120	NEW	09/15/98	98-11/110
R307-107	General Requirements: Unavoidable Breakdown	21121	NEW	09/15/98	98-11/112
R307-110-27	Section XIV, Small Business Assistance Program	21564	NSC	11/12/98	Not Printed
R307-121-2	Amount of Credit	21565	NSC	11/12/98	Not Printed
R307-150	Periodic Inventories	21122	NEW	09/15/98	98-11/113
R307-155	Emission Inventories	21123	NEW	09/15/98	98-11/114
R307-165	Emission Testing	21124	NEW	09/15/98	98-11/117
R307-201	Emission Standards: General Emission Standards	21125	NEW	09/15/98	98-11/118
R307-202	Emission Standards: General Burning	21126	NEW	09/15/98	98-11/119
R307-203	Emission Standards: Sulfur Content of Fuels	21127	NEW	09/15/98	98-11/121
R307-206	Emission Standards: Abrasive Blasting	21128	NEW	09/15/98	98-11/123
R307-220	Utah Plan for Designated Facilities	21566	NSC	11/12/98	Not Printed
R307-220-3	Hospital, Medical, Infectious Waste Incinerators	21455	AMD	11/25/98	98-19/6

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R307-222	Existing Incinerators for Hospital, Medical, Infectious Waste	21456	NEW	11/25/98	98-19/7
R307-301-11	Prohibited Activities	21567	NSC	11/12/98	Not Printed
R307-302	Davis, Salt Lake, Utah Counties: Residential Fireplaces and Stoves	21129	NEW	09/15/98	98-11/124
R307-305	Davis, Salt Lake and Utah Counties and Ogden City and Nonattainment Areas for PM10: Fine Particulates	21130	NEW	09/15/98	98-11/126
R307-307	Davis, Salt Lake, and Utah Counties: Road Salting and Sanding	21131	NEW	09/15/98	98-11/128
R307-307-3	Alternatives	21273	NSC	09/15/98	Not Printed
R307-325	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Ozone Provisions	21132	NEW	09/15/98	98-11/129
R307-326	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Control of Hydrocarbon Emissions in Refineries	21133	NEW	09/15/98	98-11/131
R307-327	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Petroleum Liquid Storage	21134	NEW	09/15/98	98-11/133
R307-328	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Gasoline Transfer and Storage	21135	NEW	09/15/98	98-11/135
R307-332	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Stage II Vapor Recovery Systems	21136	NEW	09/15/98	98-11/137
R307-335	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Degreasing and Solvent Cleaning Operations	21137	NEW	09/15/98	98-11/141
R307-340	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Surface Coating Processes	21138	NEW	09/15/98	98-11/143
R307-341	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Cutback Asphalt	21139	NEW	09/15/98	98-11/150
R307-401	Permit: Notice of Intent and Approval Order	21140	NEW	09/15/98	98-11/151
R307-401-2	Notice of Intent Requirements	21274	NSC	09/15/98	Not Printed
R307-403	Permits: New and Modified Sources in Nonattainment Areas and Maintenance Areas	21141	NEW	09/15/98	98-11/154
R307-405	Permits: Prevention of Significant Deterioration of Air Quality (PSD)	21142	NEW	09/15/98	98-11/157
R307-406	Visibility	21143	NEW	09/15/98	98-11/162
R307-410	Permits: Emissions Impact Analysis	21144	NEW	09/15/98	98-11/163
R307-410-3	Modeling of Criteria Pollutant Impacts in Attainment Areas	21395	NSC	09/15/98	Not Printed
R307-413	Exemptions and Special Provisions	21010	NEW	08/13/98	98-10/35
R307-413	Exemptions and Special Provisions	21145	NEW	09/15/98	98-11/167
R307-413	Exemptions and Special Provisions	21354	NSC	09/15/98	Not Printed
R307-414	Permits: Fees for Approval Orders	21146	NEW	09/15/98	98-11/170
R307-415	Permits: Operating Permit Requirements	21568	NSC	11/12/98	Not Printed
R307-840	Lead-Based Paint Accreditation, Certification and Work Practice Standards	21016	NEW	08/13/98	98-10/36

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Drinking Water</u>					
R309-105	Quantity Requirements	20789	EXD	02/01/98	98-5/80
R309-106	Source Development	20290	REP	03/01/98	97-24/26
R309-107	Disinfection	20291	REP	03/01/98	97-24/33
R309-108	Conventional Complete Treatment	20292	REP	03/01/98	97-24/37
R309-109	Miscellaneous Treatment Methods	20293	REP	03/01/98	97-24/47
R309-110	Pumping Facilities	20294	REP	03/01/98	97-24/56
R309-111	Water Storage	20295	REP	03/01/98	97-24/60
R309-112	Distribution System	20296	REP	03/01/98	97-24/63
R309-113	Drinking Water Source Protection	20977	AMD	06/15/98	98-9/31
R309-114	Drinking Water Source Protection Funding	20693	NEW	see CPR	98-4/76
R309-114	Drinking Water Source Protection Funding	20693	CPR	06/15/98	98-9/60
R309-211	Facility Design and Operation: Transmission and Distribution Pipelines	21302	AMD	11/01/98	98-16/6
R309-352	Drinking Water Capacity Development Funding	21027	NEW	06/19/98	98-10/38
<u>Environmental Response and Remediation</u>					
R311-201	Underground Storage Tanks: Certification Programs	21360	AMD	10/09/98	98-17/8
R311-204	Underground Storage Tanks: Closure	21361	AMD	10/09/98	98-17/15
R311-205	Underground Storage Tanks: Site Assessment Protocol	21362	AMD	10/09/98	98-17/17
R311-206	Underground Storage Tanks: Financial Assurance Mechanisms	21363	AMD	10/09/98	98-17/22
R311-207	Accessing the Petroleum Storage Tank Trust Fund for Leaking Petroleum Storage Tanks	21364	AMD	10/09/98	98-17/24
R311-209	State Cleanup Appropriation	21365	AMD	10/09/98	98-17/29
R311-210	Administrative Procedures for Underground Storage Tank Act Adjudicative Proceedings	21074	NSC	05/06/98	Not Printed
R311-210	Administrative Procedures for Underground Storage Tank Act Adjudicative Proceedings	21366	AMD	10/09/98	98-17/30
R311-212	Administration of the Petroleum Storage Tank Loan Fund	21367	AMD	10/09/98	98-17/32
<u>Radiation Control</u>					
R313-12	General Provisions	20234	AMD	see CPR	97-23/115
R313-12	General Provisions	20234	CPR	03/20/98	98-4/115
R313-15	Standards for Protection Against Radiation	20235	AMD	see CPR	97-23/44
R313-15	Standards for Protection Against Radiation	20235	CPR	03/20/98	98-4/120
R313-15	Standards for Protection Against Radiation	20953	NSC	04/04/98	Not Printed
R313-15	Standards for Protection Against Radiation	21038	5YR	04/30/98	98-10/149
R313-15	Standards for Protection Against Radiation	21271	NSC	07/22/98	Not Printed
R313-18	Notices, Instructions and Reports to Workers by Licensees or Registrants -- Inspections	20236	AMD	01/23/98	97-23/61
R313-22-37	Renewal of Licenses	20961	NSC	04/01/98	Not Printed
R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	20237	AMD	01/23/98	97-23/62

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	20954	NSC	04/03/98	Not Printed
R313-32	Medical Use of Radioactive Material	20238	AMD	01/23/98	97-23/65
R313-32	Medical Use of Radioactive Material	20829	NSC	04/01/98	Not Printed
R313-32	Medical Use of Radioactive Material	21088	AMD	08/11/98	98-10/40
R313-36-3	Clarifications or Exceptions	21095	NSC	05/02/98	Not Printed
<u>Solid and Hazardous Waste</u>					
R315-1	Utah Hazardous Waste Definitions and References	20382	AMD	02/20/98	98-1/15
R315-2	General Requirements - Identification and Listing of Hazardous Waste	20383	AMD	02/20/98	98-1/17
R315-2-17	Petition to Amend Rules	20733	NSC	02/18/98	Not Printed
R315-3	Application and Plan Approval Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	20384	AMD	02/20/98	98-1/27
R315-3	Application and Plan Approval Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	20795	NSC	03/05/98	Not Printed
R315-4	Hazardous Waste Manifest	20385	AMD	02/20/98	98-1/35
R315-4-4	Off-Site Hazardous Waste Storage, Treatment or Disposal Facilities Manifest Procedures	20797	NSC	03/06/98	Not Printed
R315-6-7	Transfer Facility Requirements	20538	AMD	02/20/98	98-2/24
R315-7	Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	20386	AMD	02/20/98	98-1/36
R315-7-17	Tanks	20734	NSC	02/18/98	Not Printed
R315-8	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	20387	AMD	02/20/98	98-1/38
R315-13	Land Disposal Restrictions	20388	AMD	02/20/98	98-1/39
R315-13	Land Disposal Restrictions	20796	NSC	03/05/98	Not Printed
R315-14-7	Hazardous Waste Burned in Boilers and Industrial Furnaces	20389	AMD	02/20/98	98-1/40
R315-15-11	Closure	21026	AMD	06/17/98	98-10/41
R315-16	Standards for Universal Waste Management	20390	AMD	02/20/98	98-1/40
R315-50	Appendices	20391	AMD	02/20/98	98-1/50
R315-301	Solid Waste Authority, Definitions, and General Requirements	20965	5YR	04/02/98	98-9/65
R315-301	Solid Waste Authority, Definitions, and General Requirements	21436	AMD	11/16/98	98-19/36
R315-301-2	Definitions	19876	AMD	see CPR	97-19/23
R315-301-2	Definitions	19876	CPR	01/05/98	97-23/111
R315-301-2	Definitions	20249	NSC	01/05/98	Not Printed
R315-301-2	Definitions	20686	NSC	02/03/98	Not Printed
R315-301-2	Definitions	21093	NSC	05/20/98	Not Printed
R315-302	Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements	20966	5YR	04/02/98	98-9/66

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R315-302	Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements	21437	AMD	11/16/98	98-19/41
R315-302-2	General Facility Requirements	20761	NSC	02/18/98	Not Printed
R315-303	Landfilling Standards	20967	5YR	04/02/98	98-9/67
R315-303	Landfilling Standards	21438	AMD	11/16/98	98-19/46
R315-303-3	Standards for Design	20933	NSC	03/27/98	Not Printed
R315-305	Class IV Landfill Requirements	20968	5YR	04/02/98	98-9/68
R315-305-5	Requirements for Operation	21440	AMD	11/16/98	98-19/53
R315-306	Energy Recovery and Incinerator Standards	20969	5YR	04/02/98	98-9/69
R315-306	Energy Recovery and Incinerator Standards	21441	AMD	11/16/98	98-19/54
R315-306-2	Requirements for Energy Recovery Facilities and Incinerators	20687	NSC	02/03/98	Not Printed
R315-307	Landtreatment Disposal Standards	20999	5YR	04/20/98	98-10/150
R315-308	Ground Water Monitoring Requirements	21000	5YR	04/20/98	98-10/150
R315-308	Ground Water Monitoring Requirements	21442	AMD	11/16/98	98-19/56
R315-309	Financial Assurance	21001	5YR	04/20/98	98-10/151
R315-309	Financial Assurance	21443	AMD	11/16/98	98-19/59
R315-309-3	Financial Assurance Mechanisms	20688	NSC	02/03/98	Not Printed
R315-310	Permit Requirements for Solid Waste Facilities	21002	5YR	04/20/98	98-10/152
R315-310-7	Contents of a Permit Application for a New or Expanding Energy Recovery or Incinerator Facility	20689	NSC	02/03/98	Not Printed
R315-311	Permit Approval for Solid Waste Disposal, Energy Recovery, and Incinerator Facilities	21003	5YR	04/20/98	98-10/153
R315-312	Recycling and Composting Facility Standards	21004	5YR	04/20/98	98-10/154
R315-312-1	Applicability	21444	AMD	11/16/98	98-19/65
R315-313	Transfer Stations and Drop Box Facilities	21020	5YR	04/28/98	98-10/154
R315-314	Facility Standards for Piles Used for Storage and Treatment	21021	5YR	04/28/98	98-10/155
R315-314-1	Applicability	21445	AMD	11/16/98	98-19/66
R315-315	Special Waste Requirements	20690	NSC	02/03/98	Not Printed
R315-315	Special Waste Requirements	21022	5YR	04/28/98	98-10/156
R315-315	Special Waste Requirements	21446	AMD	11/16/98	98-19/67
R315-316	Infectious Waste Requirements	21023	5YR	04/28/98	98-10/156
R315-316-1	Applicability	20691	NSC	02/03/98	Not Printed
R315-316-1	Applicability	21267	NSC	07/22/98	Not Printed
R315-317	Other Processes, Variances, and Violations	21024	5YR	04/28/98	98-10/157
R315-317	Other Processes, Variances, and Violations	21447	AMD	11/16/98	98-19/68
R315-317-1	Other Processes, Methods, and Equipment	20692	NSC	02/03/98	Not Printed
R315-318	Permit by Rule	21025	5YR	04/28/98	98-10/158
R315-320	Waste Tire Transporter and Recycler Requirements	21448	AMD	11/16/98	98-19/69
<u>Water Quality</u>					
R317-100	Utah State Project Priority System and List for the Utah Wastewater Project Assistance Programs	21247	AMD	11/09/98	98-14/48

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R317-101	Utah Wastewater Project Assistance Program	21478	5YR	09/17/98	98-20/37
FINANCIAL INSTITUTIONS					
<u>Administration</u>					
R331-20	Designation of Adjudicative Proceedings as Informal	21425	5YR	09/03/98	98-19/105
R331-20	Designation of Adjudicative Proceedings as Informal	21426	NSC	10/17/98	Not Printed
R331-21	Rule Governing Establishment of and Participation in Collective Investment Funds by Trust Companies	21474	5YR	09/16/98	98-20/37
R331-21	Rule Governing Establishment of and Participation in Collective Investment Funds by Trust Companies	21475	NSC	10/17/98	Not Printed
R331-22	Rule Governing Reimbursement of Financial Institutions for Production of Records	20879	AMD	05/04/98	98-7/35
R331-24	Accounting for Accrued Uncollected Income by Banks and Industrial Loan Corporations	21430	5YR	09/10/98	98-19/106
R331-24	Accounting for Accrued Uncollected Income by Banks and Industrial Loan Corporations	21431	AMD	11/03/98	98-19/75
GOVERNOR					
<u>Administration</u>					
R355-1-1	Purpose	20923	NSC	03/27/98	Not Printed
<u>Planning and Budget, Information Technology Coordinator (Changed to Planning and Budget, Chief Information Officer -- 09/10/98)</u>					
R365-3	Computer Software Licensing, Copyright, and Control	21429	NSC	09/10/98	Not Printed
R365-4	Information Technology Protection	19943	NSC	09/10/98	Not Printed
<u>Planning and Budget, Chief Information Officer</u>					
R365-4	Information Technology Protection	21491	NSC	09/28/98	Not Printed
HEALTH					
<u>Children's Health Insurance Program</u>					
R382-1	Benefits and Administration	21153	NEW	07/14/98	98-11/171
R382-10	Eligibility	21154	NEW	07/14/98	98-11/173
R382-10-10	Creditable Health Coverage	21187	AMD	07/17/98	98-12/11
R382-20	Provider Assessment	21155	NEW	07/14/98	98-11/178
R382-20	Provider Assessment	21237	NSC	07/22/98	Not Printed
<u>Community Health Services, Epidemiology</u>					
R386-703	Injury Reporting Rule	20898	NSC	03/18/98	Not Printed
R386-704	Immunization Rule for Students	20958	REP	08/12/98	98-8/10
<u>Community Health Services, Environmental Services</u>					
R392-200-6	Construction and Maintenance of Physical Facilities	20963	AMD	see CPR	98-8/12

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R392-200-6	Construction and Maintenance of Physical Facilities	20963	CPR	09/10/98	98-14/90
<u>Family Health Services, Child Health</u>					
R396-100	Immunization Rule for Students	20959	NEW	see CPR	98-8/15
R396-100	Immunization Rule for Students	20959	CPR	08/12/98	98-12/32
<u>Family Health Services, Children with Special Health Care Needs</u>					
R398-2	Newborn Hearing Screening	21225	NEW	09/11/98	98-14/49
<u>Health Care Financing, Coverage and Reimbursement Policy</u>					
R414-1	Utah Medicaid Program	20541	NSC	01/06/98	Not Printed
R414-1	Utah Medicaid Program	20945	NSC	03/28/98	Not Printed
R414-1	Utah Medicaid Program	20998	AMD	06/16/98	98-10/42
R414-3X	Restriction on Use of CPR-4 Psychiatric Codes	20542	REP	02/20/98	98-2/25
R414-4X	Policy Statement on Denial of Payment to Medicaid Provider When Client Fails to Keep Scheduled Appointment	20648	5YR	01/12/98	98-3/97
R414-10	Physician Services	21156	AMD	07/08/98	98-11/180
R414-10A	Transplant Services Standards	20825	EMR	02/26/98	98-6/64
R414-10A	Transplant Services Standards	20652	AMD	03/19/98	98-3/44
R414-10X	Pharmacy Policy	20612	REP	02/20/98	98-2/26
R414-12	Medical Supplies Durable Medical Equipment--Prosthetics	20762	5YR	02/09/98	98-5/66
R414-13x	Section V of all Medicaid Provider Manuals: "Provider Compliance"	20922	EXD	03/15/98	98-7/80
R414-15	Patients Personal Needs Fund	20232	AMD	01/13/98	97-23/80
R414-17	Policy on Use of Oxygen Concentrators	20212	REP	01/13/98	97-23/82
R414-22	Administrative Sanction Procedures and Regulations	20653	5YR	01/13/98	98-3/97
R414-22	Administrative Sanction Procedures and Regulations	20654	AMD	03/19/98	98-3/56
R414-24	Policy Concerning the Time Frame in Which Medicaid Claims Must be Submitted for Payment	20345	REP	02/04/98	98-1/51
R414-25X	Policy Concerning the Time Frame in Which Medicaid Claims Must be Submitted for Payment	20613	REP	02/20/98	98-2/26
R414-26	Implementation and Maintenance of the Health Care Financing Administration Common Procedure Coding System (HCPCS)	20764	5YR	02/09/98	98-5/66
R414-27	Medicare Nursing Facility Certification	20735	5YR	02/04/98	98-5/67
R414-28	Record Keeping and Disclosure for Medicaid Providers	20993	EXD	04/14/98	98-9/74
R414-30	Bureau of Facility Management Policy and Procedures Manual Part B, Hospital Preadmission and Continued Stay Review	20655	REP	03/19/98	98-3/60
R414-31x	Hospital Utilization Review	20766	5YR	02/09/98	98-5/67
R414-32	Hospital Record-keeping Policy	20767	5YR	02/09/98	98-5/68

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R414-36	Bureau of Facility Management Policy and Procedures Manual	20656	REP	03/19/98	98-3/66
R414-39	Home and Community-based Services Waiver	20935	REP	05/27/98	98-8/18
R414-42	Limitations on Scope of Service for Inpatient Hospitals and Outpatient Hospitals and Limitations on Scope of Service for Physician Services	20994	EXD	04/14/98	98-9/74
R414-51	Dental, Orthodontia	21188	5YR	06/01/98	98-12/37
R414-51	Dental, Orthodontia	21189	AMD	07/17/98	98-12/13
R414-52	Optometry Services	21232	5YR	06/22/98	98-14/101
R414-53	Eyeglasses Services	21233	5YR	06/22/98	98-14/102
<u>Health Systems Improvement, Community Health Nursing</u>					
R425-1	Nurse Education Financial Assistance	20768	5YR	02/10/98	98-5/68
R425-1	Nurse Education Financial Assistance	20794	AMD	see CPR	98-6/34
R425-1	Nurse Education Financial Assistance	20794	CPR	06/03/98	98-9/61
<u>Health Systems Improvement, Emergency Medical Services</u>					
R426-1	Ambulance Rules	21034	AMD	06/23/98	98-10/45
R426-1	Ambulance Rules	21372	NSC	10/17/98	Not Printed
R426-1-8	Maximum Ambulance Transportation Rates and Charges	21152	AMD	07/06/98	98-11/185
R426-3	Utah Mobile Paramedic Rules	21035	AMD	06/23/98	98-10/52
R426-3	Utah Mobile Paramedic Rules	21373	NSC	10/19/98	Not Printed
R426-4	Emergency Medical Dispatcher Rules	21028	AMD	06/23/98	98-10/58
R426-4	Emergency Medical Dispatcher Rules	21374	NSC	10/19/98	Not Printed
R426-5	Hospital Trauma Categorization Standards	21375	NSC	10/19/98	Not Printed
<u>Health Data Analysis</u>					
R428-11	Health Data Authority Ambulatory Surgical Data Reporting Rule	20192	NEW	03/15/98	97-22/21
R428-11	Health Data Authority Ambulatory Surgical Data Reporting Rule	21157	AMD	07/22/98	98-11/187
R428-13	Health Data Authority. Audit and Reporting of HMO Performance Measures	20731	NEW	04/05/98	98-5/40
R428-13	Health Data Authority. Audit and Reporting of HMO Performance Measures	21158	AMD	07/22/98	98-11/189
<u>Health Systems Improvement, Child Care Licensing</u>					
R430-2	General Licensing Provisions, Child Care Facilities	20264	NEW	02/04/98	97-24/66
R430-3	General Care Facility Rules Inspection and Enforcement	20265	NEW	01/21/98	97-24/69
R430-4	General Certificate Provisions	21235	NEW	08/20/98	98-14/51
R430-5	Child Care Facility, General Construction	20266	NEW	02/05/98	97-24/71
R430-5	Child Care Facility, General Construction	21392	REP	10/28/98	98-18/14
R430-6	Background Screening	20267	NEW	01/20/98	97-24/75
R430-6	Background Screening	21245	AMD	08/20/98	98-14/53

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R430-10	Notice of Intent to License, Hourly Care Provider	20645	EMR	01/09/98	98-3/86
R430-10	Notice of Intent to License, Hourly Care Provider	20684	EMR	01/20/98	98-4/122
R430-30	Adjudicative Procedure	20268	NEW	01/21/98	97-24/79
R430-50	Residential Certificate Child Care Standards	21236	NEW	08/20/98	98-14/55
R430-50	Residential Certificate Child Care Standards	21472	NSC	10/19/98	Not Printed
R430-60	Hourly Child Care Center	21276	NEW	09/10/98	98-15/5
R430-90	Licensed Family Child Care	21246	NEW	08/20/98	98-14/58
R430-90	Licensed Family Child Care	21473	NSC	10/22/98	Not Printed
R430-100	Child Care Facilities	20269	NEW	02/05/98	97-24/79
R430-100	Child Care Facilities	21277	AMD	09/10/98	98-15/10
<u>Health Systems Improvement, Health Facility Licensure</u>					
R432-1-4	Identification Badges	20808	AMD	05/28/98	98-6/38
R432-3-9	Medicare/Medicaid Certification	20830	AMD	05/07/98	98-7/36
R432-6	Residential Health Care Facility, General Construction	21296	R&R	09/14/98	98-15/20
R432-12	Small Health Care Facility (Four to Sixteen Beds) Construction Rule	21482	NSC	10/19/98	Not Printed
R432-16	Hospice Inpatient Facility Construction	20582	NEW	03/04/98	98-2/27
R432-35	Background Screening	21257	NEW	08/28/98	98-14/64
R432-100	General Hospital Standards	21036	AMD	see CPR	98-10/60
R432-100	General Hospital Standards	21036	CPR	10/01/98	98-16/61
R432-101	Specialty Hospital - Psychiatric	21505	NSC	10/19/98	Not Printed
R432-102	Specialty Hospital - Chemical Dependency/Substance Abuse	20558	AMD	02/24/98	98-2/31
R432-102-14	Patient Record	21005	AMD	06/26/98	98-10/93
R432-103	Speciality Hospital - Rehabilitation	20607	NSC	01/06/98	Not Printed
R432-150	Nursing Care Facility Rules	21483	NSC	10/19/98	Not Printed
R432-151	Mental Disease Facility	20685	5YR	01/20/98	98-4/134
R432-151	Mental Disease Facility	21506	NSC	10/19/98	Not Printed
R432-152	Mental Retardation Facility	21484	NSC	10/19/98	Not Printed
R432-200	Small Health Care Facility (Four to Sixteen Beds)	21485	NSC	10/19/98	Not Printed
R432-550	Birthing Centers (Five or Less Birth Rooms)	20559	AMD	02/24/98	98-2/34
R432-600	Abortion Clinic Rule	20560	AMD	02/24/98	98-2/39
R432-700	Home Health Agency Rule	20561	AMD	02/24/98	98-2/42
R432-750	Hospice Rule	20562	AMD	03/04/98	98-2/49
R432-750	Hospice Rule	21486	NSC	10/19/98	Not Printed
R432-950	Mammography Quality Assurance	21487	NSC	10/19/98	Not Printed
<u>Health Systems Improvement, Primary Care and Rural Health</u>					
R434-10	Rural Medical Financial Assistance	21531	5YR	10/08/98	98-21/99
<u>Laboratory Services, Laboratory Improvement</u>					
R444-14	Rules for the Certification of Environmental Laboratories	20521	R&R	02/19/98	98-1/51

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R444-14	Rules for the Certification of Environmental Laboratories	21037	NSC	05/07/98	Not Printed
HOUSING FINANCE AGENCY					
<u>Administration</u>					
R460-8	Americans with Disabilities Act (ADA) Complaint Procedures	21659	5YR	11/10/98	98-23/49
HUMAN RESOURCE MANAGEMENT					
<u>Administration</u>					
R477-1	Definitions	21062	AMD	06/27/98	98-10/94
R477-1	Definitions	21303	AMD	10/02/98	98-16/9
R477-2	Administration	21063	AMD	06/27/98	98-10/98
R477-3	Control of Personal Service Expenditures	21064	NSC	06/27/98	Not Printed
R477-4	Classification	21065	NSC	06/27/98	Not Printed
R477-5	Filling Positions	21066	AMD	06/27/98	98-10/100
R477-5	Filling Positions	21304	AMD	10/02/98	98-16/13
R477-6	Employee Status and Probation	21067	AMD	06/27/98	98-10/103
R477-7	Compensation	21068	AMD	06/27/98	98-10/104
R477-7	Compensation	21305	AMD	see CPR	98-16/15
R477-7	Compensation	21305	CPR	10/02/98	98-17/59
R477-8	Working Conditions	21069	AMD	06/27/98	98-10/108
R477-8	Working Conditions	21264	EMR	07/01/98	98-14/94
R477-8	Working Conditions	21306	AMD	10/02/98	98-16/17
R477-10	Employee Development	21070	AMD	06/27/98	98-10/115
R477-11	Discipline	21071	AMD	06/27/98	98-10/117
R477-12	Separations	21072	AMD	06/27/98	98-10/118
R477-12	Separations	21307	AMD	10/02/98	98-16/22
R477-13	Volunteer Programs	21073	NSC	06/27/98	Not Printed
R477-14	Substance Abuse and Drug-Free Workplace	21308	AMD	10/02/98	98-16/24
R477-15	Sexual Harassment Policy and Procedure	21309	AMD	10/02/98	98-16/25
HUMAN SERVICES					
<u>Administration</u>					
R495-607	Energy Assistance: Records and Benefit Management	21492	5YR	09/28/98	98-20/38
<u>Administration (Changed to Community and Economic Development, Community Development, Community Services -- 10/23/98 -- these rules only)</u>					
R495-601 (Changed to R202-201)	Energy Assistance: General Provisions	21518	NSC	10/23/98	Not Printed
R495-602 (Changed to R202-202)	Energy Assistance Program Standards	21519	NSC	10/23/98	Not Printed
R495-603 (Changed to R202-203)	Energy Assistance Income Standards, Income Eligibility, and Payment Determination	21520	NSC	10/23/98	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R495-604 (Changed to R202-204)	Energy Assistance: Asset Standards	21521	NSC	10/23/98	Not Printed
R495-605 (Changed to R202-205)	Energy Assistance: Program Benefits	21522	NSC	10/23/98	Not Printed
R495-606 (Changed to R202-206)	Energy Assistance: Eligibility Determination	21523	NSC	10/23/98	Not Printed
R495-607 (Changed to R202-207)	Energy Assistance: Records and Benefit Management	21524	NSC	10/23/98	Not Printed
R495-608 (Changed to R202-208)	Energy Assistance: Special State Programs	21525	NSC	10/23/98	Not Printed
<u>Administration, Administrative Hearings</u>					
R497-100	Adjudicative Proceedings	20248	AMD	01/26/98	97-24/88
R497-100	Adjudicative Proceedings	21417	NSC	10/20/98	Not Printed
<u>Administration, Administrative Services, Licensing</u>					
R501-1	General Provisions	21540	NSC	10/16/98	Not Printed
R501-2	Core Standards	21083	EMR	05/04/98	98-10/139
R501-2	Core Standards	21084	AMD	07/02/98	98-10/120
R501-7	Rules for Child Placing Agencies	21415	EMR	09/02/98	98-19/94
R501-7	Rules for Child Placing Agencies	21391	AMD	10/16/98	98-18/21
R501-12	Foster Care Core Standards	21258	AMD	08/17/98	98-14/66
R501-14	Criminal Background Screening	21081	EMR	05/04/98	98-10/140
R501-14	Criminal Background Screening	21085	AMD	06/16/98	98-10/121
R501-15	Utah Social Services Delivery System Data Bases Screening	21039	EXD	05/01/98	98-10/168
R501-17	Adult Foster Care Standards	20179	NEW	03/15/98	97-22/24
R501-17	Adult Foster Care Standards	20286	NSC	03/15/98	Not Printed
R501-17	Adult Foster Care Standards	20880	NSC	03/17/98	Not Printed
R501-18	Abuse Background Screening	21082	EMR	05/04/98	98-10/145
R501-18	Abuse Background Screening	21086	NEW	06/16/98	98-10/126
<u>Administration, Administrative Services, Management Services</u>					
R503-5	Client Notice and Client Hearings	20895	5YR	03/13/98	98-7/76
R503-5	Client Notice and Client Hearings	20896	REP	05/02/98	98-7/37
<u>Aging and Adult Services</u>					
R510-100	Funding Formulas	20634	5YR	01/08/98	98-3/98
R510-101	Carryover Policy for Title III: Grants for State and Community Programs on Aging	20635	5YR	01/08/98	98-3/99
R510-102	Amendments to Area Plan and Management Plan	20636	5YR	01/08/98	98-3/99

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R510-103	Use of Senior Centers by Long Term Care Facility Residents and Senior Citizens' Groups Participating in Activities Outside Their Planning and Service Area	20637	5YR	01/08/98	98-3/100
R510-106	Minimum Percentage of Older Americans Act, Title III: Grants for State and Community Programs on Aging Part B: Supportive Services and Senior Centers Funds That an Area Agency on Aging Must Spend on Access, In-home and Legal Assistance	20638	5YR	01/08/98	98-3/100
R510-107	Title V Senior Community Service Employment Program Standards and Procedures	20639	5YR	01/08/98	98-3/101
R510-108	Definition of Rural for Title III: Grants for State and Community Programs on Aging Reporting Under the Older Americans Act	20640	5YR	01/08/98	98-3/101
R510-109	Definition of Significant Population of Older Native Americans	20641	5YR	01/08/98	98-3/102
R510-110	Policy Regarding Contractual Involvements of Area Agencies on Aging for Private Eldercare and Case Management Services	20642	5YR	01/08/98	98-3/102
R510-200	Long-Term Care Ombudsman Program Policy	20643	5YR	01/08/98	98-3/103
R510-400	Home and Community-Based Alternative Services Policy and Procedures	20644	5YR	01/08/98	98-3/103
<u>Child and Family Services</u>					
R512-2	Child Welfare/Aid to Families with Dependent Children (AFDC) Foster Care/Adoption	20245	AMD	02/01/98	97-24/90
R512-3	Procedures for Establishing Policy	21466	NEW	11/05/98	98-19/77
R512-25	Child Protective Services Notification and Due Process	21226	EMR	06/16/98	98-14/99
R512-25	Child Protective Services Notification and Due Process	21336	NEW	09/15/98	98-16/26
R512-31	Foster Parent Due Process	20288	AMD	04/01/98	97-24/91
<u>Mental Health, State Hospital</u>					
R525-1	Patient Records	20913	EXD	03/15/98	98-7/80
R525-1	Medical Records	20919	NEW	05/25/98	98-7/40
R525-2	Patient Rights	20914	EXD	03/15/98	98-7/80
R525-2	Patient Rights	20920	NEW	05/25/98	98-7/41
R525-3	Treatment Procedures	20915	EXD	03/15/98	98-7/80
R525-3	Medication Treatment of Patients	20921	NEW	05/25/98	98-7/42
R525-4	Patient Management	20916	EXD	03/15/98	98-7/80
R525-4	Visitors	20888	NEW	05/25/98	98-7/43
R525-5	Patient Services	20917	EXD	03/15/98	98-7/80
R525-5	Background Checks	20890	NEW	05/25/98	98-7/43
R525-6	Weapons at the Utah State Hospital	20891	NEW	see CPR	98-7/44
R525-6	Weapons at the Utah State Hospital	20891	CPR	08/15/98	98-14/93
R525-7	Complaints/Suggestions/Concerns	20892	NEW	05/25/98	98-7/45

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Recovery Services</u>					
R527-3	Definitions	20647	5YR	01/12/98	98-3/104
R527-5	Release of Information	20240	AMD	01/05/98	97-23/83
R527-39	Applicant/Recipient Cooperation	20522	NEW	02/05/98	98-1/67
R527-56	In-Kind Support	20978	5YR	04/13/98	98-9/69
R527-56	In-Kind Support	20979	NSC	04/20/98	Not Printed
R527-100	Uniform Interstate Family Support Act	21018	NEW	06/16/98	98-10/129
R527-200	Administrative Procedures	21424	NSC	10/20/98	Not Printed
R527-201	Medical Support Services	21352	AMD	see CPR	98-17/34
R527-201	Medical Support Services	21352	CPR	10/16/98	98-18/38
R527-253	Collection of Child Support Judgments	21243	AMD	08/17/98	98-14/73
R527-300	Income Withholding	20723	AMD	03/18/98	98-4/77
R527-300	Income Withholding	21006	AMD	06/16/98	98-10/130
R527-300	Income Withholding	21488	NSC	10/22/98	Not Printed
R527-301	Non IV-D Income Withholding	20724	AMD	03/18/98	98-4/80
R527-301	Non IV-D Income Withholding	21427	5YR	09/04/98	98-19/106
R527-305	High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases	21017	NEW	06/16/98	98-10/131
R527-430	Administrative Notice of Lien-Levy Procedures	20523	NEW	02/05/98	98-1/68
R527-475	State Tax Refund Intercept	20725	AMD	03/18/98	98-4/82
R527-550	Assessment	20520	AMD	02/11/98	98-1/70
R527-928	Lost Checks	20518	AMD	02/17/98	98-1/71
R527-928	Lost Checks	21530	NSC	10/23/98	Not Printed
INSURANCE					
<u>Administration</u>					
R590-79-4	Definitions	20815	AMD	05/01/98	98-6/39
R590-94	Rule Permitting Smoker/Nonsmoker Mortality Tables For Use In Determining Minimum Reserve Liabilities and Nonforfeiture Benefits	21338	5YR	07/31/98	98-16/90
R590-124	Loss Information Rule	20816	5YR	02/26/98	98-6/78
R590-125	Bail Bond Insurance Exemption	21340	REP	09/25/98	98-16/29
R590-128	Unfair Discrimination Based Solely on the Failure to Maintain Automobile Insurance	20817	AMD	see CPR	98-6/41
R590-128	Unfair Discrimination Based on the Failure to Maintain Automobile Insurance. (Revised)	20817	CPR	06/16/98	98-10/138
R590-132	Insurance Treatment of Human Immunodeficiency Virus (HIV) Infection	18730	AMD	see CPR (First)	97-7/36
R590-132	Insurance Treatment of Human Immunodeficiency Virus (HIV) Infection	18730	CPR (First)	see CPR (Second)	97-15/102
R590-132	Insurance Treatment of Human Immunodeficiency Virus (HIV) Infection	18730	CPR (Second)	03/01/98	97-22/105
R590-132-3	Insurance Treatment of Human Immunodeficiency Virus (HIV) Infection	20590	NSC	03/01/98	Not Printed
R590-141	Licensing Rule	20826	AMD	05/01/98	98-6/42
R590-141	Individual and Agency License Lapse and Reinstatement Rule	21087	NSC	05/07/98	Not Printed
R590-154	Unfair Marketing Practices Rule	21205	5YR	06/10/98	98-13/31

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R590-155	Disclosure of Life and Disability Guaranty Association Limitations	20943	5YR	03/27/98	98-8/63
R590-157	Taxation of Surplus Lines Insurance Premiums	20944	5YR	03/27/98	98-8/64
R590-186	Bail Bond Surety Business	21162	NEW	see CPR	98-11/190
R590-186	Bail Bond Surety Business	21162	CPR	09/25/98	98-16/76
R590-187	Assessment of Title Insurance Agencies and Title Insurers for Costs Related to Regulation of Title Insurance	21204	NEW	see CPR	98-13/14
R590-187	Assessment of Title Insurance Agencies and Title Insurers for Costs Related to Regulation of Title Insurance	21204	CPR	09/25/98	98-16/79
JUDICIAL CONDUCT COMMISSION					
<u>Administration</u>					
R595-1-5	Preliminary Investigations	21370	AMD	10/02/98	98-17/37
R595-1-9	Issuance of Private Reprimand and Dismissal of Complaint With Admonition	21353	AMD	10/02/98	98-17/38
R595-1-10	Hearing	20527	AMD	02/20/98	98-2/57
LABOR COMMISSION					
<u>Administration</u>					
R600-1	Declaratory Orders	21215	5YR	06/15/98	98-13/32
<u>Industrial Accidents</u>					
R612-1-9	Compensation Agreements	21470	NSC	10/22/98	Not Printed
R612-2	Worker's Compensation Rules - Health Care Providers	21216	5YR	06/15/98	98-13/32
R612-2-3	Filings	21451	AMD	11/03/98	98-19/80
R612-2-5	Regulation of Medical Practitioner Fees	21452	AMD	11/03/98	98-19/82
R612-2-24	Review of Medical Payments	21537	NSC	10/22/98	Not Printed
R612-3	Worker's Compensation Rules - Self-Insurance	21217	5YR	06/15/98	98-13/33
R612-5	Employee Leasing Company Worker's Compensation Insurance Policy Endorsements	21218	5YR	06/15/98	98-13/33
R612-6	Impairment Ratings for Industrial Injuries and Diseases	21268	5YR	07/06/98	98-15/80
<u>Occupational Safety and Health</u>					
R614-1-4	Incorporation of Federal Standards	20633	NSC	01/21/98	Not Printed
R614-1-4	Incorporation of Federal Standards	20835	AMD	05/04/98	98-7/45
R614-1-8	Recording and Reporting Occupational Injuries and Illnesses	21387	NSC	10/20/98	Not Printed
R614-6-7	Hot Metallurgical Operations	21094	NSC	05/22/98	Not Printed
<u>Safety</u>					
R616-1	Coal Mine Rules	21667	5YR	11/13/98	98-23/49

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
LIEUTENANT GOVERNOR					
<u>Administration</u>					
R622-1	Adjudicative Proceedings	21560	5YR	10/19/98	98-22/142
MONEY MANAGEMENT COUNCIL					
<u>Administration</u>					
R628-11	Maximum Amount of Public Funds Allowed to Be Held by Any Qualified Depository	21190	NSC	06/17/98	Not Printed
NATURAL RESOURCES					
<u>Administration</u>					
R634-1	Americans With Disabilities Complaint Procedure	20256	NEW	01/15/98	97-24/92
<u>Energy</u>					
R636-2	Public Petitions for Declaratory Rulings	20718	EXD	02/01/98	98-4/136
R636-4	Confidential Energy Information	20719	EXD	02/01/98	98-4/136
R636-5	Administrative Procedures	20720	EXD	02/01/98	98-4/136
<u>Energy and Resource Planning</u>					
R637-1	Utah Energy Saving Systems Tax Credit (ESSTC) Rules	20678	NEW	03/05/98	98-3/73
<u>Oil, Gas and Mining Board</u>					
R641-100	General Provisions	21041	5YR	05/01/98	98-10/158
R641-101	Parties	21042	5YR	05/01/98	98-10/159
R641-102	Appearances and Representations	21043	5YR	05/01/98	98-10/159
R641-103	Intervention	21044	5YR	05/01/98	98-10/160
R641-104	Pleadings	21045	5YR	05/01/98	98-10/160
R641-105	Filing and Service	21046	5YR	05/01/98	98-10/160
R641-106	Notice and Service	21047	5YR	05/01/98	98-10/161
R641-107	Prehearing Conference	21048	5YR	05/01/98	98-10/161
R641-108	Conduct of Hearings	21049	5YR	05/01/98	98-10/162
R641-109	Decisions and Orders	21050	5YR	05/01/98	98-10/162
R641-110	Rehearing and Modification of Existing Orders	21051	5YR	05/01/98	98-10/163
R641-111	Declaratory Rulings	21052	5YR	05/01/98	98-10/163
R641-112	Rulemaking	21053	5YR	05/01/98	98-10/164
R641-113	Hearing Examiners	21054	5YR	05/01/98	98-10/164
R641-114	Exhaustion of Administrative Remedies	21055	5YR	05/01/98	98-10/164
R641-115	Deadline for Judicial Review	21056	5YR	05/01/98	98-10/165
R641-116	Judicial Review of Formal Adjudicative Proceedings	21057	5YR	05/01/98	98-10/165
R641-117	Civil Enforcement	21058	5YR	05/01/98	98-10/166
R641-118	Waivers	21059	5YR	05/01/98	98-10/166
R641-119	Severability	21060	5YR	05/01/98	98-10/167

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Oil, Gas and Mining: Coal</u>					
R645-100-200	Definitions	20189	AMD	03/15/98	97-22/27
R645-102	Exemption for Coal Extraction Incident to Government-Financed Highway or Other Construction	21327	5YR	07/27/98	98-16/91
R645-301-500	Engineering	20190	AMD	03/15/98	97-22/38
R645-301-700	Hydrology	20191	AMD	03/15/98	97-22/59
R645-301-700	Hydrology	21334	AMD	09/30/98	98-16/36
<u>Oil, Gas and Mining: Non-Coal</u>					
R647-1	Minerals Regulatory Program	21328	5YR	07/27/98	98-16/91
R647-2	Exploration	21329	5YR	07/27/98	98-16/92
R647-3	Small Mining Operations	21330	5YR	07/27/98	98-16/92
R647-4	Large Mining Operations	21331	5YR	07/27/98	98-16/93
R647-5	Administrative Procedures	21332	5YR	07/27/98	98-16/93
R647-1-106	Definitions	20727	AMD	06/15/98	98-4/83
<u>Oil, Gas and Mining: Oil and Gas</u>					
R649-1	Oil and Gas General Rules	20946	AMD	06/02/98	98-8/24
R649-2	General Rules	20947	AMD	06/02/98	98-8/27
R649-3	Drilling and Operating Practices	20948	AMD	06/02/98	98-8/28
R649-5	Underground Injection Control of Recovery Operations and Class II Injection Wells	20949	AMD	06/02/98	98-8/35
R649-8	Reporting and Report Forms	20950	AMD	06/02/98	98-8/36
R649-9	Waste Management and Disposal	20951	AMD	06/02/98	98-8/37
<u>Parks and Recreation</u>					
R651-102	Government Records Access Management Act	21314	5YR	07/21/98	98-16/94
R651-203	Waterway Marking System	21406	NSC	10/20/98	Not Printed
R651-211	Assigned Numbers	21407	NSC	10/20/98	Not Printed
R651-213	Dealer Numbers and Registrations	21408	NSC	10/20/98	Not Printed
R651-216	Navigation Lights - Note: Figures 1 through 7 mentioned below are on file with the Utah Division of Parks and Recreation	21410	NSC	10/20/98	Not Printed
R651-217	Fire Extinguishers	21411	NSC	10/20/98	Not Printed
R651-219	Additional Safety Equipment	21412	NSC	10/20/98	Not Printed
R651-225-4	Operator and Passenger Seating	21413	NSC	10/20/98	Not Printed
R651-301	State Recreation Fiscal Assistance Programs	21315	5YR	07/21/98	98-16/94
R651-603-5	Hunting Wildlife	20839	AMD	07/06/98	98-7/47
R651-611	Fee Schedule	20793	AMD	07/06/98	98-6/44
<u>Forestry, Fire and State Lands</u>					
R652-7	Public Petitions for Declaratory Orders	21508	5YR	10/02/98	98-21/100
R652-110	Off-Highway Vehicle Designations	21536	5YR	10/13/98	98-21/100

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Water Resources</u>					
R653-2	Financial Assistance from the Board of Water Resources	20722	AMD	03/18/98	98-4/85
R653-3	Selecting Private Consultants	20597	AMD	02/18/98	98-2/58
R653-4	Investigation Account	20694	AMD	03/18/98	98-4/88
R653-5	Cloud Seeding	20593	AMD	02/18/98	98-2/60
R653-5	Cloud Seeding	20791	NSC	03/05/98	Not Printed
R653-7	Administrative Procedures for Informal Proceedings	20554	AMD	02/18/98	98-2/63
R653-8	Flaming Gorge Water Right Segregation	20717	NEW	03/23/98	98-4/89
R653-8	Flaming Gorge Water Right Segregation	20792	NSC	03/23/98	Not Printed
R653-8	Flaming Gorge Water Right Segregation	20936	NSC	03/30/98	Not Printed
<u>Water Rights</u>					
R655-5	Maps Submitted to the Division of Water Rights	20955	NEW	05/18/98	98-8/40
<u>Wildlife Resources</u>					
R657-5	Taking Big Game	20241	AMD	01/15/98	97-24/95
R657-5	Taking Big Game	21185	AMD	07/16/98	98-12/14
R657-5	Taking Big Game	21414	AMD	10/16/98	98-18/23
R657-6	Taking Upland Game	21238	AMD	08/19/98	98-14/74
R657-9	Taking Waterfowl, Wilson's Snipe and Coot	21400	AMD	10/16/98	98-18/26
R657-10	Taking Cougar	20928	EMR	03/19/98	98-8/57
R657-10	Taking Cougar	21401	AMD	10/16/98	98-18/29
R657-33	Taking Bear	20929	EMR	03/19/98	98-8/58
R657-33	Taking Bear	20938	5YR	03/24/98	98-8/65
R657-33	Taking Bear	20939	AMD	05/18/98	98-8/43
R657-34	Procedures for Confirmation of Ordinances on Hunting Closures	21500	5YR	10/01/98	98-20/38
R657-37	Cooperative Wildlife Management Units for Big Game	20243	AMD	01/15/98	97-24/104
R657-38	Dedicated Hunter Program	20244	AMD	01/15/98	97-24/105
R657-41	Conservation and Sportsman Permits	21239	AMD	08/19/98	98-14/80
R657-42	Big Game Hunting Permit Exchanges	21240	AMD	08/19/98	98-14/81
R657-43	General Season Landowner Deer Permits	20700	AMD	03/18/98	98-4/90
R657-44	Big Game Depredation	21402	AMD	10/16/98	98-18/32
R657-45	Wildlife License, Permit, Certificate of Registration, Habitat Authorization and Heritage Certificate Forms	21241	NEW	08/19/98	98-14/83
PARDONS (BOARD OF)					
<u>Administration</u>					
R671-101	Rules	20425	AMD	02/18/98	98-1/72
R671-102	Americans with Disabilities Act Complaint Procedure Rule	20427	AMD	02/18/98	98-1/73
R671-201	Original Parole Grant Hearing Schedule and Notice	20429	AMD	02/18/98	98-1/73
R671-201	Original Parole Grant Hearing Schedule and Notice	21199	NSC	06/17/98	Not Printed

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R671-202	Notification of Hearings	20431	AMD	02/18/98	98-1/74
R671-203	Victim Input and Notification	20433	AMD	02/18/98	98-1/75
R671-204	Pending Charges	20435	AMD	02/18/98	98-1/76
R671-205	Credit for Time Served	20486	AMD	02/18/98	98-1/76
R671-205	Credit for Time Served	21300	EXD	07/15/98	98-16/96
R671-205	Credit for Time Served	21310	EMR	07/17/98	98-16/81
R671-206	Competency of Offenders	20437	AMD	02/18/98	98-1/77
R671-207	Mentally-Ill Offender Custody Transfer	20439	AMD	02/18/98	98-1/78
R671-208	Confidentiality of Psychological Evaluations and Alienist Reports	20441	AMD	02/18/98	98-1/79
R671-301	Personal Appearance	20443	AMD	02/18/98	98-1/79
R671-302	News Media and Public Access to Hearings	20445	AMD	02/18/98	98-1/80
R671-303	Offender Access to Information	20447	AMD	02/18/98	98-1/82
R671-304	Hearing Record	20449	AMD	02/18/98	98-1/83
R671-305	Notification of Board Decision	20487	AMD	02/18/98	98-1/83
R671-307	Foreign Nationals and Offenders With Detainers	20451	AMD	02/18/98	98-1/84
R671-308	Offender Hearing Assistance	20453	AMD	02/18/98	98-1/84
R671-309	Impartial Hearings	20455	AMD	02/18/98	98-1/85
R671-310	Rescission Hearings	20457	AMD	02/18/98	98-1/86
R671-311	Special Attention Hearings and Reviews	20459	AMD	02/18/98	98-1/87
R671-311	Special Attention Hearings and Reviews	21200	NSC	06/17/98	Not Printed
R671-312	Commutation Hearings for Death Penalty Cases	20489	AMD	02/18/98	98-1/87
R671-312	Commutation Hearings for Death Penalty Cases	21301	EXD	07/15/98	98-16/96
R671-312	Commutation Hearings for Death Penalty Cases	21312	EMR	07/17/98	98-16/82
R671-312	Commutation Hearings for Death Penalty Cases	21313	NEW	09/15/98	98-16/49
R671-312	Commutation Hearings for Death Penalty Cases	21428	NSC	09/15/98	Not Printed
R671-315	Pardons	20461	AMD	02/18/98	98-1/89
R671-316	Redetermination	20463	AMD	02/18/98	98-1/90
R671-317	Interim Decisions	20465	AMD	02/18/98	98-1/91
R671-317	Interim Decisions	21201	NSC	06/17/98	Not Printed
R671-402	Special Conditions of Parole	20469	AMD	02/18/98	98-1/91
R671-402	Special Conditions of Parole	21202	NSC	06/17/98	Not Printed
R671-403	Restitution	20490	AMD	02/18/98	98-1/92
R671-403	Restitution	21645	EXD	11/01/98	98-22/144
R671-405	Parole Termination	20471	AMD	02/18/98	98-1/93
R671-501	Warrants of Arrest	20473	AMD	02/18/98	98-1/93
R671-503	Prerevocation Hearings	20475	AMD	02/18/98	98-1/95
R671-504	Timeliness of Parole Revocation Hearings	20477	AMD	02/18/98	98-1/95
R671-505	Parole Revocation Hearings	20479	AMD	02/18/98	98-1/96
R671-507	Restarting the Parole Period	20481	AMD	02/18/98	98-1/98
R671-508	Evidentiary Hearings	20483	AMD	02/18/98	98-1/98

PROFESSIONAL PRACTICES ADVISORY COMMISSION

Administration

R686-100	Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings	20524	NEW	02/09/98	98-1/99
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CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R686-101	Alcohol Related Offenses	21262	NEW	08/15/98	98-14/84
R686-102	Drug Related Offenses	21263	NEW	08/15/98	98-14/85
PUBLIC SAFETY					
<u>Driver License</u>					
R708-1	Rehabilitation of Alcohol and Drug Problem Drivers	20335	REP	02/10/98	98-1/107
R708-14	Adjudicative Proceedings For Driver License Actions Involving Alcohol and Drugs	20632	AMD	03/04/98	98-3/76
<u>Fire Marshal</u>					
R710-1	Concerns Servicing Portable Fire Extinguishers	21289	AMD	09/01/98	98-15/39
R710-2	Rules Pursuant to the Utah Fireworks Act	20712	AMD	03/18/98	98-4/93
R710-3	Residential Care and Assisted Living Facilities	20713	AMD	03/18/98	98-4/94
R710-3	Residential Care and Assisted Living Facilities	21290	AMD	09/01/98	98-15/44
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	20714	AMD	03/18/98	98-4/96
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	21291	AMD	09/01/98	98-15/46
R710-6	Liquefied Petroleum Gas Rules	20715	AMD	03/18/98	98-4/99
R710-6	Liquefied Petroleum Gas Rules	21292	AMD	09/01/98	98-15/49
R710-7	Concerns Servicing Automatic Fire Suppression Systems	20277	AMD	01/15/98	97-24/108
R710-7	Concerns Servicing Automatic Fire Suppression Systems	21293	AMD	09/01/98	98-15/53
R710-8	Day Care Rules	20716	AMD	03/18/98	98-4/103
R710-8	Day Care Rules	21294	AMD	09/01/98	98-15/55
R710-9	Rules Pursuant to the Utah Fire Prevention Law	20278	AMD	01/15/98	97-24/109
R710-9	Rules Pursuant to the Utah Fire Prevention Law	21295	AMD	09/01/98	98-15/57
<u>Highway Patrol</u>					
R714-110	Permit to Operate a Motor Vehicle in Violation of Equipment Laws	21075	5YR	05/01/98	98-10/167
R714-158	Vehicle Safety Inspection Rule	20906	R&R	05/05/98	98-7/48
R714-158	Vehicle Safety Inspection Program Requirements	21176	AMD	07/30/98	98-12/17
R714-159	Utah Street Rod Rule	20840	REP	05/05/98	98-7/56
R714-200	Department Standards for Lights and Illumination Devices on Vehicles	20907	R&R	05/05/98	98-7/57
R714-205	Vehicle Window Tinting	21040	EXD	05/01/98	98-10/168
R714-210	Air Conditioning Equipment - Requirements	20908	R&R	05/05/98	98-7/59
R714-220	Standards for Protective Headgear	20909	R&R	05/05/98	98-7/60
R714-230	Standards and Specifications for Seat Belts	20910	R&R	05/05/98	98-7/61
R714-240	Standards and Specifications for Child Restraint Devices	20911	R&R	05/05/98	98-7/62
R714-300	Brake Equipment Requirements	20912	R&R	05/05/98	98-7/63
R714-400	Compressed and Liquefied Gas Fuel Systems	21197	REP	08/04/98	98-13/15
R714-500	Chemical Analysis Standards and Training	21279	R&R	09/25/98	98-15/59

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R714-550	Rule for Spending Fees Generated by the Reinstatement of Driver Licenses	20698	AMD	03/24/98	98-4/104
<u>Law Enforcement and Technical Services, Criminal Identification</u>					
R722-1	Non-criminal Justice Agency Access to State Criminal History Files	20629	REP	03/04/98	98-3/77
<u>Law Enforcement and Technical Services, Regulatory Licensing</u>					
R724-4	Concealed Firearm Permit Rule	20806	R&R	04/16/98	98-6/46
R724-7	Undercover Driver's License	21316	5YR	07/21/98	98-16/95
<u>Peace Officer Standards and Training</u>					
R728-401	Requirements For Approval and Certification of Peace Officer Basic Training Programs and Applicants	20782	NSC	02/23/98	Not Printed
R728-402	Application Procedures to Attend a Basic Peace Officer Training Program	20783	NSC	02/23/98	Not Printed
R728-403	Qualifications For Admission To Certified Peace Officer Training Academies	20784	NSC	02/23/98	Not Printed
R728-404	Basic Training Basic Academy Rules	20810	AMD	04/15/98	98-6/52
R728-406	Requirements For Approval and Certification of Basic Correctional, Reserve and Special Function Training Programs and Applicants	20786	NSC	02/23/98	Not Printed
R728-407	Waiver/Reactivation Process	20787	NSC	02/23/98	Not Printed
R728-408	Reserve and Auxiliary Officer Standards	20831	5YR	03/04/98	98-7/77
R728-409	Refusal, Suspension, or Revocation of Peace Officer Certification	20995	AMD	06/02/98	98-9/41
R728-410	Guidelines Regarding Failure To Obtain Annual Statutory Training	20788	NSC	02/23/98	Not Printed
R728-411	Guidelines Regarding Administrative Action Taken Against Individuals Functioning As Peace Officers Without Peace Officer Certification Or Powers	20832	5YR	03/04/98	98-7/77
R728-501	Career Development Courses	21539	5YR	10/14/98	98-21/101
R728-502	Procedure for POST Instructor Certification	20833	5YR	03/04/98	98-7/78
R728-504	Regional Training	20834	5YR	03/04/98	98-7/78
R728-505	Service Dog Program Rules	20996	NEW	06/02/98	98-9/47
PUBLIC SERVICE COMMISSION					
<u>Administration</u>					
R746-110	Uncontested Matters to be Adjudicated Informally	21248	5YR	06/26/98	98-14/102
R746-210	Utility Service Rules Applicable Only to Electric Utilities	21249	5YR	06/26/98	98-14/103
R746-330	Rules for Water and Sewer Utilities Operating in Utah	20957	5YR	03/31/98	98-8/65
R746-331	Determination of Exemption of Mutual Water Corporations	20626	EMR	01/05/98	98-3/87
R746-331	Determination of Exemption of Mutual Water Corporations	20627	NEW	04/06/98	98-3/78

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R746-332	Depreciation Rates for Water Utilities	20964	5YR	04/02/98	98-9/70
R746-340	Substantive Rules Governing Telecommunications Utilities	21250	5YR	06/26/98	98-14/103
R746-341	Lifeline Rule	20677	AMD	04/06/98	98-3/78
R746-342	Rule on One-Way Paging	20970	5YR	04/03/98	98-9/71
R746-344	Filing Requirements for Telephone Corporations With Less Than 5,000 Access Line Subscribers	21348	5YR	08/11/98	98-17/62
R746-345	Pole Attachments for Cable Television Companies	21349	5YR	08/11/98	98-17/62
R746-356-2	Definitions	20592	NSC	01/06/98	Not Printed
R746-360	Universal Public Telecommunications Service Support Fund	20956	EMR	03/31/98	98-8/59
R746-360	Universal Public Telecommunications Service Support Fund	21317	EMR	07/28/98	98-16/84
R746-402	Rules Governing Reports of Accidents by Electric, Gas, Telephone, and Water Utilities	20971	5YR	04/03/98	98-9/71
R746-404	Regulation of Promotional Programs of Electric and Gas Public Utilities	21350	5YR	08/11/98	98-17/63
R746-405	Rules Governing the Filing of Tariffs for Gas, Electric, Telephone, Water and Heat Utilities	20972	5YR	04/03/98	98-9/72
R746-406	Advertising by Electric and Gas Utilities	21351	5YR	08/11/98	98-17/63
R746-409	Pipeline Safety	21098	NSC	05/21/98	Not Printed
R746-500	Americans With Disabilities Act Complaint Procedure	21341	5YR	08/05/98	98-17/64
R746-600	Postretirement Benefits other than Pensions	21458	5YR	09/15/98	98-19/107
REGENTS (BOARD OF)					
<u>Administration</u>					
R765-134	Informal Adjudicative Procedures Under the Utah Administrative Procedures Act	20980	5YR	04/13/98	98-9/72
R765-171	Postsecondary Proprietary School Act Rules	20983	NSC	05/01/98	Not Printed
R765-555	Policy on Colleges and Universities Providing Facilities, Goods and Services in Competition with Private Enterprise	20981	5YR	04/13/98	98-9/73
R765-555	Policy on Colleges and Universities Providing Facilities, Goods and Services in Competition with Private Enterprise	20984	NSC	05/01/98	Not Printed
R765-605	Utah Centennial Opportunity Program for Education	21163	NEW	07/02/98	98-11/194
R765-610	Utah Higher Education Assistance Authority Federal Family Education Loan Program, PLUS, SLS and Loan Consolidation Programs	21396	AMD	10/26/98	98-18/34
R765-612	Lender Participation	21397	AMD	10/26/98	98-18/35
R765-993	Records Access and Management	20982	5YR	04/13/98	98-9/73
R765-993	Records Access and Management	20985	NSC	05/01/98	Not Printed
SCHOOL AND INSTITUTIONAL TRUST LANDS					
<u>Administration</u>					
R805-2	Government Records Access and Management Act Procedures	21227	5YR	06/17/98	98-14/104

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R850-5-500	Reinstatements	21517	NSC	10/22/98	Not Printed
R850-50-700	Reinstatements	21242	NSC	07/07/98	Not Printed
R850-80	Sale of Trust Lands	20395	AMD	02/03/98	98-1/108
R850-80-550	Methods of Sale	21320	NSC	08/05/98	Not Printed
R850-80-600	Public Sale Procedures	21184	AMD	07/16/98	98-12/20

STATEHOOD CENTENNIAL COMMISSION (UTAH)

Administration

R855-1	Functional Baseline: Administration	20924	EXD	03/17/98	98-8/67
R855-2	Disbursement of "Pass-Through" License Plate Revenues for Expenditure by County Centennial Committees	20925	EXD	03/17/98	98-8/67
R855-3	Disbursement of Discretionary Grants for Expenditure by County Centennial Committees, Communities, Other Groups, and Individuals	20926	EXD	03/17/98	98-8/67

TAX COMMISSION

Administration

R861-1A-9	Tax Commission as Board of Equalization Pursuant to Utah Code Ann. Sections 59-2-212, 59-2-1003, and 59-2-1011	21321	AMD	10/14/98	98-16/51
R861-1A-9	Tax Commission as Board of Equalization Pursuant to Utah Code Ann. Sections 59-2-212, 59-2-1004, and 59-2-1006	21416	NSC	10/30/98	Not Printed
R861-1A-23	Designation of Adjudicative Proceedings Pursuant to Utah Code Ann. Section 63-46b-4	20818	AMD	05/04/98	98-6/55
R861-1A-24	Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-502.1, 63-46b-8, and 63-46b-10	20819	AMD	05/04/98	98-6/56
R861-1A-25	Informal Adjudicative Proceedings Pursuant to Utah Code Ann. Section 63-46b-5	20820	AMD	05/04/98	98-6/57
R861-1A-26	Procedures for Formal and Informal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501, 63-46b-5, and 63-46b-6 through 63-46b-11	20821	AMD	05/04/98	98-6/57
R861-1A-27	Discovery Pursuant to Utah Code Ann. Section 63-46b-7	20822	AMD	05/04/98	98-6/59
R861-1A-28	Evidence in Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-210, 76-8-502, 76-8-503, 63-46b-8	20823	AMD	05/04/98	98-6/59
R861-1A-32	Mediation Process Pursuant to Utah Code Section 63-46b-1	20824	AMD	05/04/98	98-6/60
R861-1A-32	Mediation Process Pursuant to Utah Code Section 63-46b-1	21091	NSC	05/21/98	Not Printed

Auditing

R865-4D-2	Clean Special Fuel Certificate, Refund Procedures for Undyed Diesel Fuel Used Off-Highway or to Operate a Power Take-Off Unit, and Sales Tax Liability Pursuant to Utah Code Ann. Sections 59-13-301 and 59-13-304	20392	AMD	02/24/98	98-1/112
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CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R865-4D-2	Clean Special Fuel Certificate, Refund Procedures for Undyed Diesel Fuel Used Off-Highway or to Operate a Power Take-Off Unit, and Sales Tax Liability Pursuant to Utah Code Ann. Sections 59-13-301 and 59-13-304	21193	NSC	06/17/98	Not Printed
R865-6F-33	Taxation of Telecommunications Pursuant to Utah Code Ann. Sections 59-7-302 through 59-7-321	21322	AMD	10/14/98	98-16/53
R865-13G-14	Environmental Assurance Fee Pursuant to Utah Code Ann. Section 19-6-410.5	21194	AMD	08/11/98	98-13/19
R865-19S-20	Basis for Reporting Tax Pursuant to Utah Code Ann. Section 59-12-107	21323	AMD	10/14/98	98-16/55
R865-19S-58	Materials and Supplies Sold to Owners, Contractors and Repairmen of Real Property Pursuant to Utah Code Ann. Sections 59-12-102 and 59-12-103	20828	AMD	05/04/98	98-6/61
R865-19S-90	Telephone Service Defined Pursuant to Utah Code Ann. Section 59-12-103	21195	AMD	08/11/98	98-13/20
R865-19S-103	Municipal Energy Sales and Use Tax Pursuant to Utah Code Ann. Sections 10-1-303 and 10-1-306	21220	AMD	08/11/98	98-13/22
R865-20T-10	Procedures for the Renewal and Reinstatement of License Issues Pursuant to Utah Code Ann. Section 59-14-202	21324	AMD	10/14/98	98-16/56
R865-25X-1	Brine Shrimp Royalty Procedures Pursuant to Utah Code Ann. Section 59-23-4	21219	AMD	08/11/98	98-13/22
<u>Motor Vehicle</u>					
R873-22M-11	Copies of Registration Cards Pursuant to Utah Code Ann. Section 41-1a-214	21355	AMD	10/14/98	98-17/41
R873-22M-38	Procedures for Reinstatement of Registration Revoked for Lack of Owner's or Operator's Security Pursuant to Utah Code Ann. Section 41-1a-1220	21221	AMD	08/11/98	98-13/23
R873-22M-40	Age of Vehicle for Purposes of Safety Inspection Pursuant to Utah Code Ann. Section 53-8-205	21356	AMD	10/14/98	98-17/42
<u>Motor Vehicle Enforcement</u>					
R877-23V-17	Reasonable Cause for Denial, Suspension, or Revocation of License Pursuant to Utah Code Ann. Sections 41-3-105 and 41-3-209	20393	AMD	02/24/98	98-1/113
R877-23V-17	Reasonable Cause for Denial, Suspension, or Revocation of License Pursuant to Utah Code Ann. Sections 41-3-105 and 41-3-209	21196	AMD	08/11/98	98-13/24
<u>Property Tax</u>					
R884-24P-7	Assessment of Mining Properties Pursuant to Utah Code Ann. Section 59-2-201	20177	AMD	01/06/98	97-22/75
R884-24P-7	Assessment of Mining Properties Pursuant to Utah Code Ann. Section 59-2-201	20649	AMD	03/10/98	98-3/81
R884-24P-7	Assessment of Mining Properties Pursuant to Utah Code Ann. Section 59-2-201	20897	AMD	05/04/98	98-7/65

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R884-24P-19	Appraiser Designation Program Pursuant to Utah Code Ann. Sections 59-2-701 and 59-2-702	21097	AMD	08/11/98	98-11/198
R884-24P-24	Form for Notice of Property Valuation and Tax Changes Pursuant to Utah Code Ann. Sections 59-2-918 through 59-2-924	20394	AMD	02/24/98	98-1/114
R884-24P-33	1998 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301	21357	AMD	10/14/98	98-17/43
R884-24P-53	1998 Valuation Guides for Valuation of Land Subject to the Farmland Assessment Act Pursuant to Utah Code Ann. Section 59-2-515	21526	EMR	10/06/98	98-21/92
R884-24P-58	One-Time Decrease in Certified Rate Based on Estimated County Option Sales Tax Pursuant to Utah Code Ann. Section 59-2-924	20203	AMD	02/24/98	97-23/96
R884-24P-59	One-Time Decrease in Certified Rate Based on Estimated Additional Resort Communities Sales Tax Pursuant to Utah Code Ann. Section 59-2-924	20204	AMD	02/24/98	97-23/96
R884-24P-60	Age-Based Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Section 59-2-405.1	21222	AMD	08/11/98	98-13/25
R884-24P-61	1.5 Percent Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Sections 41-1a-202, 59-2-104, 59-2-401, 59-2-402, and 59-2-405	21223	AMD	08/11/98	98-13/26
TRANSPORTATION					
<u>Administration</u>					
R907-40	External Relations	21661	5YR	11/10/98	98-23/50
<u>Motor Carrier</u>					
R909-1	Safety Regulations for Motor Carriers	20276	AMD	01/15/98	97-24/111
R909-1	Safety Regulations for Motor Carriers	20827	AMD	05/01/98	98-6/62
R909-1	Safety Regulations for Motor Carriers	21089	AMD	06/16/98	98-10/132
R909-1	Safety Regulations for Motor Carriers	21281	AMD	09/01/98	98-15/69
R909-1	Safety Regulations for Motor Carriers	21497	NSC	10/22/98	Not Printed
R909-4-11	Maximum Towing and Storage Rates	20271	AMD	02/27/98	97-24/112
R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	20676	NSC	01/21/98	Not Printed
R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	20918	AMD	05/28/98	98-7/67
R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	21282	AMD	09/01/98	98-15/70
<u>Motor Carrier, Ports of Entry</u>					
R912-4	Limitation of Special Permit Vehicles in Provo Canyon. Legal and Permitted Vehicles	20646	5YR	01/12/98	98-3/104

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Operations, Maintenance</u>					
R918-2-3	Criteria	20628	NSC	01/21/98	Not Printed
<u>Operations, Traffic and Safety</u>					
R920-5-6	On Premise School Bus Loading Zones	20730	AMD	04/01/98	98-5/47
R920-50	Tramway Operations Safety Rules	20807	NSC	03/05/98	Not Printed
R920-50	Tramway Operations Safety Rules	21347	AMD	10/02/98	98-17/51
R920-50	Tramways Operations Safety Rules	21476	NSC	10/21/98	Not Printed
<u>Program Development</u>					
R926-2	Evaluation of Proposed Additions to the State Highway System	20942	AMD	05/29/98	98-8/47
<u>Preconstruction</u>					
R930-1	Installation of New Mailboxes and Correction of Nonconforming Mailboxes	20881	5YR	03/11/98	98-7/78
R930-1	Installation of New Mailboxes and Correction of Nonconforming Mailboxes	20882	NSC	03/17/98	Not Printed
R930-5	Implementation of Agreements, Participation, Maintenance and Public Notice Responsibilities Relating to Railway-Highway Projects	20544	R&R	03/11/98	98-2/69
<u>Preconstruction, Right-of-Way Acquisition</u>					
R933-4	Bus Shelters	21177	NEW	07/16/98	98-12/21
WORKERS' COMPENSATION FUND					
<u>Administration</u>					
R980-1	Workers' Compensation Fund of Utah Dispute Resolution	21214	REP	08/07/98	98-13/28
WORKFORCE SERVICES					
<u>Administration</u>					
R982-301	Councils	20927	AMD	05/18/98	98-8/48
R982-301	Councils	21577	NSC	11/12/98	Not Printed
R982-401	JTPA Fiscal Procedures	21251	5YR	06/29/98	98-14/105
R982-501	JTPA Procurement/Property Management Procedures	21252	5YR	06/29/98	98-14/105
<u>Employment Development</u>					
R986-211	Financial Assistance General Provisions	20845	NSC	04/01/98	Not Printed
R986-212	Financial Assistance Coverage and Conditions of Eligibility	20846	NSC	04/01/98	Not Printed
R986-213	Financial Assistance Need and Amount of Assistance	20847	NSC	04/01/98	Not Printed
R986-214	Financial Assistance Applications, Redeterminations, and Change Reporting	20848	NSC	04/01/98	Not Printed
R986-215	Financial Assistance Verification and Safeguarding Requirements	20849	AMD	05/18/98	98-7/68

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R986-216	Financial Assistance Emergency Work Program (EWP)	20850	NSC	04/01/98	Not Printed
R986-218	Financial Assistance General Assistance/Self-Sufficiency Program	20851	NSC	04/01/98	Not Printed
R986-219	Financial Assistance Notice, Hearings, and Conciliation	20852	NSC	04/01/98	Not Printed
R986-220	Financial Assistance Tables	20853	NSC	04/01/98	Not Printed
R986-220	Financial Assistance Tables	21013	AMD	06/25/98	98-10/134
R986-221	Demonstration Programs	20742	5YR	02/06/98	98-5/69
R986-221	Demonstration Programs	20854	NSC	04/01/98	Not Printed
R986-222	Adoption Assistance Program	20855	NSC	04/01/98	Not Printed
R986-301	Medicaid General Provisions	20743	5YR	02/06/98	98-5/70
R986-301	Medicaid General Provisions	20769	AMD	04/01/98	98-5/48
R986-302	Eligibility Requirements	20224	AMD	01/02/98	97-23/97
R986-302	Eligibility Requirements	20744	5YR	02/06/98	98-5/70
R986-303	Coverage Groups	20745	5YR	02/06/98	98-5/71
R986-303-301	A, B, and D Medicaid and A, B, and D Institutional Medicaid Coverage Groups	20319	AMD	02/03/98	98-1/116
R986-304	Income and Budgeting	20746	5YR	02/06/98	98-5/71
R986-304	Income and Budgeting	20738	EMR	02/12/98	98-5/60
R986-304	Income and Budgeting	20739	AMD	04/01/98	98-5/49
R986-305	Resources	20726	EMR	02/12/98	98-4/123
R986-305	Resources	20747	5YR	02/06/98	98-5/72
R986-305	Resources	20770	AMD	04/01/98	98-5/55
R986-305	Resources	20675	AMD	05/28/98	98-3/84
R986-306	Program Benefits	20748	5YR	02/06/98	98-5/72
R986-306	Program Benefits	20777	AMD	04/01/98	98-5/57
R986-307	Eligibility Determination and Redetermination	20749	5YR	02/06/98	98-5/73
R986-307	Eligibility Determination and Redetermination	20774	AMD	04/01/98	98-5/58
R986-308	Record Management	20750	5YR	02/06/98	98-5/73
R986-309	Utah Medical Assistance Program (UMAP)	20751	5YR	02/06/98	98-5/74
R986-309-901	UMAP General Eligibility Requirements	20732	EMR	02/12/98	98-5/62
R986-309-901	UMAP General Eligibility Requirements	20960	AMD	05/18/98	98-8/50
R986-310	Demonstration Programs	20752	5YR	02/06/98	98-5/74
R986-411	General Provisions	20856	NSC	04/01/98	Not Printed
R986-412	Conditions of Eligibility	20206	AMD	01/02/98	97-23/98
R986-412	Conditions of Eligibility	20857	NSC	04/01/98	Not Printed
R986-413	Program Standards	20858	NSC	04/01/98	Not Printed
R986-414	Income	20207	AMD	01/02/98	97-23/99
R986-414	Income	20859	NSC	04/01/98	Not Printed
R986-414	Income	21419	EMR	10/01/98	98-19/97
R986-415	Assets	20860	NSC	04/01/98	Not Printed
R986-416	Benefits	20861	NSC	04/01/98	Not Printed
R986-417	Documentation	20208	AMD	see CPR	97-23/100
R986-417	Documentation	20208	CPR	02/03/98	98-1/120
R986-417	Documentation	20862	NSC	04/01/98	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R986-417	Documentation	21420	EMR	10/01/98	98-19/98
R986-418	Case Management	20863	NSC	04/01/98	Not Printed
R986-419	Income Limits	20209	AMD	01/02/98	97-23/102
R986-419	Income Limits	20864	NSC	04/01/98	Not Printed
R986-419	Income Limits	21421	EMR	10/01/98	98-19/99
R986-420	Maximum Allotments	20210	AMD	01/02/98	97-23/102
R986-420	Maximum Allotments	20865	NSC	04/01/98	Not Printed
R986-420	Maximum Allotments	21422	EMR	10/01/98	98-19/101
R986-421	Demonstration Programs	20211	AMD	01/02/98	97-23/103
R986-421	Demonstration Programs	20753	5YR	02/06/98	98-5/75
R986-421	Demonstration Programs	20866	NSC	04/01/98	Not Printed
R986-421	Demonstration Programs	21423	EMR	10/01/98	98-19/102
R986-501	Displaced Homemaker Program	20867	NSC	04/01/98	Not Printed
R986-601	Authority and Definitions for Programs Authorized under JTPA	21253	5YR	06/29/98	98-14/106
R986-602	General Administrative Provisions	20868	NSC	04/01/98	Not Printed
R986-602	General Administrative Provisions	21254	5YR	06/29/98	98-14/106
R986-603	Participant Data System Procedures	20869	NSC	04/01/98	Not Printed
R986-603	Participant Data System Procedures	21255	5YR	06/29/98	98-14/106
R986-701	Child Care Assistance General Provisions	20754	5YR	02/06/98	98-5/75
R986-701	Child Care Assistance General Provisions	20870	NSC	04/01/98	Not Printed
R986-701	Child Care Assistance General Provisions	21283	AMD	10/01/98	98-15/71
R986-702	Conditions of Eligibility and Client Payment Amount	20755	5YR	02/06/98	98-5/76
R986-702	Conditions of Eligibility and Client Payment Amount	20871	NSC	04/01/98	Not Printed
R986-702	Conditions of Eligibility and Client Payment Amount	21284	AMD	10/01/98	98-15/73
R986-703	Child Care Programs	20756	5YR	02/06/98	98-5/77
R986-703	Child Care Programs	20872	NSC	04/01/98	Not Printed
R986-703	Child Care Programs	21285	AMD	10/01/98	98-15/74
R986-704	Income Rules and Eligibility Calculations	20757	5YR	02/06/98	98-5/77
R986-704	Income Rules and Eligibility Calculations	20873	NSC	04/01/98	Not Printed
R986-705	Resources	20758	5YR	02/06/98	98-5/78
R986-705	Resources	20874	NSC	04/01/98	Not Printed
R986-706	Provider Payment and Contracting	20759	5YR	02/06/98	98-5/78
R986-706	Provider Payment and Contracting	20875	NSC	04/01/98	Not Printed
R986-706	Provider Payment and Contracting	21286	AMD	10/01/98	98-15/75
R986-707	Eligibility	20760	5YR	02/06/98	98-5/79
R986-707	Eligibility	20876	NSC	04/01/98	Not Printed
R986-707	Eligibility	21287	AMD	10/01/98	98-15/77
R986-709	Cash Out Child Care Program	20877	NSC	04/01/98	Not Printed
R986-709	Cash Out Child Care Program	21288	REP	10/01/98	98-15/78

Workforce Information and Payment Services

R994-201	Definition of Terms in Employment Security Act	21178	5YR	05/29/98	98-12/38
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RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R994-202	Employing Units	21179	5YR	05/29/98	98-12/38
R994-208	Definition of Wages	21180	5YR	05/29/98	98-12/39
R994-306	Charging Benefit Costs to Employers	21209	5YR	06/12/98	98-13/34
R994-307	Social Costs -- Relief of Charges	21210	5YR	06/12/98	98-13/34
R994-315	Centralized New Hire Registry Reporting	21012	NEW	06/25/98	98-10/135
R994-508	Appeal Procedures	21211	5YR	06/12/98	98-13/35
R994-600	Dislocated Workers	21181	5YR	05/29/98	98-12/39

WORKFORCE SERVICES (CHANGED TO HEALTH -- 06/01/98)

Employment Development (Changed to Health Care Financing, Coverage and Reimbursement Policy -- 06/01/98)

R986-301 (Changed to R414-301)	Medicaid General Provisions	21164	NSC	06/01/98	Not Printed
R986-302 (Changed to R414-302)	Eligibility Requirements	21165	NSC	06/01/98	Not Printed
R986-303 (Changed to R414-303)	Coverage Groups	21166	NSC	06/01/98	Not Printed
R986-304 (Changed to R414-304)	Income and Budgeting	21167	NSC	06/01/98	Not Printed
R986-305 (Changed to R414-305)	Resources	21168	NSC	06/01/98	Not Printed
R986-306 (Changed to R414-306)	Program Benefits	21169	NSC	06/01/98	Not Printed
R986-307 (Changed to R414-307)	Eligibility Determination and Redetermination	21170	NSC	06/01/98	Not Printed
R986-308 (Changed to R414-308)	Record Management	21171	NSC	06/01/98	Not Printed
R986-309 (Changed to R414-309)	Utah Medical Assistance Program (UMAP)	21172	NSC	06/01/98	Not Printed
R986-310 (Changed to R414-310)	Demonstration Programs	21173	NSC	06/01/98	Not Printed
R986-413	Program Standards	21496	EMR	10/01/98	98-20/35

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment
 CPR = Change in proposed rule
 EMR = Emergency rule (120 day)
 NEW = New rule
 5YR = Five-Year Review
 EXD = Expired

NSC = Nonsubstantive rule change
 REP = Repeal
 R&R = Repeal and reenact
 * = Text too long to print in *Bulletin*, or repealed text not printed in *Bulletin*

<u>KEYWORD</u> <u>AGENCY</u>	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ABRASIVE BLASTING</u>					
Environmental Quality, Air Quality	21128	R307-206	NEW	09/15/98	98-11/123
<u>ACCESS TO INFORMATION</u>					
Administrative Services, Administration	20537	R13-2	NSC	01/06/98	Not Printed
<u>ACCREDITATION</u>					
Education, Administration	21468	R277-410	AMD	11/03/98	98-19/4
	20780	R277-504	AMD	04/07/98	98-5/10
	20657	R277-516	5YR	01/14/98	98-3/89
	20904	R277-912	5YR	03/13/98	98-7/75
	21077	R277-912	NSC	05/07/98	Not Printed
<u>ACID RAIN</u>					
Environmental Quality, Air Quality	21115	R307-16 (Changed to R307-215)	AMD	09/15/98	98-11/99
	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
<u>ACUPUNCTURE</u>					
Commerce, Occupational and Professional Licensing	21149	R156-72	AMD	07/07/98	98-11/29
<u>ADJUDICATIVE PROCEDURES</u>					
Community and Economic Development, Community Development, Library	21090	R223-1	5YR	05/01/98	98-11/201
Regents (Board of), Administration	20980	R765-134	5YR	04/13/98	98-9/72
<u>ADJUDICATIVE PROCEEDINGS</u>					
Public Safety, Driver License	20632	R708-14	AMD	03/04/98	98-3/76
<u>ADMINISTRATIVE LAW</u>					
Administrative Services, Administrative Rules	20976	R15-4	AMD	07/01/98	98-9/3
	20952	R15-4-3	AMD	07/01/98	98-8/2
	21393	R15-5	5YR	08/21/98	98-18/49
	21394	R15-5	NSC	10/17/98	Not Printed
Human Services, Recovery Services	21424	R527-200	NSC	10/20/98	Not Printed
	21243	R527-253	AMD	08/17/98	98-14/73
<u>ADMINISTRATIVE PROCEDURES</u>					
Administrative Services, Administration	21435	R13-1	5YR	09/11/98	98-19/104
Administrative Services, Administrative Rules	21393	R15-5	5YR	08/21/98	98-18/49
	21394	R15-5	NSC	10/17/98	Not Printed
Commerce, Corporations and Commercial Code	21658	R154-100	5YR	11/10/98	98-23/48
Community and Economic Development, Community Development, Library	21090	R223-1	5YR	05/01/98	98-11/201
Environmental Quality, Air Quality	21120	R307-102	NEW	09/15/98	98-11/110
Human Resource Management, Administration	21065	R477-4	NSC	06/27/98	Not Printed
	21307	R477-12	AMD	10/02/98	98-16/22

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21309	R477-15	AMD	10/02/98	98-16/25
Human Services, Administration, Administrative Hearings	20248	R497-100	AMD	01/26/98	97-24/88
	21417	R497-100	NSC	10/20/98	Not Printed
Labor Commission, Industrial Accidents	21470	R612-1-9	NSC	10/22/98	Not Printed
Lieutenant Governor, Administration	21560	R622-1	5YR	10/19/98	98-22/142
Natural Resources, Energy	20718	R636-2	EXD	02/01/98	98-4/136
	20720	R636-5	EXD	02/01/98	98-4/136
Natural Resources; Oil, Gas and Mining Board	21041	R641-100	5YR	05/01/98	98-10/158
	21042	R641-101	5YR	05/01/98	98-10/159
	21043	R641-102	5YR	05/01/98	98-10/159
	21044	R641-103	5YR	05/01/98	98-10/160
	21045	R641-104	5YR	05/01/98	98-10/160
	21046	R641-105	5YR	05/01/98	98-10/160
	21047	R641-106	5YR	05/01/98	98-10/161
	21048	R641-107	5YR	05/01/98	98-10/161
	21049	R641-108	5YR	05/01/98	98-10/162
	21050	R641-109	5YR	05/01/98	98-10/162
	21051	R641-110	5YR	05/01/98	98-10/163
	21052	R641-111	5YR	05/01/98	98-10/163
	21053	R641-112	5YR	05/01/98	98-10/164
	21054	R641-113	5YR	05/01/98	98-10/164
	21055	R641-114	5YR	05/01/98	98-10/164
	21056	R641-115	5YR	05/01/98	98-10/165
	21057	R641-116	5YR	05/01/98	98-10/165
	21058	R641-117	5YR	05/01/98	98-10/166
	21059	R641-118	5YR	05/01/98	98-10/166
	21060	R641-119	5YR	05/01/98	98-10/167
Natural Resources; Forestry, Fire and State Lands	21508	R652-7	5YR	10/02/98	98-21/100
Natural Resources, Water Resources	20554	R653-7	AMD	02/18/98	98-2/63
School and Institutional Trust Lands, Administration	21517	R850-5-500	NSC	10/22/98	Not Printed
	21242	R850-50-700	NSC	07/07/98	Not Printed
	20395	R850-80	AMD	02/03/98	98-1/108
	21320	R850-80-550	NSC	08/05/98	Not Printed
	21184	R850-80-600	AMD	07/16/98	98-12/20
Workers' Compensation Fund, Administration	21214	R980-1	REP	08/07/98	98-13/28
<u>ADMINISTRATIVE RESPONSIBILITY</u>					
Human Resource Management, Administration	21064	R477-3	NSC	06/27/98	Not Printed
<u>ADMINISTRATIVE RULES</u>					
Human Resource Management, Administration	21073	R477-13	NSC	06/27/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ADOPTION</u>					
Human Services, Child and Family Services	20245	R512-2	AMD	02/01/98	97-24/90
<u>ADOPTION ASSISTANCE</u>					
Workforce Services, Employment Development	20855	R986-222	NSC	04/01/98	Not Printed
<u>ADULT EDUCATION</u>					
Education, Administration	20666	R277-702	5YR	01/14/98	98-3/93
Workforce Services, Employment Development	20867	R986-501	NSC	04/01/98	Not Printed
<u>ADVERTISING</u>					
Public Service Commission, Administration	21351	R746-406	5YR	08/11/98	98-17/63
<u>AFDC (Aid to Families with Dependent Children)</u>					
Workforce Services, Employment Development	20846	R986-212	NSC	04/01/98	Not Printed
	20847	R986-213	NSC	04/01/98	Not Printed
<u>AFDC APPLICATIONS</u>					
Workforce Services, Employment Development	20848	R986-214	NSC	04/01/98	Not Printed
<u>AGRICULTURAL LAW</u>					
Agriculture and Food, Animal Industry	20279	R58-19	NEW	01/15/98	97-24/12
Agriculture and Food, Plant Industry	20280	R68-19	NEW	01/15/98	97-24/13
	20813	R68-19-4	AMD	04/15/98	98-6/16
Agriculture and Food, Regulatory Services	20281	R70-201	NEW	01/15/98	97-24/14
	20814	R70-201-4	AMD	04/15/98	98-6/16
<u>AIR CONDITIONING</u>					
Public Safety, Highway Patrol	20908	R714-210	R&R	05/05/98	98-7/59
<u>AIR POLLUTION</u>					
Environmental Quality, Air Quality	21100	R307-1	AMD	09/15/98	98-11/37
	21587	R307-1	NSC	11/12/98	Not Printed
	20096	R307-1-1	AMD	01/08/98	97-21/4
	20202	R307-1-1	AMD	01/08/98	97-23/10
	20736	R307-1-1	AMD	04/22/98	98-5/16
	21015	R307-1-2	AMD	08/13/98	98-10/26
	20219	R307-1-3	AMD	02/05/98	97-23/20
	20740	R307-1-3	NSC	02/05/98	Not Printed
	21104	R307-1-5 (Changed to R307-105)	AMD	09/15/98	98-11/37
	21105	R307-1-6 (Changed to R307-120)	AMD	09/15/98	98-11/39
	21105	R307-1-6 (Changed to R307-121)	AMD	09/15/98	98-11/39
	21105	R307-1-6 (Changed to R307-122)	AMD	09/15/98	98-11/39
	21106	R307-1-8 (Changed to R307-801)	AMD	09/15/98	98-11/43

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21107	R307-2 (Changed to R307-110)	AMD	09/15/98	98-11/55
	20099	R307-2-12	AMD	01/08/98	97-21/14
	21280	R307-2-12	NSC	07/27/98	Not Printed
	21031	R307-2-13	AMD	see CPR	98-10/28
	21031	R307-2-13	CPR	11/02/98	98-19/93
	21108	R307-3 (Changed to R307-342)	AMD	09/15/98	98-11/58
	21109	R307-4 (Changed to R307-130)	AMD	09/15/98	98-11/61
	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
	21101	R307-7	REP	09/15/98	98-11/65
	21563	R307-7-3	NSC	11/12/98	Not Printed
	20100	R307-8-3	AMD	01/08/98	97-21/15
	21111	R307-10 (Changed to R307-214)	AMD	09/15/98	98-11/74
	20737	R307-10-2	AMD	06/26/98	98-5/34
	21112	R307-11 (Changed to R307-320)	AMD	09/15/98	98-11/75
	21113	R307-13 (Changed to R307-170)	AMD	09/15/98	98-11/78
	21102	R307-14	REP	09/15/98	98-11/82
	21114	R307-15 (Changed to R307-415)	AMD	09/15/98	98-11/83
	21103	R307-17	REP	09/15/98	98-11/100
	21011	R307-18 (Changed to R307-210)	AMD	08/13/98	98-10/32
	21116	R307-19 (Changed to R307-115)	AMD	09/15/98	98-11/101
	21117	R307-20 (Changed to R307-220)	AMD	09/15/98	98-11/101
	21118	R307-21 (Changed to R307-221)	AMD	09/15/98	98-11/102
	21119	R307-101	NEW	09/15/98	98-11/104
	21120	R307-102	NEW	09/15/98	98-11/110
	21121	R307-107	NEW	09/15/98	98-11/112
	21564	R307-110-27	NSC	11/12/98	Not Printed
	21565	R307-121-2	NSC	11/12/98	Not Printed
	21123	R307-155	NEW	09/15/98	98-11/114
	21124	R307-165	NEW	09/15/98	98-11/117
	21125	R307-201	NEW	09/15/98	98-11/118
	21126	R307-202	NEW	09/15/98	98-11/119
	21127	R307-203	NEW	09/15/98	98-11/121
	21128	R307-206	NEW	09/15/98	98-11/123
	21566	R307-220	NSC	11/12/98	Not Printed
	21455	R307-220-3	AMD	11/25/98	98-19/6
	21456	R307-222	NEW	11/25/98	98-19/7
	21129	R307-302	NEW	09/15/98	98-11/124

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21130	R307-305	NEW	09/15/98	98-11/126
	21131	R307-307	NEW	09/15/98	98-11/128
	21273	R307-307-3	NSC	09/15/98	Not Printed
	21132	R307-325	NEW	09/15/98	98-11/129
	21133	R307-326	NEW	09/15/98	98-11/131
	21134	R307-327	NEW	09/15/98	98-11/133
	21135	R307-328	NEW	09/15/98	98-11/135
	21136	R307-332	NEW	09/15/98	98-11/137
	21137	R307-335	NEW	09/15/98	98-11/141
	21138	R307-340	NEW	09/15/98	98-11/143
	21139	R307-341	NEW	09/15/98	98-11/150
	21140	R307-401	NEW	09/15/98	98-11/151
	21274	R307-401-2	NSC	09/15/98	Not Printed
	21141	R307-403	NEW	09/15/98	98-11/154
	21142	R307-405	NEW	09/15/98	98-11/157
	21143	R307-406	NEW	09/15/98	98-11/162
	21144	R307-410	NEW	09/15/98	98-11/163
	21395	R307-410-3	NSC	09/15/98	Not Printed
	21146	R307-414	NEW	09/15/98	98-11/170
	21568	R307-415	NSC	11/12/98	Not Printed
	21016	R307-840	NEW	08/13/98	98-10/36
<u>AIR POLLUTION CONTROL</u>					
Environmental Quality, Air Quality	20771	R307-8	AMD	04/22/98	98-5/26
	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
	21567	R307-301-11	NSC	11/12/98	Not Printed
<u>AIR QUALITY</u>					
Environmental Quality, Air Quality	21009	R307-6	REP	08/13/98	98-10/29
	21115	R307-16 (Changed to R307-215)	AMD	09/15/98	98-11/99
	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
<u>AIR TRAVEL</u>					
Administrative Services, Finance	21626	R25-7	5YR	10/30/98	98-22/141
<u>ALCOHOL</u>					
Public Safety, Highway Patrol	21279	R714-500	R&R	09/25/98	98-15/59
	20698	R714-550	AMD	03/24/98	98-4/104
<u>ALCOHOLIC BEVERAGES</u>					
Alcoholic Beverage Control, Administration	21033	R81-1-6	AMD	07/01/98	98-10/3
	21032	R81-1-18	AMD	07/01/98	98-10/5
	21266	R81-1-18	NSC	07/29/98	Not Printed
<u>ALTERNATIVE LANGUAGE SERVICES</u>					
Education, Administration	20669	R277-716	5YR	01/14/98	98-3/94
<u>ALTERNATIVE SCHOOL</u>					
Education, Administration	20673	R277-730	5YR	01/14/98	98-3/96

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ANNUAL TRAINING</u>					
Public Safety, Peace Officer Standards and Training	20788	R728-410	NSC	02/23/98	Not Printed
<u>ANTIPOVERTY PROGRAMS</u>					
Community and Economic Development, Community Development, Community Services	20282	R202-100	AMD	01/15/98	97-24/17
<u>APPELLATE PROCEDURES</u>					
Administrative Services, Administration	21435	R13-1	5YR	09/11/98	98-19/104
Agriculture and Food, Administration	20931	R51-2	5YR	03/19/98	98-8/63
Workforce Services, Workforce Information and Payment Services	21211	R994-508	5YR	06/12/98	98-13/35
<u>APPLICATION</u>					
Natural Resources, Water Rights	20955	R655-5	NEW	05/18/98	98-8/40
<u>APPLIED TECHNOLOGY EDUCATION</u>					
Education, Administration	21161	R277-907	NEW	07/02/98	98-11/34
	20904	R277-912	5YR	03/13/98	98-7/75
	21077	R277-912	NSC	05/07/98	Not Printed
Workforce Services, Employment Development	20867	R986-501	NSC	04/01/98	Not Printed
<u>APPRAISAL</u>					
Tax Commission, Property Tax	20649	R884-24P-7	AMD	03/10/98	98-3/81
	20394	R884-24P-24	AMD	02/24/98	98-1/114
	21357	R884-24P-33	AMD	10/14/98	98-17/43
	21526	R884-24P-53	EMR	10/06/98	98-21/92
	20203	R884-24P-58	AMD	02/24/98	97-23/96
<u>APPROVAL</u>					
Public Safety, Peace Officer Standards and Training	20782	R728-401	NSC	02/23/98	Not Printed
<u>APPROVAL FOR CORRECTIONAL BASIC COURSE</u>					
Public Safety, Peace Officer Standards and Training	20786	R728-406	NSC	02/23/98	Not Printed
<u>APPROVAL FOR RESERVE BASIC COURSE</u>					
Public Safety, Peace Officer Standards and Training	20786	R728-406	NSC	02/23/98	Not Printed
<u>APPROVAL FOR SPECIAL FUNCTION COURSE</u>					
Public Safety, Peace Officer Standards and Training	20786	R728-406	NSC	02/23/98	Not Printed
<u>APPROVAL ORDER</u>					
Environmental Quality, Air Quality	21140	R307-401	NEW	09/15/98	98-11/151
	21274	R307-401-2	NSC	09/15/98	Not Printed
<u>ARCHITECTS</u>					
Commerce, Occupational and Professional Licensing	20200	R156-3a	AMD	see CPR	97-23/4
	20200	R156-3a	CPR	02/18/98	98-2/79

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ART DONATIONS</u>					
Community and Economic Development, Community Development, Fine Arts	21175	R207-2	AMD	09/03/98	98-12/10
<u>ART IN PUBLIC PLACES</u>					
Community and Economic Development, Community Development, Fine Arts	20811	R207-1	5YR	02/25/98	98-6/77
	20812	R207-2	5YR	02/25/98	98-6/77
	21175	R207-2	AMD	09/03/98	98-12/10
<u>ARTISTS</u>					
Community and Economic Development, Community Development, Fine Arts	20811	R207-1	5YR	02/25/98	98-6/77
<u>ART LOANS</u>					
Community and Economic Development, Community Development, Fine Arts	21175	R207-2	AMD	09/03/98	98-12/10
<u>ART PRESERVATION</u>					
Community and Economic Development, Community Development, Fine Arts	20812	R207-2	5YR	02/25/98	98-6/77
<u>ARTS</u>					
Community and Economic Development, Community Development, Fine Arts	20811	R207-1	5YR	02/25/98	98-6/77
Education, Administration	21344	R277-444	AMD	10/05/98	98-17/6
<u>ART WORKS</u>					
Community and Economic Development, Community Development, Fine Arts	20812	R207-2	5YR	02/25/98	98-6/77
	21175	R207-2	AMD	09/03/98	98-12/10
<u>ASBESTOS</u>					
Environmental Quality, Air Quality	21106	R307-1-8 (Changed to R307-801)	AMD	09/15/98	98-11/43
	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
<u>ASBESTOS HAZARD EMERGENCY RESPONSE</u>					
Environmental Quality, Air Quality	21106	R307-1-8 (Changed to R307-801)	AMD	09/15/98	98-11/43
<u>ASPHALT</u>					
Environmental Quality, Air Quality	21139	R307-341	NEW	09/15/98	98-11/150
<u>ASSISTANCE</u>					
Natural Resources, Parks and Recreation	21315	R651-301	5YR	07/21/98	98-16/94
<u>ASSISTED LIVING FACILITIES</u>					
Public Safety, Fire Marshal	21290	R710-3	AMD	09/01/98	98-15/44
<u>AUTHORITY</u>					
Environmental Quality, Air Quality	21122	R307-150	NEW	09/15/98	98-11/113

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>AUXILIARY OFFICERS</u>					
Public Safety, Peace Officer Standards and Training	20831	R728-408	5YR	03/04/98	98-7/77
<u>BACKGROUND CHECKS</u>					
Human Services, Mental Health, State Hospital	20890	R525-5	NEW	05/25/98	98-7/43
<u>BANKING LAW</u>					
Money Management Council, Administration	21190	R628-11	NSC	06/17/98	Not Printed
<u>BANKS AND BANKING</u>					
Human Services, Recovery Services	20518	R527-928	AMD	02/17/98	98-1/71
	21530	R527-928	NSC	10/23/98	Not Printed
<u>BASIC ACADEMY RULES</u>					
Public Safety, Peace Officer Standards and Training	20810	R728-404	AMD	04/15/98	98-6/52
<u>BASIC APPLICATION PROCEDURES</u>					
Public Safety, Peace Officer Standards and Training	20783	R728-402	NSC	02/23/98	Not Printed
<u>BEAR</u>					
Natural Resources, Wildlife Resources	20929	R657-33	EMR	03/19/98	98-8/58
	20938	R657-33	5YR	03/24/98	98-8/65
	20939	R657-33	AMD	05/18/98	98-8/43
<u>BENEFITS</u>					
Human Services, Administration	21492	R495-607	5YR	09/28/98	98-20/38
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services	21522	R495-605 (Changed to R202-205)	NSC	10/23/98	Not Printed
	21524	R495-607 (Changed to R202-207)	NSC	10/23/98	Not Printed
Labor Commission, Industrial Accidents	21217	R612-3	5YR	06/15/98	98-13/33
Workforce Services, Employment Development	20224	R986-302	AMD	01/02/98	97-23/97
	20744	R986-302	5YR	02/06/98	98-5/70
	20860	R986-415	NSC	04/01/98	Not Printed
	20208	R986-417	AMD	see CPR	97-23/100
	20208	R986-417	CPR	02/03/98	98-1/120
	20862	R986-417	NSC	04/01/98	Not Printed
	21420	R986-417	EMR	10/01/98	98-19/98
	20863	R986-418	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21165	R986-302 (Changed to R414-302)	NSC	06/01/98	Not Printed
<u>BIG GAME</u>					
Natural Resources, Wildlife Resources	21402	R657-44	AMD	10/16/98	98-18/32
<u>BIG GAME SEASONS</u>					
Natural Resources, Wildlife Resources	20241	R657-5	AMD	01/15/98	97-24/95

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21185	R657-5	AMD	07/16/98	98-12/14
	21414	R657-5	AMD	10/16/98	98-18/23
	20700	R657-43	AMD	03/18/98	98-4/90
<u>BIRDS</u>					
Natural Resources, Wildlife Resources	21238	R657-6	AMD	08/19/98	98-14/74
	21400	R657-9	AMD	10/16/98	98-18/26
<u>BOARDS</u>					
Administrative Services, Finance	21623	R25-5	5YR	10/30/98	98-22/140
<u>BOATING</u>					
Natural Resources, Parks and Recreation	21406	R651-203	NSC	10/20/98	Not Printed
	21407	R651-211	NSC	10/20/98	Not Printed
	21408	R651-213	NSC	10/20/98	Not Printed
	21410	R651-216	NSC	10/20/98	Not Printed
	21411	R651-217	NSC	10/20/98	Not Printed
	21412	R651-219	NSC	10/20/98	Not Printed
	21413	R651-225-4	NSC	10/20/98	Not Printed
<u>BRACHYTHERAPY</u>					
Environmental Quality, Radiation Control	20238	R313-32	AMD	01/23/98	97-23/65
	20829	R313-32	NSC	04/01/98	Not Printed
	21088	R313-32	AMD	08/11/98	98-10/40
<u>BRAKES</u>					
Public Safety, Highway Patrol	20912	R714-300	R&R	05/05/98	98-7/63
<u>BREAKDOWN</u>					
Environmental Quality, Air Quality	21121	R307-107	NEW	09/15/98	98-11/112
<u>BREATH TESTING</u>					
Public Safety, Highway Patrol	21279	R714-500	R&R	09/25/98	98-15/59
<u>BRINE SHRIMP ROYALTY</u>					
Tax Commission, Auditing	21219	R865-25X-1	AMD	08/11/98	98-13/22
<u>BROAD SCOPE</u>					
Environmental Quality, Radiation Control	20961	R313-22-37	NSC	04/01/98	Not Printed
<u>BUDGETING</u>					
Administrative Services, Facilities Construction and Management	20706	R23-8	5YR	01/28/98	98-4/130
Workforce Services, Employment Development	20746	R986-304	5YR	02/06/98	98-5/71
	20738	R986-304	EMR	02/12/98	98-5/60
	20739	R986-304	AMD	04/01/98	98-5/49
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21167	R986-304 (Changed to R414-304)	NSC	06/01/98	Not Printed
<u>BUILDING CODES</u>					
Commerce, Occupational and Professional Licensing	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
<u>BUILDING INSPECTION</u>					
Commerce, Occupational and Professional Licensing	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
<u>BUILDINGS</u>					
Administrative Services, Facilities Construction and Management	20703	R23-5	5YR	01/28/98	98-4/128
	20708	R23-10	5YR	01/28/98	98-4/131
	20709	R23-11	5YR	01/28/98	98-4/131
	20711	R23-24	5YR	01/28/98	98-4/132
	21208	R23-29	AMD	10/29/98	98-13/10
<u>BUSES</u>					
Transportation, Preconstruction, Right- of-Way Acquisition	21177	R933-4	NEW	07/16/98	98-12/21
<u>BUSLINES</u>					
Transportation, Preconstruction, Right- of-Way Acquisition	21177	R933-4	NEW	07/16/98	98-12/21
<u>BUS SHELTERS</u>					
Transportation, Preconstruction, Right- of-Way Acquisition	21177	R933-4	NEW	07/16/98	98-12/21
<u>CAPACITY DEVELOPMENT</u>					
Environmental Quality, Drinking Water	21027	R309-352	NEW	06/19/98	98-10/38
<u>CAPITAL PUNISHMENT</u>					
Pardons (Board of), Administration	20486	R671-205	AMD	02/18/98	98-1/76
	21300	R671-205	EXD	07/15/98	98-16/96
	21310	R671-205	EMR	07/17/98	98-16/81
	20489	R671-312	AMD	02/18/98	98-1/87
	21301	R671-312	EXD	07/15/98	98-16/96
	21312	R671-312	EMR	07/17/98	98-16/82
	21313	R671-312	NEW	09/15/98	98-16/49
	21428	R671-312	NSC	09/15/98	Not Printed
<u>CAREER DEVELOPMENT COURSES</u>					
Public Safety, Peace Officer Standards and Training	21539	R728-501	5YR	10/14/98	98-21/101
<u>CAREER EDUCATION</u>					
Education, Administration	20670	R277-718	5YR	01/14/98	98-3/95
<u>CARRYOVER FUNDING</u>					
Human Services, Aging and Adult Services	20635	R510-101	5YR	01/08/98	98-3/99

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>CASH OUT</u>					
Workforce Services, Employment Development	20877	R986-709	NSC	04/01/98	Not Printed
	21288	R986-709	REP	10/01/98	98-15/78
<u>CENTENNIAL</u>					
Statehood Centennial Commission (Utah), Administration	20924	R855-1	EXD	03/17/98	98-8/67
	20925	R855-2	EXD	03/17/98	98-8/67
	20926	R855-3	EXD	03/17/98	98-8/67
<u>CERTIFICATE OF REGISTRATION</u>					
Natural Resources, Wildlife Resources	21241	R657-45	NEW	08/19/98	98-14/83
<u>CERTIFICATION</u>					
Labor Commission, Safety	21667	R616-1	5YR	11/13/98	98-23/49
Public Safety, Peace Officer Standards and Training	20995	R728-409	AMD	06/02/98	98-9/41
<u>CERTIFIED NURSE MIDWIFE</u>					
Commerce, Occupational and Professional Licensing	21405	R156-44a	AMD	10/22/98	98-18/4
<u>CHARTER SCHOOLS</u>					
Education, Administration	21469	R277-470	NEW	11/03/98	98-19/4
<u>CHILD ABUSE</u>					
Human Services, Child and Family Services	21226	R512-25	EMR	06/16/98	98-14/99
	21336	R512-25	NEW	09/15/98	98-16/26
<u>CHILD CARE</u>					
Workforce Services, Employment Development	20754	R986-701	5YR	02/06/98	98-5/75
	20870	R986-701	NSC	04/01/98	Not Printed
	21283	R986-701	AMD	10/01/98	98-15/71
	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
	20756	R986-703	5YR	02/06/98	98-5/77
	20872	R986-703	NSC	04/01/98	Not Printed
	21285	R986-703	AMD	10/01/98	98-15/74
	20757	R986-704	5YR	02/06/98	98-5/77
	20873	R986-704	NSC	04/01/98	Not Printed
	20758	R986-705	5YR	02/06/98	98-5/78
	20874	R986-705	NSC	04/01/98	Not Printed
	20759	R986-706	5YR	02/06/98	98-5/78
	20875	R986-706	NSC	04/01/98	Not Printed
	21286	R986-706	AMD	10/01/98	98-15/75
	20760	R986-707	5YR	02/06/98	98-5/79
	20876	R986-707	NSC	04/01/98	Not Printed
	21287	R986-707	AMD	10/01/98	98-15/77

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>CHILD CARE FACILITIES</u>					
Health, Health Systems Improvement, Child Care Licensing	20264	R430-2	NEW	02/04/98	97-24/66
	20265	R430-3	NEW	01/21/98	97-24/69
	21235	R430-4	NEW	08/20/98	98-14/51
	20266	R430-5	NEW	02/05/98	97-24/71
	21392	R430-5	REP	10/28/98	98-18/14
	20267	R430-6	NEW	01/20/98	97-24/75
	21245	R430-6	AMD	08/20/98	98-14/53
	20645	R430-10	EMR	01/09/98	98-3/86
	20684	R430-10	EMR	01/20/98	98-4/122
	20268	R430-30	NEW	01/21/98	97-24/79
	21236	R430-50	NEW	08/20/98	98-14/55
	21472	R430-50	NSC	10/19/98	Not Printed
	21276	R430-60	NEW	09/10/98	98-15/5
	21246	R430-90	NEW	08/20/98	98-14/58
	21473	R430-90	NSC	10/22/98	Not Printed
	20269	R430-100	NEW	02/05/98	97-24/79
	21277	R430-100	AMD	09/10/98	98-15/10
<u>CHILD PLACING</u>					
Human Services, Administration, Administrative Services, Licensing	21415	R501-7	EMR	09/02/98	98-19/94
	21391	R501-7	AMD	10/16/98	98-18/21
<u>CHILDREN</u>					
Workforce Services, Employment Development	20754	R986-701	5YR	02/06/98	98-5/75
	20870	R986-701	NSC	04/01/98	Not Printed
	21283	R986-701	AMD	10/01/98	98-15/71
	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
<u>CHILDREN'S HEALTH BENEFITS</u>					
Health, Children's Health Insurance Program	21153	R382-1	NEW	07/14/98	98-11/171
	21154	R382-10	NEW	07/14/98	98-11/173
	21187	R382-10-10	AMD	07/17/98	98-12/11
	21155	R382-20	NEW	07/14/98	98-11/178
	21237	R382-20	NSC	07/22/98	Not Printed
<u>CHILD SUPPORT</u>					
Human Services, Recovery Services	20647	R527-3	5YR	01/12/98	98-3/104
	20240	R527-5	AMD	01/05/98	97-23/83
	20522	R527-39	NEW	02/05/98	98-1/67
	20978	R527-56	5YR	04/13/98	98-9/69
	20979	R527-56	NSC	04/20/98	Not Printed
	21018	R527-100	NEW	06/16/98	98-10/129
	21424	R527-200	NSC	10/20/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21352	R527-201	AMD	see CPR	98-17/34
	21352	R527-201	CPR	10/16/98	98-18/38
	21243	R527-253	AMD	08/17/98	98-14/73
	20723	R527-300	AMD	03/18/98	98-4/77
	21006	R527-300	AMD	06/16/98	98-10/130
	21488	R527-300	NSC	10/22/98	Not Printed
	20724	R527-301	AMD	03/18/98	98-4/80
	21427	R527-301	5YR	09/04/98	98-19/106
	21017	R527-305	NEW	06/16/98	98-10/131
	20523	R527-430	NEW	02/05/98	98-1/68
	20725	R527-475	AMD	03/18/98	98-4/82
	20520	R527-550	AMD	02/11/98	98-1/70
<u>CHILD WELFARE</u>					
Human Services, Child and Family Services	20245	R512-2	AMD	02/01/98	97-24/90
	21226	R512-25	EMR	06/16/98	98-14/99
	21336	R512-25	NEW	09/15/98	98-16/26
	20288	R512-31	AMD	04/01/98	97-24/91
Workforce Services, Employment Development	20846	R986-212	NSC	04/01/98	Not Printed
<u>CHILD WELFARE POLICY</u>					
Human Services, Child and Family Services	21466	R512-3	NEW	11/05/98	98-19/77
<u>CITIZENSHIP</u>					
Workforce Services, Employment Development	20861	R986-416	NSC	04/01/98	Not Printed
<u>CIVIL RIGHTS</u>					
Natural Resources, Administration	20256	R634-1	NEW	01/15/98	97-24/92
<u>CLASS I AREA</u>					
Environmental Quality, Air Quality	21142	R307-405	NEW	09/15/98	98-11/157
<u>CLIENT PAYMENT</u>					
Workforce Services, Employment Development	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
<u>CLIENT RIGHTS</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21518	R495-601 (Changed to R202-201)	NSC	10/23/98	Not Printed
Workforce Services, Employment Development	20743	R986-301	5YR	02/06/98	98-5/70
	20856	R986-411	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21164	R986-301 (Changed to R414-301)	NSC	06/01/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>COAL MINES</u>					
Natural Resources; Oil, Gas and Mining; Coal	20189	R645-100-200	AMD	03/15/98	97-22/27
	21327	R645-102	5YR	07/27/98	98-16/91
	20190	R645-301-500	AMD	03/15/98	97-22/38
	20191	R645-301-700	AMD	03/15/98	97-22/59
	21334	R645-301-700	AMD	09/30/98	98-16/36
<u>COLLEGES</u>					
Regents (Board of), Administration	20980	R765-134	5YR	04/13/98	98-9/72
	20981	R765-555	5YR	04/13/98	98-9/73
	20984	R765-555	NSC	05/01/98	Not Printed
	20982	R765-993	5YR	04/13/98	98-9/73
	20985	R765-993	NSC	05/01/98	Not Printed
<u>COMMUNICATIONS</u>					
Public Service Commission, Administration	20592	R746-356-2	NSC	01/06/98	Not Printed
<u>COMMUNITY ACTION PROGRAMS</u>					
Community and Economic Development, Community Development, Community Services	20282	R202-100	AMD	01/15/98	97-24/17
<u>COMMUNITY HEALTH SERVICES</u>					
Health, Health Systems Improvement, Community Health Nursing	20768	R425-1	5YR	02/10/98	98-5/68
<u>COMMUNITY SCHOOLS</u>					
Education, Administration	20674	R277-732	5YR	01/14/98	98-3/97
<u>COMMUNITY SERVICE</u>					
Corrections, Administration	21207	R251-307	5YR	06/11/98	98-13/34
	21198	R251-307	REP	09/01/98	98-13/12
<u>COMPENSATORY TIME</u>					
Human Resource Management, Administration	21264	R477-8	EMR	07/01/98	98-14/94
	21306	R477-8	AMD	10/02/98	98-16/17
<u>COMPLAINT PROCEDURES</u>					
Corrections, Administration	20841	R251-112	5YR	03/06/98	98-7/72
	20842	R251-112	AMD	06/15/98	98-7/32
	20986	R251-112	NSC	06/15/98	Not Printed
<u>COMPLAINTS</u>					
Education, Administration	21191	R277-104	5YR	06/04/98	98-13/30
Education, Applied Technology Education (Board for), Rehabilitation	21643	R280-201	EXD	11/01/98	98-22/144
Human Services, Mental Health, State Hospital	20892	R525-7	NEW	05/25/98	98-7/45
Public Service Commission, Administration	21341	R746-500	5YR	08/05/98	98-17/64
<u>COMPULSORY EDUCATION</u>					
Education, Administration	21160	R277-616	AMD	07/02/98	98-11/32

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>COMPUTER SOFTWARE</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	21429	R365-3	NSC	09/10/98	Not Printed
<u>CONCEALED FIREARM PERMITS</u>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing	20806	R724-4	R&R	04/16/98	98-6/46
<u>CONCERNS</u>					
Human Services, Mental Health, State Hospital	20892	R525-7	NEW	05/25/98	98-7/45
<u>CONDUCT</u>					
Commerce, Real Estate	21151	R162-106	AMD	07/14/98	98-11/30
	20625	R162-107	NEW	03/04/98	98-2/22
Professional Practices Advisory Commission, Administration	20524	R686-100	NEW	02/09/98	98-1/99
<u>CONFIDENTIALITY</u>					
Human Services, Recovery Services	20240	R527-5	AMD	01/05/98	97-23/83
<u>CONFIDENTIALITY OF INFORMATION</u>					
Administrative Services, Administration	20537	R13-2	NSC	01/06/98	Not Printed
Environmental Quality, Air Quality	21120	R307-102	NEW	09/15/98	98-11/110
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21518	R495-601 (Changed to R202-201)	NSC	10/23/98	Not Printed
Natural Resources, Energy	20719	R636-4	EXD	02/01/98	98-4/136
Workforce Services, Employment Development	20849	R986-215	AMD	05/18/98	98-7/68
<u>CONNECTIONS</u>					
Environmental Quality, Drinking Water	21302	R309-211	AMD	11/01/98	98-16/6
<u>CONSTRUCTION</u>					
Administrative Services, Facilities Construction and Management	20702	R23-4	5YR	01/28/98	98-4/128
	21213	R23-4	AMD	10/29/98	98-13/7
<u>CONSTRUCTION COSTS</u>					
Administrative Services, Facilities Construction and Management	20704	R23-6	5YR	01/28/98	98-4/129
<u>CONSTRUCTION DISPUTES</u>					
Administrative Services, Facilities Construction and Management	20702	R23-4	5YR	01/28/98	98-4/128
	21213	R23-4	AMD	10/29/98	98-13/7
<u>CONSULTANTS</u>					
Natural Resources, Water Resources	20597	R653-3	AMD	02/18/98	98-2/58
<u>CONTAMINATION</u>					
Environmental Quality, Air Quality	21009	R307-6	REP	08/13/98	98-10/29
Environmental Quality, Radiation Control	20235	R313-15	AMD	see CPR	97-23/44
	20235	R313-15	CPR	03/20/98	98-4/120
	20953	R313-15	NSC	04/04/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21038	R313-15	5YR	04/30/98	98-10/149
	21271	R313-15	NSC	07/22/98	Not Printed
<u>CONTINGENCY FUND</u>					
Administrative Services, Facilities Construction and Management	20703	R23-5	5YR	01/28/98	98-4/128
<u>CONTRACTING</u>					
Workforce Services, Employment Development	20759	R986-706	5YR	02/06/98	98-5/78
	20875	R986-706	NSC	04/01/98	Not Printed
	21286	R986-706	AMD	10/01/98	98-15/75
<u>CONTRACTORS</u>					
Commerce, Occupational and Professional Licensing	21019	R156-38	AMD	see CPR	98-10/14
	21019	R156-38	CPR	08/20/98	98-14/88
	20650	R156-55a	AMD	03/05/98	98-3/23
	20836	R156-55a-302b	NSC	03/17/98	Not Printed
	21275	R156-55a-302b	NSC	07/22/98	Not Printed
	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
<u>CONTRACTS</u>					
Administrative Services, Facilities Construction and Management	21212	R23-1	AMD	10/29/98	98-13/4
	20702	R23-4	5YR	01/28/98	98-4/128
	21213	R23-4	AMD	10/29/98	98-13/7
Corrections, Administration	20843	R251-304	5YR	03/06/98	98-7/73
	20844	R251-304	AMD	06/15/98	98-7/34
<u>CONTROL</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	21429	R365-3	NSC	09/10/98	Not Printed
<u>CONTROL AND ACCESS</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	19943	R365-4	NSC	09/10/98	Not Printed
Governor, Planning and Budget, Chief Information Officer	21491	R365-4	NSC	09/28/98	Not Printed
<u>CONTROLLED SUBSTANCES</u>					
Commerce, Occupational and Professional Licensing	20878	R156-37	AMD	05/04/98	98-7/8
	21092	R156-37	NSC	05/21/98	Not Printed
	20941	R156-37-605	AMD	05/19/98	98-8/8

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>COOPERATIVE WILDLIFE MANAGEMENT UNIT</u>					
Natural Resources, Wildlife Resources	20243	R657-37	AMD	01/15/98	97-24/104
<u>COPYRIGHT</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	21429	R365-3	NSC	09/10/98	Not Printed
<u>CORRECTIONS</u>					
Corrections, Administration	20160	R251-107	AMD	01/15/98	97-22/16
	20843	R251-304	5YR	03/06/98	98-7/73
	20844	R251-304	AMD	06/15/98	98-7/34
	21207	R251-307	5YR	06/11/98	98-13/34
	21198	R251-307	REP	09/01/98	98-13/12
	20198	R251-707	AMD	01/15/98	97-23/8
	20379	R251-710	AMD	03/15/98	98-1/14
<u>COSTS</u>					
Administrative Services, Finance	21624	R25-6	5YR	10/30/98	98-22/140
Financial Institutions, Administration	20879	R331-22	AMD	05/04/98	98-7/35
<u>COUGAR</u>					
Natural Resources, Wildlife Resources	20928	R657-10	EMR	03/19/98	98-8/57
	21401	R657-10	AMD	10/16/98	98-18/29
<u>COUNCILS</u>					
Workforce Services, Administration	20927	R982-301	AMD	05/18/98	98-8/48
	21577	R982-301	NSC	11/12/98	Not Printed
<u>COUNSELORS</u>					
Commerce, Occupational and Professional Licensing	20359	R156-60c	AMD	02/03/98	98-1/6
	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
<u>COVERAGE GROUPS</u>					
Workforce Services, Employment Development	20745	R986-303	5YR	02/06/98	98-5/71
	20319	R986-303-301	AMD	02/03/98	98-1/116
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21166	R986-303 (Changed to R414-303)	NSC	06/01/98	Not Printed
<u>CRIMINAL COMPETENCY</u>					
Pardons (Board of), Administration	20437	R671-206	AMD	02/18/98	98-1/77
	20439	R671-207	AMD	02/18/98	98-1/78
<u>CRIMINAL RECORDS</u>					
Public Safety, Law Enforcement and Technical Services, Criminal Identification	20629	R722-1	REP	03/04/98	98-3/77

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>CULTURE</u>					
Community and Economic Development, Community Development, Fine Arts	20811	R207-1	5YR	02/25/98	98-6/77
<u>CURRICULA</u>					
Education, Administration	21344	R277-444	AMD	10/05/98	98-17/6
	20664	R277-700	5YR	01/14/98	98-3/92
	20665	R277-701	5YR	01/14/98	98-3/93
<u>CUSTODY</u>					
Education, Administration	21642	R277-735	EXD	11/01/98	98-22/144
<u>DAY CARE</u>					
Public Safety, Fire Marshal	20716	R710-8	AMD	03/18/98	98-4/103
	21294	R710-8	AMD	09/01/98	98-15/55
<u>DECLARATORY ORDERS</u>					
Labor Commission, Administration	21215	R600-1	5YR	06/15/98	98-13/32
<u>DECOMMISSIONING</u>					
Environmental Quality, Radiation Control	20961	R313-22-37	NSC	04/01/98	Not Printed
<u>DEFINITIONS</u>					
Environmental Quality, Air Quality	21119	R307-101	NEW	09/15/98	98-11/104
Environmental Quality, Radiation Control	20234	R313-12	AMD	see CPR	97-23/115
	20234	R313-12	CPR	03/20/98	98-4/115
Human Resource Management, Administration	21303	R477-1	AMD	10/02/98	98-16/9
	21073	R477-13	NSC	06/27/98	Not Printed
Workforce Services, Workforce Information and Payment Services	21178	R994-201	5YR	05/29/98	98-12/38
<u>DEGREASING</u>					
Environmental Quality, Air Quality	21137	R307-335	NEW	09/15/98	98-11/141
<u>DELEGATION</u>					
Administrative Services, Facilities Construction and Management	21208	R23-29	AMD	10/29/98	98-13/10
<u>DE MINIMIS</u>					
Environmental Quality, Air Quality	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
	21354	R307-413	NSC	09/15/98	Not Printed
<u>DEMONSTRATION</u>					
Workforce Services, Employment Development	20742	R986-221	5YR	02/06/98	98-5/69
	20854	R986-221	NSC	04/01/98	Not Printed
	20752	R986-310	5YR	02/06/98	98-5/74
	20753	R986-421	5YR	02/06/98	98-5/75
	20866	R986-421	NSC	04/01/98	Not Printed
	21423	R986-421	EMR	10/01/98	98-19/102
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21173	R986-310 (Changed to R414-310)	NSC	06/01/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>DENTAL HYGIENISTS</u>					
Commerce, Occupational and Professional Licensing	20776	R156-69	AMD	04/01/98	98-5/6
<u>DENTISTS</u>					
Commerce, Occupational and Professional Licensing	20776	R156-69	AMD	04/01/98	98-5/6
<u>DEPREDAATION</u>					
Natural Resources, Wildlife Resources	21402	R657-44	AMD	10/16/98	98-18/32
<u>DEVELOPMENTALLY DISABLED</u>					
Tax Commission, Administration	20818	R861-1A-23	AMD	05/04/98	98-6/55
	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
<u>DIETITIANS</u>					
Commerce, Occupational and Professional Licensing	21390	R156-49	AMD	10/19/98	98-18/9
	21558	R156-49	5YR	10/19/98	98-22/142
<u>DISABILITIES</u>					
Pardons (Board of), Administration	20427	R671-102	AMD	02/18/98	98-1/73
<u>DISABILITY INSURANCE</u>					
Human Resource Management, Administration	21264	R477-8	EMR	07/01/98	98-14/94
	21306	R477-8	AMD	10/02/98	98-16/17
<u>DISABLED PERSONS</u>					
Administrative Services, Administration	20631	R13-3	5YR	01/08/98	98-3/89
Corrections, Administration	20841	R251-112	5YR	03/06/98	98-7/72
	20842	R251-112	AMD	06/15/98	98-7/32
	20986	R251-112	NSC	06/15/98	Not Printed
Education, Administration	21191	R277-104	5YR	06/04/98	98-13/30
Education, Applied Technology Education (Board for), Rehabilitation	21643	R280-201	EXD	11/01/98	98-22/144
	21644	R280-202	EXD	11/01/98	98-22/144
Public Service Commission, Administration	21341	R746-500	5YR	08/05/98	98-17/64
<u>DISASTERS</u>					
Education, Administration	21467	R277-400	AMD	11/03/98	98-19/3
<u>DISCIPLINARY ACTIONS</u>					
Education, Administration	20781	R277-514	R&R	04/07/98	98-5/13
Professional Practices Advisory Commission, Administration	21262	R686-101	NEW	08/15/98	98-14/84
	21263	R686-102	NEW	08/15/98	98-14/85
<u>DISCIPLINARY PROBLEMS</u>					
Education, Administration	21192	R277-436	5YR	06/04/98	98-13/31
	21159	R277-436	AMD	07/02/98	98-11/31

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>DISCIPLINE OF EMPLOYEES</u>					
Human Resource Management, Administration	21308	R477-14	AMD	10/02/98	98-16/24
<u>DISCLOSURE REQUIREMENTS</u>					
Tax Commission, Administration	20818	R861-1A-23	AMD	05/04/98	98-6/55
	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
<u>DISEASE CONTROL</u>					
Agriculture and Food, Animal Industry	21337	R58-1	AMD	09/15/98	98-16/3
<u>DISPLACED HOMEMAKERS</u>					
Workforce Services, Employment Development	20867	R986-501	NSC	04/01/98	Not Printed
<u>DIVERSION PROGRAMS</u>					
Commerce, Occupational and Professional Licensing	20973	R156-1	AMD	06/04/98	98-9/4
<u>DOMESTIC VIOLENCE POLICY</u>					
Human Services, Child and Family Services	21466	R512-3	NEW	11/05/98	98-19/77
<u>DRAINAGE</u>					
Transportation, Operations, Maintenance	20628	R918-2-3	NSC	01/21/98	Not Printed
<u>DRINKING WATER</u>					
Environmental Quality, Drinking Water	20789	R309-105	EXD	02/01/98	98-5/80
	20290	R309-106	REP	03/01/98	97-24/26
	20291	R309-107	REP	03/01/98	97-24/33
	20292	R309-108	REP	03/01/98	97-24/37
	20293	R309-109	REP	03/01/98	97-24/47
	20294	R309-110	REP	03/01/98	97-24/56
	20295	R309-111	REP	03/01/98	97-24/60
	20296	R309-112	REP	03/01/98	97-24/63
	20977	R309-113	AMD	06/15/98	98-9/31
	20693	R309-114	NEW	see CPR	98-4/76
	20693	R309-114	CPR	06/15/98	98-9/60
	21302	R309-211	AMD	11/01/98	98-16/6
	21027	R309-352	NEW	06/19/98	98-10/38
<u>DRIVER EDUCATION</u>					
Education, Administration	20901	R277-746	5YR	03/13/98	98-7/74
	20902	R277-747	5YR	03/13/98	98-7/74
<u>DRIVER LICENSES</u>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing	21316	R724-7	5YR	07/21/98	98-16/95

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>DRUG ABUSE</u>					
Human Resource Management, Administration	21308	R477-14	AMD	10/02/98	98-16/24
<u>DRUG/ALCOHOL EDUCATION</u>					
Human Resource Management, Administration	21308	R477-14	AMD	10/02/98	98-16/24
<u>DRUGS</u>					
Public Safety, Highway Patrol	20698	R714-550	AMD	03/24/98	98-4/104
<u>DUAL ENROLLMENT</u>					
Education, Administration	21369	R277-438	NSC	08/20/98	Not Printed
<u>DUE PROCESS</u>					
Human Services, Child and Family Services	20288	R512-31	AMD	04/01/98	97-24/91
<u>ECONOMIC DEVELOPMENT</u>					
Workforce Services, Employment Development	21253	R986-601	5YR	06/29/98	98-14/106
<u>EDUCATION</u>					
Education, Administration	21469	R277-470	NEW	11/03/98	98-19/4
	20665	R277-701	5YR	01/14/98	98-3/93
	20667	R277-709	5YR	01/14/98	98-3/94
	20670	R277-718	5YR	01/14/98	98-3/95
	20673	R277-730	5YR	01/14/98	98-3/96
Regents (Board of), Administration	20983	R765-171	NSC	05/01/98	Not Printed
<u>EDUCATIONAL ADMINISTRATION</u>					
Education, Administration	21076	R277-116	AMD	06/17/98	98-10/25
<u>EDUCATIONAL FACILITIES</u>					
Education, Administration	21259	R277-451	REP	08/15/98	98-14/41
	21345	R277-452	NEW	10/05/98	98-17/7
	21260	R277-458	AMD	08/15/98	98-14/43
<u>EDUCATIONAL PLANNING</u>					
Education, Administration	21345	R277-452	NEW	10/05/98	98-17/7
<u>EDUCATIONAL POLICY</u>					
Regents (Board of), Administration	20981	R765-555	5YR	04/13/98	98-9/73
	20984	R765-555	NSC	05/01/98	Not Printed
<u>EDUCATIONAL TESTING</u>					
Education, Administration	20666	R277-702	5YR	01/14/98	98-3/93
<u>EDUCATION FINANCE</u>					
Education, Administration	21259	R277-451	REP	08/15/98	98-14/41
	21260	R277-458	AMD	08/15/98	98-14/43
	20900	R277-740	5YR	03/13/98	98-7/74
	21161	R277-907	NEW	07/02/98	98-11/34
<u>ELDERCARE</u>					
Human Services, Aging and Adult Services	20642	R510-110	5YR	01/08/98	98-3/102

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ELDERLY</u>					
Human Services, Aging and Adult Services	20634	R510-100	5YR	01/08/98	98-3/98
	20635	R510-101	5YR	01/08/98	98-3/99
	20636	R510-102	5YR	01/08/98	98-3/99
	20637	R510-103	5YR	01/08/98	98-3/100
	20638	R510-106	5YR	01/08/98	98-3/100
	20639	R510-107	5YR	01/08/98	98-3/101
	20640	R510-108	5YR	01/08/98	98-3/101
	20641	R510-109	5YR	01/08/98	98-3/102
	20643	R510-200	5YR	01/08/98	98-3/103
	20644	R510-400	5YR	01/08/98	98-3/103
<u>ELECTRIC UTILITY INDUSTRIES</u>					
Public Service Commission, Administration	21249	R746-210	5YR	06/26/98	98-14/103
<u>ELIGIBILITY</u>					
Human Services, Child and Family Services	20245	R512-2	AMD	02/01/98	97-24/90
Workforce Services, Employment Development	20749	R986-307	5YR	02/06/98	98-5/73
	20774	R986-307	AMD	04/01/98	98-5/58
	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
	20757	R986-704	5YR	02/06/98	98-5/77
	20873	R986-704	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21170	R986-307 (Changed to R414-307)	NSC	06/01/98	Not Printed
<u>EMERGENCY MEDICAL SERVICES</u>					
Health, Health Systems Improvement, Emergency Medical Services	21034	R426-1	AMD	06/23/98	98-10/45
	21372	R426-1	NSC	10/17/98	Not Printed
	21152	R426-1-8	AMD	07/06/98	98-11/185
	21035	R426-3	AMD	06/23/98	98-10/52
	21373	R426-3	NSC	10/19/98	Not Printed
	21028	R426-4	AMD	06/23/98	98-10/58
	21374	R426-4	NSC	10/19/98	Not Printed
	21375	R426-5	NSC	10/19/98	Not Printed
<u>EMERGENCY POWERS</u>					
Environmental Quality, Air Quality	21104	R307-1-5 (Changed to R307-105)	AMD	09/15/98	98-11/37
<u>EMERGENCY PREPAREDNESS</u>					
Education, Administration	21467	R277-400	AMD	11/03/98	98-19/3
<u>EMERGENCY WORK PROGRAM</u>					
Workforce Services, Employment Development	20850	R986-216	NSC	04/01/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>EMISSION CONTROLS</u>					
Environmental Quality, Air Quality	21102	R307-14	REP	09/15/98	98-11/82
	21132	R307-325	NEW	09/15/98	98-11/129
	21138	R307-340	NEW	09/15/98	98-11/143
	21139	R307-341	NEW	09/15/98	98-11/150
<u>EMISSION FEE</u>					
Environmental Quality, Air Quality	21114	R307-15 (Changed to R307-415)	AMD	09/15/98	98-11/83
	21568	R307-415	NSC	11/12/98	Not Printed
<u>EMISSION TESTING</u>					
Environmental Quality, Air Quality	21124	R307-165	NEW	09/15/98	98-11/117
<u>EMPLOYEE BENEFIT PLANS</u>					
Human Resource Management, Administration	21305	R477-7	AMD	see CPR	98-16/15
	21305	R477-7	CPR	10/02/98	98-17/59
<u>EMPLOYEE LEASING COMPANY</u>					
Commerce, Occupational and Professional Licensing	20701	R156-59	5YR	01/27/98	98-4/134
	20651	R156-59	AMD	see CPR	98-3/28
	20651	R156-59	CPR	05/04/98	98-7/71
<u>EMPLOYEES' RIGHTS</u>					
Human Resource Management, Administration	21307	R477-12	AMD	10/02/98	98-16/22
<u>EMPLOYER</u>					
Labor Commission, Industrial Accidents	21218	R612-5	5YR	06/15/98	98-13/33
<u>EMPLOYMENT</u>					
Human Resource Management, Administration	21304	R477-5	AMD	10/02/98	98-16/13
Human Services, Aging and Adult Services	20639	R510-107	5YR	01/08/98	98-3/101
Workforce Services, Administration	21251	R982-401	5YR	06/29/98	98-14/105
	21252	R982-501	5YR	06/29/98	98-14/105
	21253	R986-601	5YR	06/29/98	98-14/106
	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
Workforce Services, Employment Development	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
	21179	R994-202	5YR	05/29/98	98-12/38
	21181	R994-600	5YR	05/29/98	98-12/39
<u>ENERGY ASSISTANCE</u>					
Human Services, Administration	21492	R495-607	5YR	09/28/98	98-20/38
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21519	R495-602 (Changed to R202-202)	NSC	10/23/98	Not Printed

RULES INDEX

<u>KEYWORD</u> <u>AGENCY</u>	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21520	R495-603 (Changed to R202-203)	NSC	10/23/98	Not Printed
	21521	R495-604 (Changed to R202-204)	NSC	10/23/98	Not Printed
	21522	R495-605 (Changed to R202-205)	NSC	10/23/98	Not Printed
	21523	R495-606 (Changed to R202-206)	NSC	10/23/98	Not Printed
	21524	R495-607 (Changed to R202-207)	NSC	10/23/98	Not Printed
	21525	R495-608 (Changed to R202-208)	NSC	10/23/98	Not Printed
<u>ENERGY INDUSTRIES</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services	21525	R495-608 (Changed to R202-208)	NSC	10/23/98	Not Printed
<u>ENFORCEMENT (ADMINISTRATIVE)</u>					
Lieutenant Governor, Administration	21560	R622-1	5YR	10/19/98	98-22/142
Natural Resources, Energy	20718	R636-2	EXD	02/01/98	98-4/136
<u>ENGINEERS</u>					
Commerce, Occupational and Professional Licensing	20696	R156-22	5YR	01/27/98	98-4/133
	20940	R156-22	AMD	see CPR	98-8/4
	20940	R156-22	CPR	07/16/98	98-12/29
<u>ENROLLMENT OPTIONS</u>					
Education, Administration	21343	R277-437	AMD	10/05/98	98-17/4
	21641	R277-437	EXD	11/01/98	98-22/144
<u>ENVIRONMENTAL HEALTH</u>					
Environmental Quality, Air Quality	21009	R307-6	REP	08/13/98	98-10/29
Environmental Quality, Drinking Water	20789	R309-105	EXD	02/01/98	98-5/80
	20290	R309-106	REP	03/01/98	97-24/26
	20295	R309-111	REP	03/01/98	97-24/60
	20296	R309-112	REP	03/01/98	97-24/63
	20977	R309-113	AMD	06/15/98	98-9/31
	20693	R309-114	NEW	see CPR	98-4/76
	20693	R309-114	CPR	06/15/98	98-9/60
<u>ENVIRONMENTAL PROTECTION</u>					
Environmental Quality, Air Quality	20099	R307-2-12	AMD	01/08/98	97-21/14
	21280	R307-2-12	NSC	07/27/98	Not Printed
	21031	R307-2-13	AMD	see CPR	98-10/28
	21031	R307-2-13	CPR	11/02/98	98-19/93
	21114	R307-15 (Changed to R307-415)	AMD	09/15/98	98-11/83
	21116	R307-19 (Changed to R307-115)	AMD	09/15/98	98-11/101
	21117	R307-20 (Changed to R307-220)	AMD	09/15/98	98-11/101
	21566	R307-220	NSC	11/12/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21455	R307-220-3	AMD	11/25/98	98-19/6
	21568	R307-415	NSC	11/12/98	Not Printed
<u>EQUAL ACCESS</u>					
Public Service Commission, Administration	20592	R746-356-2	NSC	01/06/98	Not Printed
<u>EQUIPMENT</u>					
Environmental Quality, Air Quality	21105	R307-1-6 (Changed to R307-120)	AMD	09/15/98	98-11/39
<u>ETHICS</u>					
Natural Resources, Wildlife Resources	20244	R657-38	AMD	01/15/98	97-24/105
<u>EXCEPTIONAL CHILDREN</u>					
Education, Administration	20668	R277-710	5YR	01/14/98	98-3/94
	20900	R277-740	5YR	03/13/98	98-7/74
	20903	R277-751	5YR	03/13/98	98-7/75
<u>EXCESS EMISSIONS</u>					
Environmental Quality, Air Quality	21121	R307-107	NEW	09/15/98	98-11/112
<u>EXECUTIONS</u>					
Corrections, Administration	20160	R251-107	AMD	01/15/98	97-22/16
<u>EXEMPTIONS</u>					
Environmental Quality, Air Quality	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
	21354	R307-413	NSC	09/15/98	Not Printed
Environmental Quality, Radiation Control	20234	R313-12	AMD	see CPR	97-23/115
	20234	R313-12	CPR	03/20/98	98-4/115
<u>EXTINGUISHERS</u>					
Public Safety, Fire Marshal	21289	R710-1	AMD	09/01/98	98-15/39
<u>EXTRACURRICULAR ACTIVITIES</u>					
Education, Administration	20660	R277-605	5YR	01/14/98	98-3/91
	20661	R277-606	5YR	01/14/98	98-3/91
<u>FAIR EMPLOYMENT PRACTICES</u>					
Human Resource Management, Administration	21304	R477-5	AMD	10/02/98	98-16/13
<u>FEES</u>					
Corrections, Administration	21670	R251-401	5YR	11/13/98	98-23/48
Environmental Quality, Air Quality	21146	R307-414	NEW	09/15/98	98-11/170
Labor Commission, Industrial Accidents	21216	R612-2	5YR	06/15/98	98-13/32
	21451	R612-2-3	AMD	11/03/98	98-19/80
	21452	R612-2-5	AMD	11/03/98	98-19/82
	21537	R612-2-24	NSC	10/22/98	Not Printed
Natural Resources, Parks and Recreation	20793	R651-611	AMD	07/06/98	98-6/44
Public Safety, Highway Patrol	20698	R714-550	AMD	03/24/98	98-4/104
<u>FERTILIZERS</u>					
Agriculture and Food, Plant Industry	21389	R68-3	AMD	10/16/98	98-18/13
	21559	R68-3-2	NSC	11/12/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>FILINGS DEADLINES</u>					
Labor Commission, Industrial Accidents	21470	R612-1-9	NSC	10/22/98	Not Printed
<u>FINANCE</u>					
Administrative Services, Finance	21624	R25-6	5YR	10/30/98	98-22/140
	21628	R25-8	5YR	10/30/98	98-22/141
<u>FINANCIAL AID</u>					
Regents (Board of), Administration	21163	R765-605	NEW	07/02/98	98-11/194
<u>FINANCIAL ASSISTANCE AMOUNT</u>					
Workforce Services, Employment Development	21013	R986-220	AMD	06/25/98	98-10/134
<u>FINANCIAL DISCLOSURE</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21521	R495-604 (Changed to R202-204)	NSC	10/23/98	Not Printed
Workforce Services, Employment Development	20847	R986-213	NSC	04/01/98	Not Printed
	20746	R986-304	5YR	02/06/98	98-5/71
	20738	R986-304	EMR	02/12/98	98-5/60
	20739	R986-304	AMD	04/01/98	98-5/49
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21167	R986-304 (Changed to R414-304)	NSC	06/01/98	Not Printed
<u>FINANCIAL INSTITUTIONS</u>					
Financial Institutions, Administration	21425	R331-20	5YR	09/03/98	98-19/105
	21426	R331-20	NSC	10/17/98	Not Printed
	21474	R331-21	5YR	09/16/98	98-20/37
	21475	R331-21	NSC	10/17/98	Not Printed
	20879	R331-22	AMD	05/04/98	98-7/35
	21430	R331-24	5YR	09/10/98	98-19/106
	21431	R331-24	AMD	11/03/98	98-19/75
Money Management Council, Administration	21190	R628-11	NSC	06/17/98	Not Printed
<u>FINANCIAL RESPONSIBILITY</u>					
Environmental Quality, Environmental Response and Remediation	21364	R311-207	AMD	10/09/98	98-17/24
<u>FIRE MARSHAL</u>					
Environmental Quality, Air Quality	21126	R307-202	NEW	09/15/98	98-11/119
<u>FIREPLACES</u>					
Environmental Quality, Air Quality	21105	R307-1-6 (Changed to R307-122)	AMD	09/15/98	98-11/39
	21103	R307-17	REP	09/15/98	98-11/100
	21125	R307-201	NEW	09/15/98	98-11/118
	21129	R307-302	NEW	09/15/98	98-11/124
<u>FIRE PREVENTION</u>					
Public Safety, Fire Marshal	21289	R710-1	AMD	09/01/98	98-15/39
	20714	R710-4	AMD	03/18/98	98-4/96

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21291	R710-4	AMD	09/01/98	98-15/46
	20277	R710-7	AMD	01/15/98	97-24/108
	21293	R710-7	AMD	09/01/98	98-15/53
	20716	R710-8	AMD	03/18/98	98-4/103
	21294	R710-8	AMD	09/01/98	98-15/55
	20278	R710-9	AMD	01/15/98	97-24/109
	21295	R710-9	AMD	09/01/98	98-15/57
<u>FIREWORKS</u>					
Public Safety, Fire Marshal	20712	R710-2	AMD	03/18/98	98-4/93
<u>FISCAL</u>					
Natural Resources, Parks and Recreation	21315	R651-301	5YR	07/21/98	98-16/94
<u>FOOD AID PROGRAMS</u>					
Education, Administration	20671	R277-721	5YR	01/14/98	98-3/95
	20672	R277-722	5YR	01/14/98	98-3/96
<u>FOOD SALES TAX REFUNDS</u>					
Community and Economic Development, Community Development, Community Services	20282	R202-100	AMD	01/15/98	97-24/17
<u>FOOD STAMPS</u>					
Workforce Services, Employment Development	20858	R986-413	NSC	04/01/98	Not Printed
	21496	R986-413	EMR	10/01/98	98-20/35
	20860	R986-415	NSC	04/01/98	Not Printed
	20861	R986-416	NSC	04/01/98	Not Printed
	20208	R986-417	AMD	see CPR	97-23/100
	20208	R986-417	CPR	02/03/98	98-1/120
	20862	R986-417	NSC	04/01/98	Not Printed
	21420	R986-417	EMR	10/01/98	98-19/48
	20863	R986-418	NSC	04/01/98	Not Printed
	20209	R986-419	AMD	01/02/98	97-23/102
	20864	R986-419	NSC	04/01/98	Not Printed
	21421	R986-419	EMR	10/01/98	98-19/99
	20210	R986-420	AMD	01/02/98	97-23/102
	20865	R986-420	NSC	04/01/98	Not Printed
	21422	R986-420	EMR	10/01/98	98-19/101
<u>FOREIGN STUDENTS</u>					
Education, Administration	20663	R277-615	5YR	01/14/98	98-3/92
<u>FOSTER CARE</u>					
Human Services, Administration, Administrative Services, Licensing	21258	R501-12	AMD	08/17/98	98-14/66
Human Services, Child and Family Services	20245	R512-2	AMD	02/01/98	97-24/90
	20288	R512-31	AMD	04/01/98	97-24/91
Human Services, Recovery Services	20520	R527-550	AMD	02/11/98	98-1/70

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>FRAUD</u>					
Human Services, Recovery Services	20518	R527-928	AMD	02/17/98	98-1/71
	21530	R527-928	NSC	10/23/98	Not Printed
<u>FREEDOM OF INFORMATION</u>					
Administrative Services, Administration	20537	R13-2	NSC	01/06/98	Not Printed
Natural Resources, Parks and Recreation	21314	R651-102	5YR	07/21/98	98-16/94
<u>FREE ENTERPRISE</u>					
Regents (Board of), Administration	20981	R765-555	5YR	04/13/98	98-9/73
	20984	R765-555	NSC	05/01/98	Not Printed
<u>FUEL</u>					
Tax Commission, Auditing	20392	R865-4D-2	AMD	02/24/98	98-1/112
	21193	R865-4D-2	NSC	06/17/98	Not Printed
<u>FUEL COMPOSITION</u>					
Environmental Quality, Air Quality	21127	R307-203	NEW	09/15/98	98-11/121
<u>FUEL OIL</u>					
Environmental Quality, Air Quality	21127	R307-203	NEW	09/15/98	98-11/121
<u>FUNDING</u>					
Environmental Quality, Drinking Water	21027	R309-352	NEW	06/19/98	98-10/38
<u>FUNDING FORMULA</u>					
Human Services, Aging and Adult Services	20634	R510-100	5YR	01/08/98	98-3/98
<u>GAME LAWS</u>					
Natural Resources, Wildlife Resources	20241	R657-5	AMD	01/15/98	97-24/95
	21185	R657-5	AMD	07/16/98	98-12/14
	21414	R657-5	AMD	10/16/98	98-18/23
	21238	R657-6	AMD	08/19/98	98-14/74
	20928	R657-10	EMR	03/19/98	98-8/57
	21401	R657-10	AMD	10/16/98	98-18/29
	20929	R657-33	EMR	03/19/98	98-8/58
	20938	R657-33	5YR	03/24/98	98-8/65
	20939	R657-33	AMD	05/18/98	98-8/43
	21500	R657-34	5YR	10/01/98	98-20/38
<u>GANGS</u>					
Education, Administration	21192	R277-436	5YR	06/04/98	98-13/31
	21159	R277-436	AMD	07/02/98	98-11/31
<u>GASOLINE</u>					
Environmental Quality, Air Quality	20771	R307-8	AMD	04/22/98	98-5/26
	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
	20100	R307-8-3	AMD	01/08/98	97-21/15
	21102	R307-14	REP	09/15/98	98-11/82
	21567	R307-301-11	NSC	11/12/98	Not Printed
	21133	R307-326	NEW	09/15/98	98-11/131
	21134	R307-327	NEW	09/15/98	98-11/133
	21136	R307-332	NEW	09/15/98	98-11/137

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>GASOLINE TRANSPORT</u>					
Environmental Quality, Air Quality	21108	R307-3 (Changed to R307-342)	AMD	09/15/98	98-11/58
	21135	R307-328	NEW	09/15/98	98-11/135
<u>GENERAL CONFORMITY</u>					
Environmental Quality, Air Quality	21116	R307-19 (Changed to R307-115)	AMD	09/15/98	98-11/101
<u>GENERAL PROVISIONS</u>					
Workforce Services, Employment Development	20754	R986-701	5YR	02/06/98	98-5/75
	20870	R986-701	NSC	04/01/98	Not Printed
	21283	R986-701	AMD	10/01/98	98-15/71
<u>GIFTED CHILDREN</u>					
Education, Administration	20668	R277-710	5YR	01/14/98	98-3/94
<u>GOVERNMENT DOCUMENTS</u>					
Governor, Administration	20923	R355-1-1	NSC	03/27/98	Not Printed
Human Services, Administration	21492	R495-607	5YR	09/28/98	98-20/38
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21524	R495-607 (Changed to R202-207)	NSC	10/23/98	Not Printed
Natural Resources, Parks and Recreation	21314	R651-102	5YR	07/21/98	98-16/94
<u>GOVERNMENT HEARINGS</u>					
Agriculture and Food, Administration	20931	R51-2	5YR	03/19/98	98-8/63
Commerce, Corporations and Commercial Code	21658	R154-100	5YR	11/10/98	98-23/48
Financial Institutions, Administration	21425	R331-20	5YR	09/03/98	98-19/105
	21426	R331-20	NSC	10/17/98	Not Printed
Human Services, Administration, Administrative Services, Management Services	20895	R503-5	5YR	03/13/98	98-7/76
	20896	R503-5	REP	05/02/98	98-7/37
Pardons (Board of), Administration	20486	R671-205	AMD	02/18/98	98-1/76
	21300	R671-205	EXD	07/15/98	98-16/96
	21310	R671-205	EMR	07/17/98	98-16/81
	20449	R671-304	AMD	02/18/98	98-1/83
	20487	R671-305	AMD	02/18/98	98-1/83
	20465	R671-317	AMD	02/18/98	98-1/91
	21201	R671-317	NSC	06/17/98	Not Printed
	20490	R671-403	AMD	02/18/98	98-1/92
	21645	R671-403	EXD	11/01/98	98-22/144
	20475	R671-503	AMD	02/18/98	98-1/95
	20477	R671-504	AMD	02/18/98	98-1/95
	20479	R671-505	AMD	02/18/98	98-1/96
	20483	R671-508	AMD	02/18/98	98-1/98
Workforce Services, Employment Development	20863	R986-418	NSC	04/01/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>GOVERNMENT INFORMATION RESOURCES</u>					
Transportation, Administration	21661	R907-40	5YR	11/10/98	98-23/50
<u>GOVERNMENT PURCHASING</u>					
Administrative Services, Purchasing and General Services	21514	R33-6	5YR	10/05/98	98-21/96
	21515	R33-7	5YR	10/05/98	98-21/96
	21516	R33-9	5YR	10/05/98	98-21/97
Natural Resources, Water Resources	20597	R653-3	AMD	02/18/98	98-2/58
<u>GOVERNMENT RECORDS</u>					
Attorney General, Administration	21538	R105-2	NSC	10/23/98	Not Printed
<u>GOVERNOR</u>					
Environmental Quality, Air Quality	21104	R307-1-5 (Changed to R307-105)	AMD	09/15/98	98-11/37
<u>GRAMA (Government Records Access and Management Act)</u>					
Attorney General, Administration	21538	R105-2	NSC	10/23/98	Not Printed
Regents (Board of), University of Utah, Administration	21227	R805-2	5YR	06/17/98	98-14/104
<u>GRANTS</u>					
Community and Economic Development, Community Development	21371	R199-8	AMD	11/10/98	98-18/12
Community and Economic Development, Community Development, Community Services	20282	R202-100	AMD	01/15/98	97-24/17
Environmental Quality, Water Quality	21247	R317-100	AMD	11/09/98	98-14/48
Health, Health Systems Improvement, Community Health Nursing	20768	R425-1	5YR	02/10/98	98-5/68
	20794	R425-1	AMD	see CPR	98-6/34
	20794	R425-1	CPR	06/03/98	98-9/61
Health, Health Systems Improvement, Primary Care and Rural Health	21531	R434-10	5YR	10/08/98	98-21/99
Workforce Services, Employment Development	20853	R986-220	NSC	04/01/98	Not Printed
<u>GRIEVANCE PROCEDURES</u>					
Administrative Services, Administration	20631	R13-3	5YR	01/08/98	98-3/89
Tax Commission, Administration	20818	R861-1A-23	AMD	05/04/98	98-6/55
	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
<u>GRIEVANCES</u>					
Human Resource Management, Administration	21065	R477-4	NSC	06/27/98	Not Printed
	21307	R477-12	AMD	10/02/98	98-16/22
<u>HAZARDOUS AIR POLLUTANTS</u>					
Environmental Quality, Air Quality	21111	R307-10 (Changed to R307-214)	AMD	09/15/98	98-11/74

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20737	R307-10-2	AMD	06/26/98	98-5/34
	21144	R307-410	NEW	09/15/98	98-11/163
	21395	R307-410-3	NSC	09/15/98	Not Printed
<u>HAZARDOUS MATERIALS TRANSPORTATION</u>					
Transportation, Motor Carrier	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70
<u>HAZARDOUS POLLUTANT</u>					
Environmental Quality, Air Quality	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
<u>HAZARDOUS SUBSTANCES</u>					
Environmental Quality, Environmental Response and Remediation	21360	R311-201	AMD	10/09/98	98-17/8
	21361	R311-204	AMD	10/09/98	98-17/15
	21362	R311-205	AMD	10/09/98	98-17/17
	21363	R311-206	AMD	10/09/98	98-17/22
	21367	R311-212	AMD	10/09/98	98-17/32
Transportation, Motor Carrier	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70
<u>HAZARDOUS WASTE</u>					
Community and Economic Development, Community Development, History	20528	R212-12	NEW	03/10/98	98-2/23
Environmental Quality, Solid and Hazardous Waste	20382	R315-1	AMD	02/20/98	98-1/15
	20383	R315-2	AMD	02/20/98	98-1/17
	20733	R315-2-17	NSC	02/18/98	Not Printed
	20384	R315-3	AMD	02/20/98	98-1/27
	20795	R315-3	NSC	03/05/98	Not Printed
	20385	R315-4	AMD	02/20/98	98-1/35
	20797	R315-4-4	NSC	03/06/98	Not Printed
	20538	R315-6-7	AMD	02/20/98	98-2/24
	20386	R315-7	AMD	02/20/98	98-1/36
	20734	R315-7-17	NSC	02/18/98	Not Printed
	20387	R315-8	AMD	02/20/98	98-1/38
	20388	R315-13	AMD	02/20/98	98-1/39
	20796	R315-13	NSC	03/05/98	Not Printed
	20389	R315-14-7	AMD	02/20/98	98-1/40
	21026	R315-15-11	AMD	06/17/98	98-10/41
	20390	R315-16	AMD	02/20/98	98-1/40
	20391	R315-50	AMD	02/20/98	98-1/50
Transportation, Motor Carrier	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>HEADGEAR</u>					
Public Safety, Highway Patrol	20909	R714-220	R&R	05/05/98	98-7/60
<u>HEALTH</u>					
Health, Health Data Analysis	20192	R428-11	NEW	03/15/98	97-22/21
	21157	R428-11	AMD	07/22/98	98-11/187
	20731	R428-13	NEW	04/05/98	98-5/40
	21158	R428-13	AMD	07/22/98	98-11/189
<u>HEALTH CARE FACILITIES</u>					
Health, Health Systems Improvement, Health Facility Licensure	21257	R432-35	NEW	08/28/98	98-14/64
	21036	R432-100	AMD	see CPR	98-10/60
	21036	R432-100	CPR	10/01/98	98-16/61
<u>HEALTH FACILITIES</u>					
Health, Health Systems Improvement, Health Facility Licensure	20808	R432-1-4	AMD	05/28/98	98-6/38
	20830	R432-3-9	AMD	05/07/98	98-7/36
	21296	R432-6	R&R	09/14/98	98-15/20
	21482	R432-12	NSC	10/19/98	Not Printed
	20582	R432-16	NEW	03/04/98	98-2/27
	21505	R432-101	NSC	10/19/98	Not Printed
	20558	R432-102	AMD	02/24/98	98-2/31
	21005	R432-102-14	AMD	06/26/98	98-10/93
	20607	R432-103	NSC	01/06/98	Not Printed
	21483	R432-150	NSC	10/19/98	Not Printed
	20685	R432-151	5YR	01/20/98	98-4/134
	21506	R432-151	NSC	10/19/98	Not Printed
	21484	R432-152	NSC	10/19/98	Not Printed
	21485	R432-200	NSC	10/19/98	Not Printed
	20559	R432-550	AMD	02/24/98	98-2/34
	20560	R432-600	AMD	02/24/98	98-2/39
	20561	R432-700	AMD	02/24/98	98-2/42
	20562	R432-750	AMD	03/04/98	98-2/49
	21486	R432-750	NSC	10/19/98	Not Printed
	21487	R432-950	NSC	10/19/98	Not Printed
<u>HEALTH FACILITY ADMINISTRATORS</u>					
Commerce, Occupational and Professional Licensing	20894	R156-15-302d	AMD	05/05/98	98-7/8
<u>HEALTH INSURANCE</u>					
Human Services, Recovery Services	21352	R527-201	AMD	see CPR	98-17/34
	21352	R527-201	CPR	10/16/98	98-18/38
<u>HEALTH PLANNING</u>					
Health, Health Data Analysis	20192	R428-11	NEW	03/15/98	97-22/21
	21157	R428-11	AMD	07/22/98	98-11/187
	20731	R428-13	NEW	04/05/98	98-5/40
	21158	R428-13	AMD	07/22/98	98-11/189

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>HEALTH POLICY</u>					
Health, Health Data Analysis	20731	R428-13	NEW	04/05/98	98-5/40
	21158	R428-13	AMD	07/22/98	98-11/189
<u>HEARINGS</u>					
Environmental Quality, Air Quality	21120	R307-102	NEW	09/15/98	98-11/110
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21518	R495-601 (Changed to R202-201)	NSC	10/23/98	Not Printed
Professional Practices Advisory Commission, Administration	20524	R686-100	NEW	02/09/98	98-1/99
<u>HIGHER EDUCATION</u>					
Regents (Board of), Administration	20980	R765-134	5YR	04/13/98	98-9/72
	20981	R765-555	5YR	04/13/98	98-9/73
	20984	R765-555	NSC	05/01/98	Not Printed
	21163	R765-605	NEW	07/02/98	98-11/194
	21396	R765-610	AMD	10/26/98	98-18/34
	21397	R765-612	AMD	10/26/98	98-18/35
	20982	R765-993	5YR	04/13/98	98-9/73
	20985	R765-993	NSC	05/01/98	Not Printed
Regents (Board of), University of Utah, Administration	21227	R805-2	5YR	06/17/98	98-14/104
<u>HIGHWAY CONSTRUCTION</u>					
Transportation, Operations, Maintenance	20628	R918-2-3	NSC	01/21/98	Not Printed
<u>HIGHWAY PLANNING</u>					
Transportation, Program Development	20942	R926-2	AMD	05/29/98	98-8/47
<u>HIRING PRACTICES</u>					
Human Resource Management, Administration	21304	R477-5	AMD	10/02/98	98-16/13
<u>HOME CARE SERVICES</u>					
Human Services, Aging and Adult Services	20644	R510-400	5YR	01/08/98	98-3/103
<u>HOSPITAL POLICY</u>					
Health, Health Data Analysis	20192	R428-11	NEW	03/15/98	97-22/21
	21157	R428-11	AMD	07/22/98	98-11/187
<u>HOSPITALS</u>					
Environmental Quality, Air Quality	21456	R307-222	NEW	11/25/98	98-19/7
<u>HOSTILE WORK ENVIRONMENT</u>					
Human Resource Management, Administration	21309	R477-15	AMD	10/02/98	98-16/25
<u>HOUSING FINANCE</u>					
Housing Finance Agency, Administration	21659	R460-8	5YR	11/10/98	98-23/49
<u>HUMAN SERVICES</u>					
Human Services, Administration, Administrative Services, Licensing	21540	R501-1	NSC	10/16/98	Not Printed
	21083	R501-2	EMR	05/04/98	98-10/139
	21084	R501-2	AMD	07/02/98	98-10/120

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21415	R501-7	EMR	09/02/98	98-19/94
	21391	R501-7	AMD	10/16/98	98-18/21
	21258	R501-12	AMD	08/17/98	98-14/66
	21081	R501-14	EMR	05/04/98	98-10/140
	21085	R501-14	AMD	06/16/98	98-10/121
	21039	R501-15	EXD	05/01/98	98-10/168
	20179	R501-17	NEW	03/15/98	97-22/24
	20286	R501-17	NSC	03/15/98	Not Printed
	20880	R501-17	NSC	03/17/98	Not Printed
	21082	R501-18	EMR	05/04/98	98-10/145
	21086	R501-18	NEW	06/16/98	98-10/126
Workforce Services, Employment Development	20743	R986-301	5YR	02/06/98	98-5/70
	20856	R986-411	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21164	R986-301 (Changed to R414-301)	NSC	06/01/98	Not Printed
<u>HUNTING</u>					
Natural Resources, Wildlife Resources	20244	R657-38	AMD	01/15/98	97-24/105
<u>HUNTING CLOSURES</u>					
Natural Resources, Wildlife Resources	21500	R657-34	5YR	10/01/98	98-20/38
<u>HYDROELECTRIC POWER</u>					
Natural Resources, Energy and Resource Planning	20678	R637-1	NEW	03/05/98	98-3/73
<u>IMMUNIZATION</u>					
Health, Community Health Services, Epidemiology	20958	R386-704	REP	08/12/98	98-8/10
Health, Family Health Services, Child Health	20959	R396-100	NEW	see CPR	98-8/15
	20959	R396-100	CPR	08/12/98	98-12/32
<u>IMPAIRMENT RATINGS</u>					
Labor Commission, Industrial Accidents	21268	R612-6	5YR	07/06/98	98-15/80
<u>INCINERATORS</u>					
Environmental Quality, Air Quality	21455	R307-220-3	AMD	11/25/98	98-19/6
<u>INCOME</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21520	R495-603 (Changed to R202-203)	NSC	10/23/98	Not Printed
Human Services, Recovery Services	20723	R527-300	AMD	03/18/98	98-4/77
	21006	R527-300	AMD	06/16/98	98-10/130
	21488	R527-300	NSC	10/22/98	Not Printed
Workforce Services, Employment Development	20847	R986-213	NSC	04/01/98	Not Printed
	20742	R986-221	5YR	02/06/98	98-5/69
	20854	R986-221	NSC	04/01/98	Not Printed
	20855	R986-222	NSC	04/01/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20224	R986-302	AMD	01/02/98	97-23/97
	20744	R986-302	5YR	02/06/98	98-5/70
	20745	R986-303	5YR	02/06/98	98-5/71
	20319	R986-303-301	AMD	02/03/98	98-1/116
	20746	R986-304	5YR	02/06/98	98-5/71
	20738	R986-304	EMR	02/12/98	98-5/60
	20739	R986-304	AMD	04/01/98	98-5/49
	20752	R986-310	5YR	02/06/98	98-5/74
	20207	R986-414	AMD	01/02/98	97-23/99
	20859	R986-414	NSC	04/01/98	Not Printed
	21419	R986-414	EMR	10/01/98	98-19/97
	20211	R986-421	AMD	01/02/98	97-23/103
	20753	R986-421	5YR	02/06/98	98-5/75
	21423	R986-421	EMR	10/01/98	98-19/102
	20866	R986-421	NSC	04/01/98	Not Printed
	20757	R986-704	5YR	02/06/98	98-5/77
	20873	R986-704	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21165	R986-302 (Changed to R414-302)	NSC	06/01/98	Not Printed
	21166	R986-303 (Changed to R414-303)	NSC	06/01/98	Not Printed
	21167	R986-304 (Changed to R414-304)	NSC	06/01/98	Not Printed
	21173	R986-310 (Changed to R414-310)	NSC	06/01/98	Not Printed
<u>INCOME DISREGARDS</u>					
Workforce Services, Employment Development	20853	R986-220	NSC	04/01/98	Not Printed
	21013	R986-220	AMD	06/25/98	98-10/134
<u>INCOME ELIGIBILITY</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21520	R495-603 (Changed to R202-203)	NSC	10/23/98	Not Printed
<u>INDUSTRY</u>					
Environmental Quality, Radiation Control	21095	R313-36-3	NSC	05/02/98	Not Printed
<u>INFECTIOUS WASTE</u>					
Environmental Quality, Air Quality	21456	R307-222	NEW	11/25/98	98-19/7
<u>INFORMAL PROCEDURES</u>					
Community and Economic Development, Community Development, Library	21090	R223-1	5YR	05/01/98	98-11/201
<u>INFORMATION TECHNOLOGY</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	19943	R365-4	NSC	09/10/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Governor, Planning and Budget, Chief Information Officer	21491	R365-4	NSC	09/28/98	Not Printed
<u>INJURY</u>					
Health, Community Health Services, Epidemiology	20898	R386-703	NSC	03/18/98	Not Printed
<u>INMATES</u>					
Education, Administration	21642	R277-735	EXD	11/01/98	98-22/144
Pardons (Board of), Administration	20429	R671-201	AMD	02/18/98	98-1/73
	21199	R671-201	NSC	06/17/98	Not Printed
	20431	R671-202	AMD	02/18/98	98-1/74
	20435	R671-204	AMD	02/18/98	98-1/76
	20441	R671-208	AMD	02/18/98	98-1/79
	20443	R671-301	AMD	02/18/98	98-1/79
	20447	R671-303	AMD	02/18/98	98-1/82
	20453	R671-308	AMD	02/18/98	98-1/84
	20455	R671-309	AMD	02/18/98	98-1/85
	20457	R671-310	AMD	02/18/98	98-1/86
	20459	R671-311	AMD	02/18/98	98-1/87
	21200	R671-311	NSC	06/17/98	Not Printed
	20463	R671-316	AMD	02/18/98	98-1/90
	20465	R671-317	AMD	02/18/98	98-1/91
	21201	R671-317	NSC	06/17/98	Not Printed
<u>INMATES' RIGHTS</u>					
Pardons (Board of), Administration	20447	R671-303	AMD	02/18/98	98-1/82
<u>IN-SERVICE TRAINING</u>					
Public Safety, Peace Officer Standards and Training	21539	R728-501	5YR	10/14/98	98-21/101
	20833	R728-502	5YR	03/04/98	98-7/78
	20834	R728-504	5YR	03/04/98	98-7/78
<u>INSPECTIONS</u>					
Agriculture and Food, Animal Industry	21182	R58-18-9	AMD	07/16/98	98-12/10
Agriculture and Food, Plant Industry	21509	R68-5	5YR	10/05/98	98-21/98
Agriculture and Food, Regulatory Services	20721	R70-530	R&R	05/16/98	98-4/10
Agriculture and Food, Regulatory Services	21231	R70-530	AMD	09/15/98	98-14/4
Environmental Quality, Radiation Control	20234	R313-12	AMD	see CPR	97-23/115
	20234	R313-12	CPR	03/20/98	98-4/115
	20236	R313-18	AMD	01/23/98	97-23/61
Public Safety, Highway Patrol	20906	R714-158	R&R	05/05/98	98-7/48
	21176	R714-158	AMD	07/30/98	98-12/17
<u>INSTRUCTIONAL MATERIALS</u>					
Education, Administration	20779	R277-469	NEW	04/07/98	98-5/7
<u>INSTRUCTOR CERTIFICATION</u>					
Public Safety, Peace Officer Standards and Training	20833	R728-502	5YR	03/04/98	98-7/78

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>INSURANCE</u>					
Human Resource Management, Administration	21305	R477-7	AMD	see CPR	98-16/15
	21305	R477-7	CPR	10/02/98	98-17/59
Insurance, Administration	21340	R590-125	REP	09/25/1998	98-16/29
	20826	R590-141	AMD	05/01/98	98-6/42
	21087	R590-141	NSC	05/07/98	Not Printed
	21205	R590-154	5YR	06/10/98	98-13/31
	20943	R590-155	5YR	03/27/98	98-8/63
	20944	R590-157	5YR	03/27/98	98-8/64
	21162	R590-186	NEW	see CPR	98-11/190
	21162	R590-186	CPR	09/25/98	98-16/76
	21204	R590-187	NEW	see CPR	98-13/14
	21204	R590-187	CPR	09/25/98	98-16/79
Labor Commission, Industrial Accidents	21218	R612-5	5YR	06/15/98	98-13/33
<u>INSURANCE COMPANIES</u>					
Insurance, Administration	20816	R590-124	5YR	02/26/98	98-6/78
	20817	R590-128	AMD	see CPR	98-6/41
	20817	R590-128	CPR	06/16/98	98-10/138
<u>INSURANCE LAW</u>					
Insurance, Administration	20815	R590-79-4	AMD	05/01/98	98-6/39
	21338	R590-94	5YR	07/31/98	98-16/90
	18730	R590-132	AMD	see CPR (First)	97-7/36
	18730	R590-132	CPR (First)	see CPR (Second)	97-15/102
	18730	R590-132	CPR (Second)	03/01/98	97-22/105
	20590	R590-132-3	NSC	03/01/98	Not Printed
<u>INTERSTATE</u>					
Human Services, Recovery Services	21018	R527-100	NEW	06/16/98	98-10/129
	21017	R527-305	NEW	06/16/98	98-10/131
<u>INTOXILYZER</u>					
Public Safety, Highway Patrol	21279	R714-500	R&R	09/25/98	98-15/59
<u>INVENTORIES</u>					
Environmental Quality, Air Quality	21122	R307-150	NEW	09/15/98	98-11/113
	21123	R307-155	NEW	09/15/98	98-11/114
<u>INVESTIGATIONS</u>					
Public Safety, Peace Officer Standards and Training	20995	R728-409	AMD	06/02/98	98-9/41
<u>JOB DESCRIPTIONS</u>					
Human Resource Management, Administration	21065	R477-4	NSC	06/27/98	Not Printed
<u>JUDGES</u>					
Judicial Conduct Commission, Administration	21370	R595-1-5	AMD	10/02/98	98-17/37
	21353	R595-1-9	AMD	10/02/98	98-17/38

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20527	R595-1-10	AMD	02/20/98	98-2/57
<u>JUDICIAL ETHICS</u>					
Judicial Conduct Commission, Administration	21370	R595-1-5	AMD	10/02/98	98-17/37
	21353	R595-1-9	AMD	10/02/98	98-17/38
	20527	R595-1-10	AMD	02/20/98	98-2/57
<u>JUVENILE COURTS</u>					
Education, Administration	20667	R277-709	5YR	01/14/98	98-3/94
<u>K-9 TRAINING</u>					
Public Safety, Peace Officer Standards and Training	20996	R728-505	NEW	06/02/98	98-9/47
<u>LABOR</u>					
Labor Commission, Safety	21667	R616-1	5YR	11/13/98	98-23/49
<u>LABORATORIES</u>					
Health, Laboratory Services, Laboratory Improvement	20521	R444-14	R&R	02/19/98	98-1/51
	21037	R444-14	NSC	05/07/98	Not Printed
<u>LABOR COMMISSION</u>					
Labor Commission, Administration	21215	R600-1	5YR	06/15/98	98-13/32
<u>LANDFILLS</u>					
Environmental Quality, Air Quality	21117	R307-20 (Changed to R307-220)	AMD	09/15/98	98-11/101
	21566	R307-220	NSC	11/12/98	Not Printed
	21455	R307-220-3	AMD	11/25/98	98-19/6
<u>LANDOWNER PERMITS</u>					
Natural Resources, Wildlife Resources	20700	R657-43	AMD	03/18/98	98-4/90
<u>LANDSCAPE ARCHITECTS</u>					
Commerce, Occupational and Professional Licensing	21148	R156-53	AMD	07/07/98	98-11/27
	21318	R156-53	5YR	07/23/98	98-16/89
<u>LAND USE</u>					
Natural Resources; Forestry, Fire and State Lands	21536	R652-110	5YR	10/13/98	98-21/100
<u>LAW</u>					
Public Safety, Fire Marshal	20278	R710-9	AMD	01/15/98	97-24/109
	21295	R710-9	AMD	09/01/98	98-15/57
<u>LAW ENFORCEMENT</u>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing	21316	R724-7	5YR	07/21/98	98-16/95
<u>LAW ENFORCEMENT OFFICERS</u>					
Public Safety, Peace Officer Standards and Training	20782	R728-401	NSC	02/23/98	Not Printed
	20783	R728-402	NSC	02/23/98	Not Printed
	20784	R728-403	NSC	02/23/98	Not Printed
	20810	R728-404	AMD	04/15/98	98-6/52
	20786	R728-406	NSC	02/23/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20787	R728-407	NSC	02/23/98	Not Printed
	20831	R728-408	5YR	03/04/98	98-7/77
	20995	R728-409	AMD	06/02/98	98-9/41
	20788	R728-410	NSC	02/23/98	Not Printed
	21539	R728-501	5YR	10/14/98	98-21/101
	20833	R728-502	5YR	03/04/98	98-7/78
	20834	R728-504	5YR	03/04/98	98-7/78
<u>LEAD-BASED PAINT</u>					
Environmental Quality, Air Quality	21016	R307-840	NEW	08/13/98	98-10/36
<u>LEASES</u>					
Administrative Services, Facilities Construction and Management	20710	R23-21	5YR	01/28/98	98-4/132
Natural Resources; Forestry, Fire and State Lands	21536	R652-110	5YR	10/13/98	98-21/100
<u>LEASING SERVICES</u>					
Administrative Services, Facilities Construction and Management	20710	R23-21	5YR	01/28/98	98-4/132
<u>LEAVE</u>					
Human Resource Management, Administration	21264	R477-8	EMR	07/01/98	98-14/94
	21306	R477-8	AMD	10/02/98	98-16/17
<u>LEGAL AID</u>					
Corrections, Administration	20198	R251-707	AMD	01/15/98	97-23/8
<u>LIBERTIES</u>					
Natural Resources, Administration	20256	R634-1	NEW	01/15/98	97-24/92
<u>LIBRARIES</u>					
Education, Administration	20657	R277-516	5YR	01/14/98	98-3/89
<u>LICENSE</u>					
Natural Resources, Wildlife Resources	21241	R657-45	NEW	08/19/98	98-14/83
<u>LICENSING</u>					
Commerce, Occupational and Professional Licensing	20973	R156-1	AMD	06/04/98	98-9/4
	20200	R156-3a	AMD	see CPR	97-23/4
	20200	R156-3a	CPR	02/18/98	98-2/79
	20894	R156-15-302d	AMD	05/05/98	98-7/8
	20778	R156-16a	AMD	04/01/98	98-5/4
	20492	R156-17a	AMD	02/24/98	98-1/3
	21029	R156-31	REP	07/01/98	98-10/7
	21030	R156-31b	NEW	07/01/98	98-10/8
	21234	R156-31b	AMD	08/20/98	98-14/36
	21278	R156-31b-102	AMD	09/01/98	98-15/3
	20878	R156-37	AMD	05/04/98	98-7/8
	21092	R156-37	NSC	05/21/98	Not Printed
	20941	R156-37-605	AMD	05/19/98	98-8/8
	21019	R156-38	AMD	see CPR	98-10/14
	21019	R156-38	CPR	08/20/98	98-14/88

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20697	R156-40	5YR	01/27/98	98-4/133
	20695	R156-40	AMD	see CPR (First)	98-4/73
	20695	R156-40	CPR (First)	see CPR (Second)	98-8/55
	20695	R156-40	CPR (Second)	07/16/98	98-12/31
	21405	R156-44a	AMD	10/22/98	98-18/4
	21147	R156-47b	AMD	07/07/98	98-11/24
	21269	R156-47b	NSC	07/22/98	Not Printed
	21390	R156-49	AMD	10/19/98	98-18/9
	21148	R156-53	AMD	07/07/98	98-11/27
	21318	R156-53	5YR	07/23/98	98-16/89
	20173	R156-54	AMD	see CPR	97-22/12
	20173	R156-54	CPR	02/03/98	98-1/199
	20650	R156-55a	AMD	03/05/98	98-3/23
	20836	R156-55a-302b	NSC	03/17/98	Not Printed
	21275	R156-55a-302b	NSC	07/22/98	Not Printed
	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
	20701	R156-59	5YR	01/27/98	98-4/134
	20651	R156-59	AMD	see CPR	98-3/28
	20651	R156-59	CPR	05/04/98	98-7/71
	20992	R156-60a	AMD	06/04/98	98-9/26
	20581	R156-60b	AMD	02/18/98	98-2/18
	21007	R156-60b	AMD	06/16/98	98-10/17
	21229	R156-60b-302a	AMD	08/20/98	98-14/39
	20790	R156-60b-502	NSC	02/19/98	Not Printed
	20359	R156-60c	AMD	02/03/98	98-1/6
	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
	20273	R156-60d	AMD	01/15/98	97-24/16
	20342	R156-61	AMD	02/03/98	98-1/10
	20729	R156-61-502	NSC	02/19/98	Not Printed
	20930	R156-63	AMD	05/19/98	98-8/9
	21174	R156-63-502	NSC	06/03/98	Not Printed
	20974	R156-67-302d	AMD	06/04/98	98-9/29
	21319	R156-68	5YR	07/23/98	98-16/89
	20975	R156-68-302b	AMD	06/04/98	98-9/30
	20776	R156-69	AMD	04/01/98	98-5/6
	21149	R156-72	AMD	07/07/98	98-11/29

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Commerce, Real Estate	20798	R162-1	AMD	04/23/98	98-6/17
	21335	R162-102	AMD	10/02/98	98-16/5
Environmental Quality, Radiation Control	20236	R313-18	AMD	01/23/98	97-23/61
	21095	R313-36-3	NSC	05/02/98	Not Printed
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	21429	R365-3	NSC	09/10/98	Not Printed
Human Services, Administration, Administrative Services, Licensing	21540	R501-1	NSC	10/16/98	Not Printed
	21083	R501-2	EMR	05/04/98	98-10/139
	21084	R501-2	AMD	07/02/98	98-10/120
	21415	R501-7	EMR	09/02/98	98-19/94
	21391	R501-7	AMD	10/16/98	98-18/21
	21258	R501-12	AMD	08/17/98	98-14/66
	21081	R501-14	EMR	05/04/98	98-10/140
	21085	R501-14	AMD	06/16/98	98-10/121
	21039	R501-15	EXD	05/01/98	98-10/168
	20179	R501-17	NEW	03/15/98	97-22/24
	20286	R501-17	NSC	03/15/98	Not Printed
	20880	R501-17	NSC	03/17/98	Not Printed
	21082	R501-18	EMR	05/04/98	98-10/145
	21086	R501-18	NEW	06/16/98	98-10/126
	<u>LIENS</u>				
Commerce, Occupational and Professional Licensing	21019	R156-38	AMD	see CPR	98-10/14
	21019	R156-38	CPR	08/20/98	98-14/88
<u>LIFELINE RATES</u>					
Public Service Commission, Administration	20677	R746-341	AMD	04/06/98	98-3/78
<u>LIGHTS</u>					
Public Safety, Highway Patrol	20907	R714-200	R&R	05/05/98	98-7/57
<u>LIQUEFIED PETROLEUM GAS</u>					
Public Safety, Fire Marshal	20715	R710-6	AMD	03/18/98	98-4/99
	21292	R710-6	AMD	09/01/98	98-15/49
<u>LOANS</u>					
Environmental Quality, Water Quality	21478	R317-101	5YR	09/17/98	98-20/37
<u>LONG-TERM CARE ALTERNATIVES</u>					
Human Services, Aging and Adult Services	20644	R510-400	5YR	01/08/98	98-3/103
<u>LONG-TERM CARE OMBUDSMAN</u>					
Human Services, Aging and Adult Services	20634	R510-100	5YR	01/08/98	98-3/98
<u>MACT (Maximum Achievable Control Technology)</u>					
Environmental Quality, Air Quality	21111	R307-10 (Changed to R307-214)	AMD	09/15/98	98-11/74
	20737	R307-10-2	AMD	06/26/98	98-5/34

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>MAJOR SOURCES</u>					
Environmental Quality, Air Quality	21100	R307-1	AMD	09/15/98	98-11/37
	21587	R307-1	NSC	11/12/98	Not Printed
	20096	R307-1-1	AMD	01/08/98	97-21/4
	20202	R307-1-1	AMD	01/08/98	97-23/10
	20736	R307-1-1	AMD	04/22/98	98-5/16
	21015	R307-1-2	AMD	08/13/98	98-10/26
	20219	R307-1-3	AMD	02/05/98	97-23/20
	20740	R307-1-3	NSC	02/05/98	Not Printed
	<u>MAMMOGRAPHY</u>				
Health, Health Systems Improvement, Health Facility Licensure	21487	R432-950	NSC	10/19/98	Not Printed
<u>MAPS</u>					
Natural Resources, Water Rights	20955	R655-5	NEW	05/18/98	98-8/40
<u>MARRIAGE AND FAMILY THERAPISTS</u>					
Commerce, Occupational and Professional Licensing	20581	R156-60b	AMD	02/18/98	98-2/18
	21007	R156-60b	AMD	06/16/98	98-10/17
	21229	R156-60b-302a	AMD	08/20/98	98-14/39
	20790	R156-60b-502	NSC	02/19/98	Not Printed
<u>MASSAGE</u>					
Commerce, Occupational and Professional Licensing	21147	R156-47b	AMD	07/07/98	98-11/24
	21269	R156-47b	NSC	07/22/98	Not Printed
<u>MEDICAID</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	20541	R414-1	NSC	01/06/98	Not Printed
	20945	R414-1	NSC	03/28/98	Not Printed
	20998	R414-1	AMD	06/16/98	98-10/42
	20542	R414-3X	REP	02/20/98	98-2/25
	20648	R414-4X	5YR	01/12/98	98-3/97
	21156	R414-10	AMD	07/08/98	98-11/180
	20825	R414-10A	EMR	02/26/98	98-6/64
	20652	R414-10A	AMD	03/19/98	98-3/44
	20612	R414-10X	REP	02/20/98	98-2/26
	20762	R414-12	5YR	02/09/98	98-5/66
	20922	R414-13X	EXD	03/15/98	98-7/80
	20232	R414-15	AMD	01/13/98	97-23/80
	20212	R414-17	REP	01/13/98	97-23/82
	20653	R414-22	5YR	01/13/98	98-3/97
	20654	R414-22	AMD	03/19/98	98-3/56
	20345	R414-24	REP	02/04/98	98-1/51
	20613	R414-25X	REP	02/20/98	98-2/26
	20764	R414-26	5YR	02/09/98	98-5/66
	20735	R414-27	5YR	02/04/98	98-5/67
	20993	R414-28	EXD	04/14/98	98-9/74

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20655	R414-30	REP	03/19/98	98-3/60
	20766	R414-31X	5YR	02/09/98	98-5/67
	20767	R414-32	5YR	02/09/98	98-5/68
	20656	R414-36	REP	03/19/98	98-3/66
	20935	R414-39	REP	05/27/98	98-8/18
	20994	R414-42	EXD	04/14/98	98-9/74
	21188	R414-51	5YR	06/01/98	98-12/37
	21189	R414-51	AMD	07/17/98	98-12/13
	21232	R414-52	5YR	06/22/98	98-14/101
	21233	R414-53	5YR	06/22/98	98-14/102
Human Services, Recovery Services	21352	R527-201	AMD	see CPR	98-17/34
	21352	R527-201	CPR	10/16/98	98-18/38
Workforce Services, Employment Development	20769	R986-301	AMD	04/01/98	98-5/48
<u>MEDICAL INCINERATORS</u>					
Environmental Quality, Air Quality	21456	R307-222	NEW	11/25/98	98-19/7
<u>MEDICAL PRACTITIONER</u>					
Labor Commission, Industrial Accidents	21216	R612-2	5YR	06/15/98	98-13/32
	21451	R612-2-3	AMD	11/03/98	98-19/80
	21452	R612-2-5	AMD	11/03/98	98-19/82
	21537	R612-2-24	NSC	10/22/98	Not Printed
<u>MEDICAL RECORDS</u>					
Mental Health, State Hospital	20913	R525-1	EXD	03/15/98	98-7/80
	20919	R525-1	NEW	05/25/98	98-7/40
	20915	R525-3	EXD	03/15/98	98-7/80
<u>MEDICATION TREATMENT</u>					
Human Services, Mental Health, State Hospital	20921	R525-3	NEW	05/25/98	98-7/42
<u>MENTAL HEALTH</u>					
Commerce, Occupational and Professional Licensing	20359	R156-60c	AMD	02/03/98	98-1/6
	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
<u>MENTAL HEALTH SERVICES</u>					
Mental Health, State Hospital	20916	R525-4	EXD	03/15/98	98-7/80
	20917	R525-5	EXD	03/15/98	98-7/80
<u>MIDWIFERY</u>					
Commerce, Occupational and Professional Licensing	21405	R156-44a	AMD	10/22/98	98-18/4
<u>MIGRATORY BIRDS</u>					
Natural Resources, Wildlife Resources	21400	R657-9	AMD	10/16/98	98-18/26
<u>MINERALS RECLAMATION</u>					
Natural Resources; Oil, Gas and Mining; Non-Coal	21328	R647-1	5YR	07/27/98	98-16/91
	20727	R647-1-106	AMD	06/15/98	98-4/83

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21329	R647-2	5YR	07/27/98	98-16/92
	21330	R647-3	5YR	07/27/98	98-16/92
	21331	R647-4	5YR	07/27/98	98-16/93
	21332	R647-5	5YR	07/27/98	98-16/93
<u>MINING</u>					
Labor Commission, Safety	21667	R616-1	5YR	11/13/98	98-23/49
<u>MODELING</u>					
Environmental Quality, Air Quality	21144	R307-410	NEW	09/15/98	98-11/163
	21395	R307-410-3	NSC	09/15/98	Not Printed
<u>MONITORING</u>					
Environmental Quality, Air Quality	21113	R307-13 (Changed to R307-170)	AMD	09/15/98	98-11/78
<u>MOTORCYCLE</u>					
Public Safety, Highway Patrol	20909	R714-220	R&R	05/05/98	98-7/60
<u>MOTOR VEHICLES</u>					
Environmental Quality, Air Quality	21100	R307-1	AMD	09/15/98	98-11/37
	21587	R307-1	NSC	11/12/98	Not Printed
	20096	R307-1-1	AMD	01/08/98	97-21/4
	20202	R307-1-1	AMD	01/08/98	97-23/10
	20736	R307-1-1	AMD	04/22/98	98-5/16
	21015	R307-1-2	AMD	08/13/98	98-10/26
	20219	R307-1-3	AMD	02/05/98	97-23/20
	20740	R307-1-3	NSC	02/05/98	Not Printed
	21105	R307-1-6 (Changed to R307-121)	AMD	09/15/98	98-11/39
	20771	R307-8	AMD	04/22/98	98-5/26
	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
	20100	R307-8-3	AMD	01/08/98	97-21/15
	21112	R307-11 (Changed to R307-320)	AMD	09/15/98	98-11/75
	21102	R307-14	REP	09/15/98	98-11/82
	21565	R307-121-2	NSC	11/12/98	Not Printed
	21567	R307-301-11	NSC	11/12/98	Not Printed
	21136	R307-332	NEW	09/15/98	98-11/137
Tax Commission, Motor Vehicle	21221	R873-22M-38	AMD	08/11/98	98-13/23
Tax Commission, Motor Vehicle Enforcement	20393	R877-23V-17	AMD	02/24/98	98-1/113
	21196	R877-23V-17	AMD	08/11/98	98-13/24
<u>MOTOR VEHICLE SAFETY</u>					
Public Safety, Highway Patrol	20906	R714-158	R&R	05/05/98	98-7/48
	21176	R714-158	AMD	07/30/98	98-12/17
	20907	R714-200	R&R	05/05/98	98-7/57
	20908	R714-210	R&R	05/05/98	98-7/59
	20910	R714-230	R&R	05/05/98	98-7/61
	20911	R714-240	R&R	05/05/98	98-7/62

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20912	R714-300	R&R	05/05/98	98-7/63
<u>MUNICIPAL LANDFILLS</u>					
Environmental Quality, Air Quality	21118	R307-21 (Changed to R307-221)	AMD	09/15/98	98-11/102
<u>MUTUAL WATER CORPORATIONS</u>					
Public Service Commission, Administration	20626	R746-331	EMR	01/05/98	98-3/87
	20627	R746-331	NEW	04/06/98	98-3/78
<u>NAMING PROCESS</u>					
Administrative Services, Facilities Construction and Management	20708	R23-10	5YR	01/28/98	98-4/131
<u>NATIVE AMERICAN</u>					
Human Services, Aging and Adult Services	20641	R510-109	5YR	01/08/98	98-3/102
<u>NEED STANDARD</u>					
Workforce Services, Employment Development	20853	R986-220	NSC	04/01/98	Not Printed
	21013	R986-220	AMD	06/25/98	98-10/134
<u>NEWBORN SCREENING</u>					
Health, Family Health Services, Children with Special Health Care Needs	21225	R398-2	NEW	09/11/98	98-14/49
<u>NEW HIRE REGISTRY</u>					
Workforce Services, Workforce Information and Payment Services	21012	R994-315	NEW	06/25/98	98-10/135
<u>NEWS AGENCIES</u>					
Pardons (Board of), Administration	20445	R671-302	AMD	02/18/98	98-1/80
<u>NEW SOURCE REVIEW</u>					
Environmental Quality, Air Quality	21011	R307-18 (Changed to R307-210)	AMD	08/13/98	98-10/32
<u>NONATTAINMENT</u>					
Environmental Quality, Air Quality	21141	R307-403	NEW	09/15/98	98-11/154
<u>NUCLEAR MEDICINE</u>					
Environmental Quality, Radiation Control	20238	R313-32	AMD	01/23/98	97-23/65
	20829	R313-32	NSC	04/01/98	Not Printed
	21088	R313-32	AMD	08/11/98	98-10/40
<u>NURSES</u>					
Commerce, Occupational and Professional Licensing	21029	R156-31	REP	07/01/98	98-10/7
	21030	R156-31b	NEW	07/01/98	98-10/8
	21234	R156-31b	AMD	08/20/98	98-14/36
	21278	R156-31b-102	AMD	09/01/98	98-15/3
Health, Health Systems Improvement, Community Health Nursing	20768	R425-1	5YR	02/10/98	98-5/68
	20794	R425-1	AMD	see CPR	98-6/34
	20794	R425-1	CPR	06/03/98	98-9/61
<u>NURSING HOMES</u>					
Human Services, Aging and Adult Services	20637	R510-103	5YR	01/08/98	98-3/100

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>OCCUPATIONAL LICENSING</u>					
Commerce, Occupational and Professional Licensing	20973	R156-1	AMD	06/04/98	98-9/4
	20650	R156-55a	AMD	03/05/98	98-3/23
	20836	R156-55a-302b	NSC	03/17/98	Not Printed
	21275	R156-55a-302b	NSC	07/22/98	Not Printed
<u>OFFENDER</u>					
Corrections, Administration	21670	R251-401	5YR	11/13/98	98-23/48
<u>OFFSET</u>					
Environmental Quality, Air Quality	21141	R307-403	NEW	09/15/98	98-11/154
<u>OIL AND GAS CONSERVATION</u>					
Natural Resources; Oil, Gas and Mining; Oil and Gas	20950	R649-8	AMD	06/02/98	98-8/36
<u>OIL AND GAS LAW</u>					
Natural Resources; Oil, Gas and Mining; Oil and Gas	20946	R649-1	AMD	06/02/98	98-8/24
	20947	R649-2	AMD	06/02/98	98-8/27
	20948	R649-3	AMD	06/02/98	98-8/28
	20949	R649-5	AMD	06/02/98	98-8/35
	20951	R649-9	AMD	06/02/98	98-8/37
<u>OMBUDSMAN</u>					
Human Services, Aging and Adult Services	20643	R510-200	5YR	01/08/98	98-3/103
<u>OPEN BURNING</u>					
Environmental Quality, Air Quality	21126	R307-202	NEW	09/15/98	98-11/119
<u>OPERATING PERMITS</u>					
Environmental Quality, Air Quality	21114	R307-15 (Changed to R307-415)	AMD	09/15/98	98-11/83
	21115	R307-16 (Changed to R307-215)	AMD	09/15/98	98-11/99
	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
	21568	R307-415	NSC	11/12/98	Not Printed
<u>OPERATOR CERTIFICATION</u>					
Public Safety, Highway Patrol	21279	R714-500	R&R	09/25/98	98-15/59
<u>OPTOMETRISTS</u>					
Commerce, Occupational and Professional Licensing	20778	R156-16a	AMD	04/01/98	98-5/4
<u>OSTEOPATHIC PHYSICIANS</u>					
Commerce, Occupational and Professional Licensing	21319	R156-68	5YR	07/23/98	98-16/89
	20975	R156-68-302b	AMD	06/04/98	98-9/30
<u>OSTEOPATHS</u>					
Commerce, Occupational and Professional Licensing	21319	R156-68	5YR	07/23/98	98-16/89
	20975	R156-68-302b	AMD	06/04/98	98-9/30
<u>OVERPAYMENT</u>					
Human Services, Recovery Services	21424	R527-200	NSC	10/20/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>OVERSIZE/OVERWEIGHT TRUCKS</u>					
Transportation, Motor Carrier, Ports of Entry	20646	R912-4	5YR	01/12/98	98-3/104
<u>OZONE</u>					
Environmental Quality, Air Quality	21107	R307-2 (Changed to R307-110)	AMD	09/15/98	98-11/55
	21108	R307-3 (Changed to R307-342)	AMD	09/15/98	98-11/58
	21564	R307-110-27	NSC	11/12/98	Not Printed
	21132	R307-325	NEW	09/15/98	98-11/129
	21133	R307-326	NEW	09/15/98	98-11/131
	21134	R307-327	NEW	09/15/98	98-11/133
	21135	R307-328	NEW	09/15/98	98-11/135
	21136	R307-332	NEW	09/15/98	98-11/137
	21137	R307-335	NEW	09/15/98	98-11/141
	21138	R307-340	NEW	09/15/98	98-11/143
<u>PAINT</u>					
Environmental Quality, Air Quality	21016	R307-840	NEW	08/13/98	98-10/36
<u>PARDONS</u>					
Pardons (Board of), Administration	20425	R671-101	AMD	02/18/98	98-1/72
	20461	R671-315	AMD	02/18/98	98-1/89
<u>PARKING FACILITIES</u>					
Administrative Services, Facilities Construction and Management	21186	R23-12	5YR	06/01/98	98-12/37
	21206	R23-12	REP	10/29/98	98-13/9
	21150	R23-13	5YR	05/15/98	98-11/200
<u>PARKS</u>					
Natural Resources, Parks and Recreation	20839	R651-603-5	AMD	07/06/98	98-7/47
	20793	R651-611	AMD	07/06/98	98-6/44
<u>PAROLE</u>					
Pardons (Board of), Administration	20429	R671-201	AMD	02/18/98	98-1/73
	21199	R671-201	NSC	06/17/98	Not Printed
	20431	R671-202	AMD	02/18/98	98-1/74
	20435	R671-204	AMD	02/18/98	98-1/76
	20486	R671-205	AMD	02/18/98	98-1/76
	21300	R671-205	EXD	07/15/98	98-16/97
	21310	R671-205	EMR	07/17/98	98-16/81
	20441	R671-208	AMD	02/18/98	98-1/79
	20443	R671-301	AMD	02/18/98	98-1/79
	20447	R671-303	AMD	02/18/98	98-1/82
	20451	R671-307	AMD	02/18/98	98-1/84
	20453	R671-308	AMD	02/18/98	98-1/84
	20455	R671-309	AMD	02/18/98	98-1/85
	20457	R671-310	AMD	02/18/98	98-1/86
	20459	R671-311	AMD	02/18/98	98-1/87

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21200	R671-311	NSC	06/17/98	Not Printed
	20463	R671-316	AMD	02/18/98	98-1/90
	20465	R671-317	AMD	02/18/98	98-1/91
	21201	R671-317	NSC	06/17/98	Not Printed
	20469	R671-402	AMD	02/18/98	98-1/91
	21202	R671-402	NSC	06/17/98	Not Printed
	20490	R671-403	AMD	02/18/98	98-1/92
	21645	R671-403	EXD	11/01/98	98-22/144
	20471	R671-405	AMD	02/18/98	98-1/93
	20475	R671-503	AMD	02/18/98	98-1/95
	20477	R671-504	AMD	02/18/98	98-1/95
	20479	R671-505	AMD	02/18/98	98-1/96
	20481	R671-507	AMD	02/18/98	98-1/98
	20483	R671-508	AMD	02/18/98	98-1/98
<u>PARTICULATE</u>					
Environmental Quality, Air Quality	21131	R307-307	NEW	09/15/98	98-11/128
	21273	R307-307-3	NSC	09/15/98	Not Printed
<u>PARTICULATE MATTER</u>					
Environmental Quality, Air Quality	21107	R307-2 (Changed to R307-110)	AMD	09/15/98	98-11/55
	20099	R307-2-12	AMD	01/08/98	97-21/14
	21280	R307-2-12	NSC	07/27/98	Not Printed
	21031	R307-2-13	AMD	see CPR	98-10/28
	21031	R307-2-13	CPR	11/02/98	98-19/93
	21564	R307-110-27	NSC	11/12/98	Not Printed
	21130	R307-305	NEW	09/15/98	98-11/126
<u>PASSENGER TRAMWAYS</u>					
Transportation, Operations, Traffic and Safety	20807	R920-50	NSC	03/05/98	Not Printed
	21347	R920-50	AMD	10/02/98	98-17/51
	21476	R920-50	NSC	10/21/98	Not Printed
<u>PATIENTS</u>					
Mental Health, State Hospital	20916	R525-4	EXD	03/15/98	98-7/80
<u>PATIENTS' RIGHTS</u>					
Mental Health, State Hospital	20914	R525-2	EXD	03/15/98	98-7/80
	20920	R525-2	NEW	05/25/98	98-7/41
	20915	R525-3	EXD	03/15/98	98-7/80
<u>PAYING STANDARDS</u>					
Public Service Commission, Administration	20970	R746-342	5YR	04/03/98	98-9/71
<u>PAYMENT DETERMINATION</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21520	R495-603 (Changed to R202-203)	NSC	10/23/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>PEACE OFFICER BASIC COURSE</u>					
Public Safety, Peace Officer Standards and Training	20782	R728-401	NSC	02/23/98	Not Printed
<u>PEDESTRIANS</u>					
Transportation, Operations, Traffic and Safety	20730	R920-5-6	AMD	04/01/98	98-5/47
<u>PENALTY</u>					
Environmental Quality, Air Quality	21109	R307-4 (Changed to R307-130)	AMD	09/15/98	98-11/61
<u>PER DIEM ALLOWANCE</u>					
Administrative Services, Finance	21623	R25-5	5YR	10/30/98	98-22/140
	21626	R25-7	5YR	10/30/98	98-22/141
<u>PERMITS</u>					
Environmental Quality, Air Quality	21101	R307-7	REP	09/15/98	98-11/65
	21563	R307-7-3	NSC	11/12/98	Not Printed
	21140	R307-401	NEW	09/15/98	98-11/151
	21274	R307-401-2	NSC	09/15/98	Not Printed
	21143	R307-406	NEW	09/15/98	98-11/162
	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
	21354	R307-413	NSC	09/15/98	Not Printed
Natural Resources; Forestry, Fire and State Lands	21536	R652-110	5YR	10/13/98	98-21/100
Natural Resources, Wildlife Resources	21240	R657-42	AMD	08/19/98	98-14/81
	21241	R657-45	NEW	08/19/98	98-14/83
Transportation, Motor Carrier, Ports of Entry	20646	R912-4	5YR	01/12/98	98-3/104
<u>PERMITTING AUTHORITY</u>					
Environmental Quality, Air Quality	21115	R307-16 (Changed to R307-215)	AMD	09/15/98	98-11/99
	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
<u>PERSONAL PROPERTY</u>					
Tax Commission, Property Tax	20649	R884-24P-7	AMD	03/10/98	98-3/81
	20394	R884-24P-24	AMD	02/24/98	98-1/114
	21357	R884-24P-33	AMD	10/14/98	98-17/43
	21526	R884-24P-53	EMR	10/06/98	98-21/92
	20203	R884-24P-58	AMD	02/24/98	97-23/96
<u>PERSONNEL MANAGEMENT</u>					
Human Resource Management, Administration	21303	R477-1	AMD	10/02/98	98-16/9
	21064	R477-3	NSC	06/27/98	Not Printed
	21305	R477-7	AMD	see CPR	98-16/15
	21305	R477-7	CPR	10/02/98	98-17/59
	21073	R477-13	NSC	06/27/98	Not Printed
	21308	R477-14	AMD	10/02/98	98-16/24

RULES INDEX

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>PETROLEUM</u>					
Environmental Quality, Air Quality	20771	R307-8	AMD	04/22/98	98-5/26
	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
Environmental Quality, Environmental Response and Remediation	20100	R307-8-3	AMD	01/08/98	97-21/15
	21567	R307-301-11	NSC	11/12/98	Not Printed
	21134	R307-327	NEW	09/15/98	98-11/133
	21360	R311-201	AMD	10/09/98	98-17/8
	21361	R311-204	AMD	10/09/98	98-17/15
	21362	R311-205	AMD	10/09/98	98-17/17
	21363	R311-206	AMD	10/09/98	98-17/22
	21364	R311-207	AMD	10/09/98	98-17/24
	21365	R311-209	AMD	10/09/98	98-17/29
	21074	R311-210	NSC	05/06/98	Not Printed
21366	R311-210	AMD	10/09/98	98-17/30	
21367	R311-212	AMD	10/09/98	98-17/32	
<u>PHARMACIES</u>					
Commerce, Occupational and Professional Licensing	20492	R156-17a	AMD	02/24/98	98-1/3
<u>PHARMACISTS</u>					
Commerce, Occupational and Professional Licensing	20492	R156-17a	AMD	02/24/98	98-1/3
<u>PHYSICIAN ASSISTANTS</u>					
Health, Health Systems Improvement, Primary Care and Rural Health	21531	R434-10	5YR	10/08/98	98-21/99
<u>PHYSICIANS</u>					
Commerce, Occupational and Professional Licensing	20974	R156-67-302d	AMD	06/04/98	98-9/29
Health, Health Systems Improvement, Primary Care and Rural Health	21531	R434-10	5YR	10/08/98	98-21/99
<u>PILOT PROJECT</u>					
Workforce Services, Employment Development	20877	R986-709	NSC	04/01/98	Not Printed
	21288	R986-709	REP	10/01/98	98-15/78
<u>PIPELINE</u>					
Public Service Commission, Administration	21098	R746-409	NSC	05/21/98	Not Printed
<u>PLANNING-PROGRAMMING-BUDGETING</u>					
Administrative Services, Facilities Construction and Management	20705	R23-7	5YR	01/28/98	98-4/129
	20706	R23-8	5YR	01/28/98	98-4/130
<u>PM10</u>					
Environmental Quality, Air Quality	21130	R307-305	NEW	09/15/98	98-11/126
<u>POLICE DOG TRAINING RULES</u>					
Public Safety, Peace Officer Standards and Training	20996	R728-505	NEW	06/02/98	98-9/47

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>POLICE TRAINING</u>					
Public Safety, Peace Officer Standards and Training	20783	R728-402	NSC	02/23/98	Not Printed
	20832	R728-411	5YR	03/04/98	98-7/77
<u>POPULATION</u>					
Human Services, Aging and Adult Services	20641	R510-109	5YR	01/08/98	98-3/102
<u>POSITION CLASSIFICATIONS</u>					
Human Resource Management, Administration	21065	R477-4	NSC	06/27/98	Not Printed
<u>POSTAL SERVICE</u>					
Transportation, Preconstruction	20881	R930-1	5YR	03/11/98	98-7/78
	20882	R930-1	NSC	03/17/98	Not Printed
<u>POSTSECONDARY PROPRIETARY SCHOOL</u>					
Regents (Board of), Administration	20983	R765-171	NSC	05/01/98	Not Printed
<u>PRISON RELEASE</u>					
Pardons (Board of), Administration	20486	R671-205	AMD	02/18/98	98-1/76
	21300	R671-205	EXD	07/15/98	98-16/96
	21310	R671-205	EMR	07/17/98	98-16/81
<u>PRISONS</u>					
Corrections, Administration	20160	R251-107	AMD	01/15/98	97-22/16
	20196	R251-703	AMD	01/15/98	97-23/6
	20198	R251-707	AMD	01/15/98	97-23/8
	20379	R251-710	AMD	03/15/98	98-1/14
<u>PRIVACY LAW</u>					
Human Services, Recovery Services	20240	R527-5	AMD	01/05/98	97-23/83
<u>PRIVATE SCHOOLS</u>					
Education, Administration	21468	R277-410	AMD	11/03/98	98-19/4
	20902	R277-747	5YR	03/13/98	98-7/74
<u>PROCEDURE</u>					
Public Service Commission, Administration	21249	R746-210	5YR	06/26/98	98-14/103
	21250	R746-340	5YR	06/26/98	98-14/103
<u>PROCEEDINGS</u>					
Judicial Conduct Commission, Administration	21370	R595-1-5	AMD	10/02/98	98-17/37
	21353	R595-1-9	AMD	10/02/98	98-17/38
	20527	R595-1-10	AMD	02/20/98	98-2/57
<u>PROCUREMENT</u>					
Administrative Services, Facilities Construction and Management	21212	R23-1	AMD	10/29/98	98-13/4
<u>PROFESSIONAL COMPETENCY</u>					
Education, Administration	21342	R277-106	NEW	10/05/98	98-17/3
	21261	R277-502	AMD	08/15/98	98-14/45
	20781	R277-514	R&R	04/07/98	98-5/13
	20657	R277-516	5YR	01/14/98	98-3/89
	20899	R277-508	5YR	03/13/98	98-7/73

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Public Safety, Peace Officer Standards and Training	20832	R728-411	5YR	03/04/98	98-7/77
<u>PROFESSIONAL COUNSELORS</u>					
Commerce, Occupational and Professional Licensing	20359	R156-60c	AMD	02/03/98	98-1/6
	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
<u>PROFESSIONAL EDUCATION</u>					
Education, Administration	20780	R277-504	AMD	04/07/98	98-5/10
	20658	R277-518	5YR	01/14/98	98-3/90
<u>PROFESSIONAL ENGINEERS</u>					
Commerce, Occupational and Professional Licensing	20696	R156-22	5YR	01/27/98	98-4/133
	20940	R156-22	AMD	see CPR	98-8/4
	20940	R156-22	CPR	07/16/98	98-12/29
<u>PROFESSIONAL LAND SURVEYORS</u>					
Commerce, Occupational and Professional Licensing	20696	R156-22	5YR	01/27/98	98-4/133
	20940	R156-22	AMD	see CPR	98-8/4
	20940	R156-22	CPR	07/16/98	98-12/29
<u>PROFESSIONAL PRACTICES</u>					
Education, Administration	21342	R277-106	NEW	10/05/98	98-17/3
<u>PROGRAM BENEFITS</u>					
Workforce Services, Employment Development	20748	R986-306	5YR	02/06/98	98-5/72
	20777	R986-306	AMD	04/01/98	98-5/57
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21169	R986-306 (Changed to R414-306)	NSC	06/01/98	Not Printed
<u>PROGRAMS</u>					
Public Service Commission, Administration	21350	R746-404	5YR	08/11/98	98-17/63
<u>PROGRAM TYPE</u>					
Workforce Services, Employment Development	20756	R986-703	5YR	02/06/98	98-5/77
	20872	R986-703	NSC	04/01/98	Not Printed
	21285	R986-703	AMD	10/01/98	98-15/74
<u>PROMOTIONS</u>					
Agriculture and Food, Marketing and Conservation	21512	R65-2	5YR	10/05/98	98-21/97
	21513	R65-5	5YR	10/05/98	98-21/98
	20699	R65-11	NEW	03/19/98	98-4/8
<u>PROOF</u>					
Natural Resources, Water Rights	20955	R655-5	NEW	05/18/98	98-8/40
<u>PROPERTY TAX</u>					
Tax Commission, Property Tax	20649	R884-24P-7	AMD	03/10/98	98-3/81

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21097	R884-24P-19	AMD	08/11/98	98-11/198
	20394	R884-24P-24	AMD	02/24/98	98-1/114
	21357	R884-24P-33	AMD	10/14/98	98-17/43
	21526	R884-24P-53	EMR	10/06/98	98-21/92
	20203	R884-24P-58	AMD	02/24/98	97-23/96
<u>PROTECTION</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	19943	R365-4	NSC	09/10/98	Not Printed
Governor, Planning and Budget, Chief Information Officer	21491	R365-4	NSC	09/28/98	Not Printed
<u>PROVIDER PAYMENT</u>					
Workforce Services, Employment Development	20759	R986-706	5YR	02/06/98	98-5/78
	20875	R986-706	NSC	04/01/98	Not Printed
	21286	R986-706	AMD	10/01/98	98-15/75
<u>PSD (Prevention of Significant Deterioration)</u>					
Environmental Quality, Air Quality	21142	R307-405	NEW	09/15/98	98-11/157
<u>PSYCHIATRIC CARE</u>					
Mental Health, State Hospital	20915	R525-3	EXD	03/15/98	98-7/80
	20916	R525-4	EXD	03/15/98	98-7/80
<u>PSYCHOLOGICAL</u>					
Pardons (Board of), Administration	20441	R671-208	AMD	02/18/98	98-1/79
<u>PSYCHOLOGISTS</u>					
Commerce, Occupational and Professional Licensing	20342	R156-61	AMD	02/03/98	98-1/10
	20729	R156-61-502	NSC	02/19/98	Not Printed
<u>PUBLIC ASSISTANCE OVERPAYMENTS</u>					
Human Services, Recovery Services	20520	R527-550	AMD	02/11/98	98-1/70
<u>PUBLIC ASSISTANCE PROGRAMS</u>					
Human Services, Recovery Services	20518	R527-928	AMD	02/17/98	98-1/71
	21530	R527-928	NSC	10/23/98	Not Printed
Workforce Services, Employment Development	20845	R986-211	NSC	04/01/98	Not Printed
	20850	R986-216	NSC	04/01/98	Not Printed
	20851	R986-218	NSC	04/01/98	Not Printed
	20852	R986-219	NSC	04/01/98	Not Printed
	20749	R986-307	5YR	02/06/98	98-5/73
	20774	R986-307	AMD	04/01/98	98-5/58
	20750	R986-308	5YR	02/06/98	98-5/73
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21170	R986-307 (Changed to R414-307)	NSC	06/01/98	Not Printed
	21171	R986-308 (Changed to R414-308)	NSC	06/01/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>PUBLIC BUILDINGS</u>					
Administrative Services, Facilities Construction and Management	21212	R23-1	AMD	10/29/98	98-13/4
	20704	R23-6	5YR	01/28/98	98-4/129
	20705	R23-7	5YR	01/28/98	98-4/129
	20706	R23-8	5YR	01/28/98	98-4/130
Public Safety, Fire Marshal	20714	R710-4	AMD	03/18/98	98-4/96
	21291	R710-4	AMD	09/01/98	98-15/46
<u>PUBLIC EDUCATION</u>					
Education, Administration	21343	R277-437	AMD	10/05/98	98-17/4
	21641	R277-437	EXD	11/01/98	98-22/144
	21369	R277-438	NSC	08/20/98	Not Printed
	20669	R277-716	5YR	01/14/98	98-3/94
	21642	R277-735	EXD	11/01/98	98-22/144
<u>PUBLIC HEALTH</u>					
Health, Community Health Services, Environmental Services	20963	R392-200-6	AMD	see CPR	98-8/12
	20963	R392-200-6	CPR	09/10/98	98-14/90
<u>PUBLIC INFORMATION</u>					
Administrative Services, Administration	20537	R13-2	NSC	01/06/98	Not Printed
Transportation, Administration	21661	R907-40	5YR	11/10/98	98-23/50
<u>PUBLIC INPUT ON POLICY</u>					
Human Services, Child and Family Services	21466	R512-3	NEW	11/05/98	98-19/77
<u>PUBLIC PETITIONS</u>					
Natural Resources; Forestry, Fire and State Lands	21508	R652-7	5YR	10/02/98	98-21/100
<u>PUBLIC RECORDS</u>					
Attorney General, Administration	21538	R105-2	NSC	10/23/98	Not Printed
Career Service Review Board, Administration	21265	R137-2	5YR	07/01/98	98-14/101
Governor, Administration	20923	R355-1-1	NSC	03/27/98	Not Printed
Natural Resources, Parks and Recreation	21314	R651-102	5YR	07/21/98	98-16/94
<u>PUBLIC SCHOOLS</u>					
Education, Administration	21468	R277-410	AMD	11/03/98	98-19/4
	21192	R277-436	5YR	06/04/98	98-13/31
	21159	R277-436	AMD	07/02/98	98-11/31
	21403	R277-460	5YR	09/01/98	98-18/49
<u>PUBLIC UTILITIES</u>					
Public Service Commission, Administration	21248	R746-110	5YR	06/26/98	98-14/102
	20957	R746-330	5YR	03/31/98	98-8/65
	20626	R746-331	EMR	01/05/98	98-3/87
	20627	R746-331	NEW	04/06/98	98-3/78
	20964	R746-332	5YR	04/02/98	98-9/70
	20970	R746-342	5YR	04/03/98	98-9/71

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21348	R746-344	5YR	08/11/98	98-17/62
	21349	R746-345	5YR	08/11/98	98-17/62
	20956	R746-360	EMR	03/31/98	98-8/59
	21317	R746-360	EMR	07/28/98	98-16/84
	20971	R746-402	5YR	04/03/98	98-9/71
	21350	R746-404	5YR	08/11/98	98-17/63
	20972	R746-405	5YR	04/03/98	98-9/72
	21351	R746-406	5YR	08/11/98	98-17/63
	21458	R746-600	5YR	09/15/98	98-19/107
<u>QUALIFICATIONS FOR TRAINING</u>					
Public Safety, Peace Officer Standards and Training	20784	R728-403	NSC	02/23/98	Not Printed
<u>QUARANTINE</u>					
Agriculture and Food, Plant Industry	21511	R68-14	5YR	10/05/98	98-21/99
	20838	R68-15	5YR	03/05/98	98-7/72
	20962	R68-15	AMD	05/16/98	98-8/2
	21471	R68-15-1	NSC	10/17/98	Not Printed
	21096	R68-15-3	AMD	07/02/98	98-11/24
	21432	R68-16	5YR	09/11/98	98-19/104
	21433	R68-17	5YR	09/11/98	98-19/105
<u>RABBITS</u>					
Natural Resources, Wildlife Resources	21238	R657-6	AMD	08/19/98	98-14/74
<u>RACT (Reasonably Available Control Technology)</u>					
Environmental Quality, Air Quality	21132	R307-325	NEW	09/15/98	98-11/129
<u>RADIATION</u>					
Environmental Quality, Radiation Control	20237	R313-25	AMD	01/23/98	97-23/62
	20954	R313-25	NSC	04/03/98	Not Printed
<u>RADIATION SAFETY</u>					
Environmental Quality, Radiation Control	20236	R313-18	AMD	01/23/98	97-23/61
<u>RADIOACTIVE MATERIAL</u>					
Environmental Quality, Radiation Control	20235	R313-15	AMD	see CPR	97-23/44
	20235	R313-15	CPR	03/20/98	98-4/120
	20953	R313-15	NSC	04/04/98	Not Printed
	21038	R313-15	5YR	04/30/98	98-10/149
	21271	R313-15	NSC	07/22/98	Not Printed
	20236	R313-18	AMD	01/23/98	97-23/61
	20961	R313-22-37	NSC	04/01/98	Not Printed
	20238	R313-32	AMD	01/23/98	97-23/65
	20829	R313-32	NSC	04/01/98	Not Printed
	21088	R313-32	AMD	08/11/98	98-10/40
	21095	R313-36-3	NSC	05/02/98	Not Printed
<u>RADIOACTIVE WASTE DISPOSAL</u>					
Environmental Quality, Radiation Control	20237	R313-25	AMD	01/23/98	97-23/62
	20954	R313-25	NSC	04/03/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>RADIOLOGY PRACTICAL TECHNICIAN</u>					
Commerce, Occupational and Professional Licensing	20173	R156-54	AMD	see CPR	97-22/12
	20173	R156-54	CPR	02/03/98	98/1/199
<u>RADIOLOGY TECHNOLOGIST</u>					
Commerce, Occupational and Professional Licensing	20173	R156-54	AMD	see CPR	97-22/12
	20173	R156-54	CPR	02/03/98	98/1/199
<u>RADIOPHARMACEUTICAL</u>					
Environmental Quality, Radiation Control	20238	R313-32	AMD	01/23/98	97-23/65
	20829	R313-32	NSC	04/01/98	Not Printed
	21088	R313-32	AMD	08/11/98	98-10/40
<u>RAILROAD CROSSINGS</u>					
Transportation, Preconstruction	20544	R930-5	R&R	03/11/98	98-2/69
<u>RAILROADS</u>					
Transportation, Preconstruction	20544	R930-5	R&R	03/11/98	98-2/69
<u>RANGE MANAGEMENT</u>					
School and Institutional Trust Lands, Administration	21242	R850-50-700	NSC	07/07/98	Not Printed
<u>RATES</u>					
Administrative Services, Finance	21623	R25-5	5YR	10/30/98	98-22/140
	21628	R25-8	5YR	10/30/98	98-22/141
Public Service Commission, Administration	21458	R746-600	5YR	09/15/98	98-19/107
Workforce Services, Workforce Information and Payment Services	21209	R994-306	5YR	06/12/98	98-13/34
	21210	R994-307	5YR	06/12/98	98-13/34
<u>REACTIVATION PROCESS</u>					
Public Safety, Peace Officer Standards and Training	20787	R728-407	NSC	02/23/98	Not Printed
<u>REAL ESTATE APPRAISAL</u>					
Commerce, Real Estate	21335	R162-102	AMD	10/02/98	98-16/5
	21151	R162-106	AMD	07/14/98	98-11/30
	20625	R162-107	NEW	03/04/98	98-2/22
<u>REAL ESTATE BUSINESS</u>					
Commerce, Real Estate	20798	R162-1	AMD	04/23/98	98-6/17
	20799	R162-2	AMD	04/23/98	98-6/19
	20800	R162-3	AMD	04/23/98	98-6/21
	20801	R162-4	AMD	04/23/98	98-6/23
	20802	R162-5	AMD	04/23/98	98-6/26
	20803	R162-6	AMD	04/23/98	98-6/27
	20804	R162-7	AMD	04/23/98	98-6/32
	20805	R162-10	AMD	04/23/98	98-6/33
<u>RECLAMATION</u>					
Natural Resources; Oil, Gas and Mining; Coal	20189	R645-100-200	AMD	03/15/98	97-22/27
	21327	R645-102	5YR	07/27/98	98-16/91

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20190	R645-301-500	AMD	03/15/98	97-22/38
	20191	R645-301-700	AMD	03/15/98	97-22/59
	21334	R645-301-700	AMD	09/30/98	98-16/36
<u>RECORDS</u>					
Pardons (Board of), Administration	20447	R671-303	AMD	02/18/98	98-1/82
Regents (Board of), University of Utah, Administration	21227	R805-2	5YR	06/17/98	98-14/104
Workforce Services, Employment Development	20750	R986-308	5YR	02/06/98	98-5/73
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21171	R986-308 (Changed to R414-308)	NSC	06/01/98	Not Printed
<u>RECORDS ACCESS</u>					
Attorney General, Administration	21538	R105-2	NSC	10/23/98	Not Printed
Career Service Review Board, Administration	21265	R137-2	5YR	07/01/98	98-14/101
Regents (Board of), Administration	20982	R765-993	5YR	04/13/98	98-9/73
	20985	R765-993	NSC	05/01/98	Not Printed
<u>RECORDS MANAGEMENT</u>					
Regents (Board of), Administration	20982	R765-993	5YR	04/13/98	98-9/73
	20985	R765-993	NSC	05/01/98	Not Printed
<u>RECREATION</u>					
Natural Resources, Parks and Recreation	21315	R651-301	5YR	07/21/98	98-16/94
Natural Resources, Wildlife Resources	20244	R657-38	AMD	01/15/98	97-24/105
<u>RECREATIONAL THERAPY</u>					
Commerce, Occupational and Professional Licensing	20697	R156-40	5YR	01/27/98	98-4/133
	20695	R156-40	AMD	see CPR (First)	98-4/73
	20695	R156-40	CPR (First)	see CPR (Second)	98-8/55
	20695	R156-40	CPR (Second)	07/16/98	98-12/31
<u>REDETERMINATION</u>					
Workforce Services, Employment Development	20848	R986-214	NSC	04/01/98	Not Printed
<u>REFINERY</u>					
Environmental Quality, Air Quality	21133	R307-326	NEW	09/15/98	98-11/131
<u>REGIONALIZATION</u>					
Environmental Quality, Drinking Water	21027	R309-352	NEW	06/19/98	98-10/38
<u>REGIONAL TRAINING</u>					
Public Safety, Peace Officer Standards and Training	20834	R728-504	5YR	03/04/98	98-7/78
<u>REGISTRATION</u>					
Regents (Board of), Administration	20983	R765-171	NSC	05/01/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>REHABILITATION</u>					
Education, Applied Technology Education (Board for), Rehabilitation	20905	R280-200	5YR	03/13/98	98-7/76
	21078	R280-200	NSC	05/07/98	Not Printed
	21256	R280-200	NSC	07/07/98	Not Printed
	21644	R280-202	EXD	11/01/98	98-22/144
Public Safety, Driver License	20335	R708-1	REP	02/10/98	98-1/107
<u>REIMBURSEMENTS</u>					
Administrative Services, Finance	21624	R25-6	5YR	10/30/98	98-22/140
	21628	R25-8	5YR	10/30/98	98-22/141
<u>RELIGIOUS EDUCATION</u>					
Education, Administration	20662	R277-610	5YR	01/14/98	98-3/91
<u>RELOCATION BENEFITS</u>					
Administrative Services, Finance	21624	R25-6	5YR	10/30/98	98-22/140
<u>REPORTING</u>					
Environmental Quality, Air Quality	21122	R307-150	NEW	09/15/98	98-11/113
Natural Resources; Oil, Gas and Mining; Oil and Gas	20950	R649-8	AMD	06/02/98	98-8/36
<u>REPORTING CHANGES</u>					
Workforce Services, Employment Development	20848	R986-214	NSC	04/01/98	Not Printed
<u>RESERVE OFFICERS</u>					
Public Safety, Peace Officer Standards and Training	20831	R728-408	5YR	03/04/98	98-7/77
<u>RESIDENCY REQUIREMENTS</u>					
Human Services, Administration (Changed to Community and Economic Development, Community Development, Community Services)	21519	R495-602 (Changed to R202-202)	NSC	10/23/98	Not Printed
<u>RESIDENTIAL CARE/ASSISTED LIVING</u>					
Public Safety, Fire Marshal	20713	R710-3	AMD	03/18/98	98-4/94
<u>RESOURCES</u>					
Workforce Services, Employment Development	20851	R986-218	NSC	04/01/98	Not Printed
	20747	R986-305	5YR	02/06/98	98-5/72
	20726	R986-305	EMR	02/12/98	98-4/123
	20770	R986-305	AMD	04/01/98	98-5/55
	20675	R986-305	AMD	05/28/98	98-3/84
	20758	R986-705	5YR	02/06/98	98-5/78
	20874	R986-705	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21168	R986-305 (Changed to R414-305)	NSC	06/01/98	Not Printed
<u>RESTITUTION</u>					
Pardons (Board of), Administration	20490	R671-403	AMD	02/18/98	98-1/92
	21645	R671-403	EXD	11/01/98	98-22/144

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>RETIREMENT</u>					
Human Resource Management, Administration	21307	R477-12	AMD	10/02/98	98-16/22
<u>RETIREMENT BENEFITS</u>					
Public Service Commission, Administration	21458	R746-600	5YR	09/15/98	98-19/107
<u>RIGHT-OF-WAY</u>					
Transportation, Preconstruction, Right- of-Way Acquisition	21177	R933-4	NEW	07/16/98	98-12/21
<u>ROADS</u>					
Environmental Quality, Air Quality	21131	R307-307	NEW	09/15/98	98-11/128
	21273	R307-307-3	NSC	09/15/98	Not Printed
Natural Resources; Forestry, Fire and State Lands	21536	R652-110	5YR	10/13/98	98-21/100
<u>RULES</u>					
Public Service Commission, Administration	21249	R746-210	5YR	06/26/98	98-14/103
<u>RULES AND PROCEDURES</u>					
Health, Community Health Services, Epidemiology	20898	R386-703	NSC	03/18/98	Not Printed
	20958	R386-704	REP	08/12/98	98-8/10
Health, Family Health Services, Child Health	20959	R396-100	NEW	see CPR	98-8/15
	20959	R396-100	CPR	08/12/98	98-12/65
Human Resource Management, Administration	21303	R477-1	AMD	10/02/98	98-16/9
	21073	R477-13	NSC	06/27/98	Not Printed
Public Safety, Peace Officer Standards and Training	20995	R728-409	AMD	06/02/98	98-9/41
Public Service Commission, Administration	21248	R746-110	5YR	06/26/98	98-14/102
	20964	R746-332	5YR	04/02/98	98-9/70
	20677	R746-341	AMD	04/06/98	98-3/78
	20970	R746-342	5YR	04/03/98	98-9/71
	21348	R746-344	5YR	08/11/98	98-17/62
	21349	R746-345	5YR	08/11/98	98-17/62
	20971	R746-402	5YR	04/03/98	98-9/71
	21350	R746-404	5YR	08/11/98	98-17/63
	20972	R746-405	5YR	04/03/98	98-9/72
	21098	R746-409	NSC	05/21/98	Not Printed
<u>RURAL POLICY</u>					
Human Services, Aging and Adult Services	20640	R510-108	5YR	01/08/98	98-3/100
<u>SAFETY</u>					
Education, Administration	21467	R277-400	AMD	11/03/98	98-19/3
Environmental Quality, Radiation Control	20235	R313-15	AMD	see CPR	97-23/44
	20235	R313-15	CPR	03/20/98	98-4/120
	20953	R313-15	NSC	04/04/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21038	R313-15	5YR	04/30/98	98-10/149
	21271	R313-15	NSC	07/22/98	Not Printed
Labor Commission, Occupational Safety and Health	20633	R614-1-4	NSC	01/21/98	Not Printed
	20835	R614-1-4	AMD	05/04/98	98-7/45
	21387	R614-1-8	NSC	10/20/98	Not Printed
	21094	R614-6-7	NSC	05/22/98	Not Printed
Public Service Commission, Administration	21098	R746-409	NSC	05/21/98	Not Printed
<u>SAFETY EDUCATION</u>					
Education, Administration	21467	R277-400	AMD	11/03/98	98-19/3
<u>SAFETY REGULATIONS</u>					
Transportation, Motor Carrier	20271	R909-4-11	AMD	02/27/98	97-24/112
	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70
Transportation, Motor Carrier, Ports of Entry	20646	R912-4	5YR	01/12/98	98-3/104
<u>SALARIES</u>					
Human Resource Management, Administration	21305	R477-7	AMD	see CPR	98-16/15
	21305	R477-7	CPR	10/02/98	98-17/59
<u>SALES</u>					
School and Institutional Trust Lands, Administration	20395	R850-80	AMD	02/03/98	98-1/108
	21320	R850-80-550	NSC	08/05/98	Not Printed
	21184	R850-80-600	AMD	07/16/98	98-12/20
Tax Commission, Auditing	20828	R865-19S-58	AMD	05/04/98	98-6/61
<u>SALES TAX</u>					
Tax Commission, Auditing	21323	R865-19S-20	AMD	10/14/98	98-16/55
	21195	R865-19S-90	AMD	08/11/98	98-13/20
	21220	R865-19S-103	AMD	08/11/98	98-13/22
<u>SANCTIONS</u>					
Judicial Conduct Commission, Administration	21370	R595-1-5	AMD	10/02/98	98-17/37
	21353	R595-1-9	AMD	10/02/98	98-17/38
	20527	R595-1-10	AMD	02/20/98	98-2/57
<u>SCHOLARSHIPS</u>					
Health, Health Systems Improvement, Community Health Nursing	20794	R425-1	AMD	see CPR	98-6/34
	20794	R425-1	CPR	06/03/98	98-9/61
Health, Health Systems Improvement, Primary Care and Rural Health	21531	R434-10	5YR	10/08/98	98-21/99
<u>SCHOOL BUSES</u>					
Education, Administration	20659	R277-600	5YR	01/14/98	98-3/90
<u>SCHOOL ENROLLMENT</u>					
Education, Administration	21161	R277-907	NEW	07/02/98	98-11/34

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>SCHOOL PERSONNEL</u>					
Education, Administration	20657	R277-516	5YR	01/14/98	98-3/89
	20899	R277-508	5YR	03/13/98	98-7/73
<u>SCHOOLS</u>					
Environmental Quality, Air Quality	21106	R307-1-8 (Changed to R307-801)	AMD	09/15/98	98-11/43
	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
Health, Community Health Services, Environmental Services	20963	R392-200-6	AMD	see CPR	98-8/12
	20963	R392-200-6	CPR	09/10/98	98-14/90
<u>SCHOOL TRANSPORTATION</u>					
Education, Administration	20659	R277-600	5YR	01/14/98	98-3/90
<u>SCHOOL YEAR</u>					
Education, Administration	20903	R277-751	5YR	03/13/98	98-7/75
<u>SCIENCE</u>					
Education, Administration	21344	R277-444	AMD	10/05/98	98-17/6
<u>SEARCH AND SEIZURE</u>					
Corrections, Administration	20379	R251-710	AMD	03/15/98	98-1/14
<u>SEAT BELTS</u>					
Public Safety, Highway Patrol	20910	R714-230	R&R	05/05/98	98-7/61
	20911	R714-240	R&R	05/05/98	98-7/62
<u>SECURITIES</u>					
Commerce, Securities	21507	R164-2	EXD	10/01/98	98-21/102
	20679	R164-4	AMD	03/04/98	98-3/31
	20680	R164-5	AMD	03/04/98	98-3/38
<u>SECURITIES REGULATION</u>					
Commerce, Securities	21507	R164-2	EXD	10/01/98	98-21/102
	20679	R164-4	AMD	03/04/98	98-3/31
	20680	R164-5	AMD	03/04/98	98-3/38
	20681	R164-6-1g	AMD	03/04/98	98-3/40
	20682	R164-26-6	AMD	03/04/98	98-3/44
<u>SECURITY</u>					
Governor, Planning and Budget, Information Technology Coordinator (Changed to Governor, Planning and Budget, Chief Information Officer)	19943	R365-4	NSC	09/10/98	Not Printed
Governor, Planning and Budget, Chief Information Officer	21491	R365-4	NSC	09/28/98	Not Printed
<u>SECURITY GUARDS</u>					
Commerce, Occupational and Professional Licensing	20930	R156-63	AMD	05/19/98	98-8/9
	21174	R156-63-502	NSC	06/03/98	Not Printed
<u>SECURITY MEASURES</u>					
Corrections, Administration	20379	R251-710	AMD	03/15/98	98-1/14
<u>SELF INSURANCE PLANS</u>					
Labor Commission, Industrial Accidents	21217	R612-3	5YR	06/15/98	98-13/33

RULES INDEX

<u>KEYWORD</u> <u>AGENCY</u>	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>SENIOR CENTERS</u>					
Human Services, Aging and Adult Services	20637	R510-103	5YR	01/08/98	98-3/100
<u>SENTENCING</u>					
Pardons (Board of), Administration	20471	R671-405	AMD	02/18/98	98-1/93
<u>SERVICE COORDINATION</u>					
Human Services, Aging and Adult Services	20636	R510-102	5YR	01/08/98	98-3/99
<u>SEWAGE TREATMENT</u>					
Environmental Quality, Water Quality	21478	R317-101	5YR	09/17/98	98-20/37
<u>SEWERAGE</u>					
Public Service Commission, Administration	20957	R746-330	5YR	03/31/98	98-8/65
<u>SMALL BUSINESS ASSISTANCE PROGRAM</u>					
Environmental Quality, Air Quality	21107	R307-2 (Changed to R307-110)	AMD	09/15/98	98-11/55
	20099	R307-2-12	AMD	01/08/98	97-21/14
	21280	R307-2-12	NSC	07/27/98	Not Printed
	21031	R307-2-13	AMD	see CPR	98-10/28
	21031	R307-2-13	CPR	11/02/98	98-19/93
	21564	R307-110-27	NSC	11/12/98	Not Printed
<u>SOCIAL SECURITY</u>					
Workforce Services, Employment Development	20206	R986-412	AMD	01/02/98	97-23/98
	20857	R986-412	NSC	04/01/98	Not Printed
<u>SOCIAL SERVICES</u>					
Human Services, Administration, Administrative Hearings	20248	R497-100	AMD	01/26/98	97-24/88
	21417	R497-100	NSC	10/20/98	Not Printed
<u>SOCIAL WORKERS</u>					
Commerce, Occupational and Professional Licensing	20992	R156-60a	AMD	06/04/98	98-9/26
<u>SOLAR ENERGY</u>					
Natural Resources, Energy and Resource Planning	20678	R637-1	NEW	03/05/98	98-3/73
<u>SOLID WASTE MANAGEMENT</u>					
Environmental Quality, Solid and Hazardous Waste	20965	R315-301	5YR	04/02/98	98-9/65
	21436	R315-301	AMD	11/16/98	98-19/36
	19876	R315-301-2	AMD	see CPR	97-19/23
	19876	R315-301-2	CPR	01/05/98	97-23/111
	20249	R315-301-2	NSC	01/05/98	Not Printed
	20686	R315-301-2	NSC	02/03/98	Not Printed
	21093	R315-301-2	NSC	05/20/98	Not Printed
	20966	R315-302	5YR	04/02/98	98-9/66
	21437	R315-302	AMD	11/16/98	98-19/41
	20761	R315-302-2	NSC	02/18/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20967	R315-303	5YR	04/02/98	98-9/67
	21438	R315-303	AMD	11/16/98	98-19/46
	20933	R315-303-3	NSC	03/27/98	Not Printed
	20968	R315-305	5YR	04/02/98	98-9/68
	21440	R315-305-5	AMD	11/16/98	98-19/53
	20969	R315-306	5YR	04/02/98	98-9/69
	21441	R315-306	AMD	11/16/98	98-19/54
	20687	R315-306-2	NSC	02/03/98	Not Printed
	20999	R315-307	5YR	04/20/98	98-10/150
	21000	R315-308	5YR	04/20/98	98-10/150
	21442	R315-308	AMD	11/16/98	98-19/56
	21001	R315-309	5YR	04/20/98	98-10/151
	21443	R315-309	AMD	11/16/98	98-19/59
	20688	R315-309-3	NSC	02/03/98	Not Printed
	21002	R315-310	5YR	04/20/98	98-10/152
	20689	R315-310-7	NSC	02/03/98	Not Printed
	21003	R315-311	5YR	04/20/98	98-10/153
	21004	R315-312	5YR	04/20/98	98-10/154
	21444	R315-312-1	AMD	11/16/98	98-19/65
	21020	R315-313	5YR	04/28/98	98-10/154
	21021	R315-314	5YR	04/28/98	98-10/155
	21445	R315-314-1	AMD	11/16/98	98-19/66
	20690	R315-315	NSC	02/03/98	Not Printed
	21022	R315-315	5YR	04/28/98	98-10/156
	21446	R315-315	AMD	11/16/98	98-19/67
	21023	R315-316	5YR	04/28/98	98-10/156
	20691	R315-316-1	NSC	02/03/98	Not Printed
	21267	R315-316-1	NSC	07/22/98	Not Printed
	21024	R315-317	5YR	04/28/98	98-10/157
	21447	R315-317	AMD	11/16/98	98-19/68
	20692	R315-317-1	NSC	02/03/98	Not Printed
	21025	R315-318	5YR	04/28/98	98-10/158
	21448	R315-320	AMD	11/16/98	98-19/69
<u>SOLVENT</u>					
Environmental Quality, Air Quality	21139	R307-341	NEW	09/15/98	98-11/150
<u>SOLVENT CLEANING</u>					
Environmental Quality, Air Quality	21137	R307-335	NEW	09/15/98	98-11/141
<u>SPACE UTILIZATION</u>					
Administrative Services, Facilities Construction and Management	20709	R23-11	5YR	01/28/98	98-4/131
<u>SPECIAL FUEL</u>					
Tax Commission, Auditing	20392	R865-4D-2	AMD	02/24/98	98-1/112
	21193	R865-4D-2	NSC	06/17/98	Not Printed
<u>SPECIFIC LICENSES</u>					
Environmental Quality, Radiation Control	20961	R313-22-37	NSC	04/01/98	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>STACK HEIGHT</u>					
Environmental Quality, Air Quality	21144	R307-410	NEW	09/15/98	98-11/163
	21395	R307-410-3	NSC	09/15/98	Not Printed
<u>STATE ASSISTED LOANS</u>					
Environmental Quality, Water Quality	21247	R317-100	AMD	11/09/98	98-14/48
<u>STATE EMPLOYEES</u>					
Administrative Services, Finance	21623	R25-5	5YR	10/30/98	98-22/140
	21626	R25-7	5YR	10/30/98	98-22/141
	21628	R25-8	5YR	10/30/98	98-22/141
<u>STATE EXPENDITURES</u>					
Human Resource Management, Administration	21064	R477-3	NSC	06/27/98	Not Printed
<u>STATEHOOD</u>					
Statehood Centennial Commission (Utah), Administration	20924	R855-1	EXD	03/17/98	98-8/67
	20925	R855-2	EXD	03/17/98	98-8/67
	20926	R855-3	EXD	03/17/98	98-8/67
<u>STATE OFFICE BUILDINGS</u>					
Administrative Services, Facilities Construction and Management	20705	R23-7	5YR	01/28/98	98-4/129
<u>STATE PLANNING</u>					
Administrative Services, Facilities Construction and Management	20705	R23-7	5YR	01/28/98	98-4/129
<u>STATIONARY SOURCES</u>					
Environmental Quality, Air Quality	21011	R307-18 (Changed to R307-210)	AMD	08/13/98	98-10/32
<u>STOVES</u>					
Environmental Quality, Air Quality	21105	R307-1-6 (Changed to R307-122)	AMD	09/15/98	98-11/39
	21103	R307-17	REP	09/15/98	98-11/100
	21125	R307-201	NEW	09/15/98	98-11/118
	21129	R307-302	NEW	09/15/98	98-11/124
<u>STUDENT COMPETENCY</u>					
Education, Administration	20666	R277-702	5YR	01/14/98	98-3/93
<u>STUDENT FINANCIAL AID</u>					
Education, Administration	20670	R277-718	5YR	01/14/98	98-3/95
<u>STUDENT LOANS</u>					
Regents (Board of), Administration	21396	R765-610	AMD	10/26/98	98-18/34
	21397	R765-612	AMD	10/26/98	98-18/35
<u>STUDENTS</u>					
Education, Administration	20667	R277-709	5YR	01/14/98	98-3/94
<u>STUDENTS AT RISK</u>					
Education, Administration	21192	R277-436	5YR	06/04/98	98-13/31
	21159	R277-436	AMD	07/02/98	98-11/31
<u>STUDENTS' RIGHTS</u>					
Education, Administration	21160	R277-616	AMD	07/02/98	98-11/32

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>SUBSTANCE ABUSE COUNSELORS</u>					
Commerce, Occupational and Professional Licensing	20273	R156-60d	AMD	01/15/98	97-24/16
<u>SUBSTANCE ABUSE PREVENTION</u>					
Education, Administration	21403	R277-460	5YR	09/01/98	98-18/49
<u>SUGGESTIONS</u>					
Human Services, Mental Health, State Hospital	20892	R525-7	NEW	05/25/98	98-7/45
<u>SUPERVISION</u>					
Corrections, Administration	21670	R251-401	5YR	11/13/98	98-23/48
<u>SURFACE COATING</u>					
Environmental Quality, Air Quality	21138	R307-340	NEW	09/15/98	98-11/143
<u>SURVEYORS</u>					
Commerce, Occupational and Professional Licensing	20696	R156-22	5YR	01/27/98	98-4/133
	20940	R156-22	AMD	see CPR	98-8/4
	20940	R156-22	CPR	07/16/98	98-12/29
<u>SURVEYS</u>					
Environmental Quality, Radiation Control	21095	R313-36-3	NSC	05/02/98	Not Printed
<u>SYSTEMS</u>					
Public Safety, Fire Marshal	20277	R710-7	AMD	01/15/98	97-24/108
	21293	R710-7	AMD	09/01/98	98-15/53
<u>TARIFFS</u>					
Public Service Commission, Administration	20972	R746-405	5YR	04/03/98	98-9/72
<u>TAXATION</u>					
Tax Commission, Administration	21321	R861-1A-9	AMD	10/14/98	98-16/51
	21416	R861-1A-9	NSC	10/30/98	Not Printed
	20818	R861-1A-23	AMD	05/04/98	98-6/55
	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
	21091	R861-1A-32	NSC	05/21/98	Not Printed
Tax Commission, Auditing	20392	R865-4D-2	AMD	02/24/98	98-1/112
	21193	R865-4D-2	NSC	06/17/98	Not Printed
	21322	R865-6F-33	AMD	10/14/98	98-16/53
	21194	R865-13G-14	AMD	08/11/98	98-13/19
	21324	R865-20T-10	AMD	10/14/98	98-16/56
Tax Commission, Motor Vehicle	21355	R873-22M-11	AMD	10/14/98	98-17/41
	21221	R873-22M-38	AMD	08/11/98	98-13/23
	21356	R873-22M-40	AMD	10/14/98	98-17/42
Tax Commission, Motor Vehicle Enforcement	20393	R877-23V-17	AMD	02/24/98	98-1/113

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Tax Commission, Property Tax	21196	R877-23V-17	AMD	08/11/98	98-13/24
	20177	R884-24P-7	AMD	01/06/98	97-22/75
	20649	R884-24P-7	AMD	03/10/98	98-3/81
	20897	R884-24P-7	AMD	05/04/98	98-7/65
	21097	R884-24P-19	AMD	08/11/98	98-11/198
	20394	R884-24P-24	AMD	02/24/98	98-1/114
	21357	R884-24P-33	AMD	10/14/98	98-17/43
	21526	R884-24P-53	EMR	10/06/98	98-21/92
	20203	R884-24P-58	AMD	02/24/98	97-23/96
	20204	R884-24P-59	AMD	02/24/98	97-23/96
	21222	R884-24P-60	AMD	08/11/98	98-13/25
	21223	R884-24P-61	AMD	08/11/98	98-13/26
	<u>TAX CREDITS</u>				
Natural Resources, Energy and Resource Planning	20678	R637-1	NEW	03/05/98	98-3/73
<u>TAX EXEMPTIONS</u>					
Environmental Quality, Air Quality	21105	R307-1-6 (Changed to R307-120)	AMD	09/15/98	98-11/39
	21105	R307-1-6 (Changed to R307-121)	AMD	09/15/98	98-11/39
	21105	R307-1-6 (Changed to R307-122)	AMD	09/15/98	98-11/39
	21565	R307-121-2	NSC	11/12/98	Not Printed
<u>TEACHER CERTIFICATION</u>					
Education, Administration	21261	R277-502	AMD	08/15/98	98-14/45
	20780	R277-504	AMD	04/07/98	98-5/10
	20781	R277-514	R&R	04/07/98	98-5/13
	20658	R277-518	5YR	01/14/98	98-3/90
Professional Practices Advisory Commission, Administration	20524	R686-100	NEW	02/09/98	98-1/99
<u>TEACHERS</u>					
Education, Administration	20899	R277-508	5YR	03/13/98	98-7/73
Professional Practices Advisory Commission, Administration	21262	R686-101	NEW	08/15/98	98-14/84
	21263	R686-102	NEW	08/15/98	98-14/85
<u>TELECOMMUNICATIONS</u>					
Public Service Commission, Administration	21250	R746-340	5YR	06/26/98	98-14/103
	20677	R746-341	AMD	04/06/98	98-3/78
	20970	R746-342	5YR	04/03/98	98-9/71
	21348	R746-344	5YR	08/11/98	98-17/62
	21349	R746-345	5YR	08/11/98	98-17/62
	20592	R746-356-2	NSC	01/06/98	Not Printed
	20956	R746-360	EMR	03/31/98	98-8/59
	21317	R746-360	EMR	07/28/98	98-16/84

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>TELEPHONE</u>					
Public Service Commission, Administration	20677	R746-341	AMD	04/06/98	98-3/78
<u>TELEPHONE UTILITY REGULATION</u>					
Public Service Commission, Administration	21250	R746-340	5YR	06/26/98	98-14/103
	21349	R746-345	5YR	08/11/98	98-17/62
<u>THERAPISTS</u>					
Commerce, Occupational and Professional Licensing	20581	R156-60b	AMD	02/18/98	98-2/18
	21007	R156-60b	AMD	06/16/98	98-10/17
	21229	R156-60b-302a	AMD	08/20/98	98-14/39
	20790	R156-60b-502	NSC	02/19/98	Not Printed
<u>TIME</u>					
Labor Commission, Industrial Accidents	21470	R612-1-9	NSC	10/22/98	Not Printed
<u>TOBACCO PRODUCTS</u>					
Tax Commission, Auditing	21324	R865-20T-10	AMD	10/14/98	98-16/56
<u>TOLL CALLING</u>					
Public Service Commission, Administration	20592	R746-356-2	NSC	01/06/98	Not Printed
<u>TOWING</u>					
Transportation, Motor Carrier	20271	R909-4-11	AMD	02/27/98	97-24/112
<u>TRAFFIC CONTROL</u>					
Transportation, Operations, Traffic and Safety	20730	R920-5-6	AMD	04/01/98	98-5/47
<u>TRAFFIC REGULATIONS</u>					
Public Safety, Highway Patrol	21075	R714-110	5YR	05/01/98	98-10/167
	20840	R714-159	REP	05/05/98	98-7/56
	21040	R714-205	EXD	05/01/98	98-10/168
	21197	R714-400	REP	08/04/98	98-13/15
<u>TRAFFIC SAFETY</u>					
Transportation, Operations, Traffic and Safety	20730	R920-5-6	AMD	04/01/98	98-5/47
<u>TRAFFIC SIGNS</u>					
Transportation, Operations, Traffic and Safety	20730	R920-5-6	AMD	04/01/98	98-5/47
<u>TRAINING PROGRAMS</u>					
Workforce Services, Administration	21251	R982-401	5YR	06/29/98	98-14/105
	21252	R982-501	5YR	06/29/98	98-14/105
Workforce Services, Employment Development	21253	R986-601	5YR	06/29/98	98-14/106
	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
Workforce Services, Workforce Information and Payment Services	21181	R994-600	5YR	05/29/98	98-12/39

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>TRAMWAY PERMITS</u>					
Transportation, Operations, Traffic and Safety	20807	R920-50	NSC	03/05/98	Not Printed
	21347	R920-50	AMD	10/02/98	98-17/51
	21476	R920-50	NSC	10/21/98	Not Printed
<u>TRAMWAYS</u>					
Transportation, Operations, Traffic and Safety	20807	R920-50	NSC	03/05/98	Not Printed
	21347	R920-50	AMD	10/02/98	98-17/51
	21476	R920-50	NSC	10/21/98	Not Printed
<u>TRANSMISSION AND DISTRIBUTION PIPELINES</u>					
Environmental Quality, Drinking Water	21302	R309-211	AMD	11/01/98	98-16/6
<u>TRANSPORTATION</u>					
Administrative Services, Finance	21626	R25-7	5YR	10/30/98	98-22/141
<u>TRANSPORTATION LAW</u>					
Administrative Services, Facilities Construction and Management	21186	R23-12	5YR	06/01/98	98-12/37
	21206	R23-12	REP	10/29/98	98-13/9
	21150	R23-13	5YR	05/15/98	98-11/200
<u>TRANSPORTATION PLANNING</u>					
Transportation, Program Development	20942	R926-2	AMD	05/29/98	98-8/47
<u>TRANSPORTATION SAFETY</u>					
Transportation, Motor Carrier	20276	R909-1	AMD	01/15/98	97-24/111
	20827	R909-1	AMD	05/01/98	98-6/62
	21089	R909-1	AMD	06/16/98	98-10/132
	21281	R909-1	AMD	09/01/98	98-15/69
	21497	R909-1	NSC	10/22/98	Not Printed
Transportation, Operations, Traffic and Safety	20807	R920-50	NSC	03/05/98	Not Printed
	21347	R920-50	AMD	10/02/98	98-17/51
	21476	R920-50	NSC	10/21/98	Not Printed
<u>TRIP REDUCTION</u>					
Environmental Quality, Air Quality	21112	R307-11 (Changed to R307-320)	AMD	09/15/98	98-11/75
<u>TRUCKS</u>					
Transportation, Motor Carrier	20276	R909-1	AMD	01/15/98	97-24/111
	20827	R909-1	AMD	05/01/98	98-6/62
	21089	R909-1	AMD	06/16/98	98-10/132
	21281	R909-1	AMD	09/01/98	98-15/69
	21497	R909-1	NSC	10/22/98	Not Printed
	20271	R909-4-11	AMD	02/27/98	97-24/112
<u>TRUSTS</u>					
Financial Institutions, Administration	21474	R331-21	5YR	09/16/98	98-20/37
	21475	R331-21	NSC	10/17/98	Not Printed
Workforce Services, Employment Development	20747	R986-305	5YR	02/06/98	98-5/72
	20726	R986-305	EMR	02/12/98	98-4/123

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20770	R986-305	AMD	04/01/98	98-5/55
	20675	R986-305	AMD	05/28/98	98-3/84
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21168	R986-305 (Changed to R414-305)	NSC	06/01/98	Not Printed
<u>UMAP (Utah Medical Assistance Program)</u>					
Workforce Services, Employment Development	20751	R986-309	5YR	02/06/98	98-5/74
	20732	R986-309-901	EMR	02/12/98	98-5/62
	20960	R986-309-901	AMD	05/18/98	98-8/50
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21172	R986-309 (Changed to R414-309)	NSC	06/01/98	Not Printed
<u>UNDERGROUND STORAGE TANKS</u>					
Environmental Quality, Environmental Response and Remediation	21360	R311-201	AMD	10/09/98	98-17/8
	21361	R311-204	AMD	10/09/98	98-17/15
	21362	R311-205	AMD	10/09/98	98-17/17
	21363	R311-206	AMD	10/09/98	98-17/22
	21364	R311-207	AMD	10/09/98	98-17/24
	21365	R311-209	AMD	10/09/98	98-17/29
	21074	R311-210	NSC	05/06/98	Not Printed
	21366	R311-210	AMD	10/09/98	98-17/30
	21367	R311-212	AMD	10/09/98	98-17/32
<u>UNEMPLOYED WORKERS</u>					
Workforce Services, Administration	21251	R982-401	5YR	06/29/98	98-14/105
	21252	R982-501	5YR	06/29/98	98-14/105
Workforce Services, Employment Development	21253	R986-601	5YR	06/29/98	98-14/106
	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
Workforce Services, Workforce Information and Payment Services	21181	R994-600	5YR	05/29/98	98-12/39
<u>UNEMPLOYMENT</u>					
Workforce Services, Administration	21251	R982-401	5YR	06/29/98	98-14/105
	21252	R982-501	5YR	06/29/98	98-14/105
Workforce Services, Employment Development	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
Workforce Services, Workforce Information and Payment Services	21181	R994-600	5YR	05/29/98	98-12/39

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>UNEMPLOYMENT COMPENSATION</u>					
Workforce Services, Workforce Information and Payment Services	21178	R994-201	5YR	05/29/98	98-12/38
	21179	R994-202	5YR	05/29/98	98-12/38
	21180	R994-208	5YR	05/29/98	98-12/39
	21209	R994-306	5YR	06/12/98	98-13/34
	21210	R994-307	5YR	06/12/98	98-13/34
	21211	R994-508	5YR	06/12/98	98-13/35
<u>UNITS</u>					
Environmental Quality, Radiation Control	20234	R313-12	AMD	see CPR	97-23/115
	20234	R313-12	CPR	03/20/98	98-4/115
<u>UNIVERSAL SERVICE</u>					
Public Service Commission, Administration	20956	R746-360	EMR	03/31/98	98-8/59
	21317	R746-360	EMR	07/28/98	98-16/84
<u>USED OIL</u>					
Environmental Quality, Solid and Hazardous Waste	21026	R315-15-11	AMD	06/17/98	98-10/41
<u>UTILITY REGULATION</u>					
Public Service Commission, Administration	20972	R746-405	5YR	04/03/98	98-9/72
<u>VACATIONS</u>					
Human Resource Management, Administration	21264	R477-8	EMR	07/01/98	98-14/94
	21306	R477-8	AMD	10/02/98	98-16/17
<u>VERIFICATION</u>					
Workforce Services, Employment Development	20849	R986-215	AMD	05/18/98	98-7/68
<u>VICTIM COMPENSATION</u>					
Crime Victim Reparations, Administration	21061	R270-1	AMD	07/01/98	98-10/23
	21228	R270-1	NSC	07/22/98	Not Printed
<u>VICTIMS OF CRIMES</u>					
Crime Victim Reparations, Administration	21061	R270-1	AMD	07/01/98	98-10/23
	21228	R270-1	NSC	07/22/98	Not Printed
Pardons (Board of), Administration	20433	R671-203	AMD	02/18/98	98-1/75
<u>VISIBILITY</u>					
Environmental Quality, Air Quality	21143	R307-406	NEW	09/15/98	98-11/162
<u>VISITORS</u>					
Human Services, Mental Health, State Hospital	20888	R525-4	NEW	05/25/98	98-7/43
<u>VOCATIONAL EDUCATION</u>					
Education, Administration	20658	R277-518	5YR	01/14/98	98-3/90
Education, Applied Technology Education (Board for), Rehabilitation	20905	R280-200	5YR	03/13/98	98-7/76
	21078	R280-200	NSC	05/07/98	Not Printed
	21256	R280-200	NSC	07/07/98	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE	
<u>WAGES</u>						
Human Services, Recovery Services	20723	R527-300	AMD	03/18/98	98-4/77	
	21006	R527-300	AMD	06/16/98	98-10/130	
	21488	R527-300	NSC	10/22/98	Not Printed	
Workforce Services, Workforce Information and Payment Services	21180	R994-208	5YR	05/29/98	98-12/39	
<u>WAIVER OF BASIC TRAINING</u>						
Public Safety, Peace Officer Standards and Training	20787	R728-407	NSC	02/23/98	Not Printed	
<u>WARRANTS</u>						
Pardons (Board of), Administration	20473	R671-501	AMD	02/18/98	98-1/93	
<u>WASTE DISPOSAL</u>						
Environmental Quality, Radiation Control	20235	R313-15	AMD	see CPR	97-23/44	
	20235	R313-15	CPR	03/20/98	98-4/120	
	20953	R313-15	NSC	04/04/98	Not Printed	
	21038	R313-15	5YR	04/30/98	98-10/149	
	21271	R313-15	NSC	07/22/98	Not Printed	
	Environmental Quality, Solid and Hazardous Waste	20965	R315-301	5YR	04/02/98	98-9/65
		21436	R315-301	AMD	11/16/98	98-19/36
		19876	R315-301-2	AMD	see CPR	97-19/23
		19876	R315-301-2	CPR	01/05/98	97-23/111
		20249	R315-301-2	NSC	01/05/98	Not Printed
		20686	R315-301-2	NSC	02/03/98	Not Printed
		21093	R315-301-2	NSC	05/20/98	Not Printed
		20966	R315-302	5YR	04/02/98	98-9/66
		21437	R315-302	AMD	11/16/98	98-19/41
		20761	R315-302-2	NSC	02/18/98	Not Printed
20967		R315-303	5YR	04/02/98	98-9/67	
21438		R315-303	AMD	11/16/98	98-19/46	
20933		R315-303-3	NSC	03/27/98	Not Printed	
20968		R315-305	5YR	04/02/98	98-9/68	
21440		R315-305-5	AMD	11/16/98	98-19/53	
20969	R315-306	5YR	04/02/98	98-9/69		
21441	R315-306	AMD	11/16/98	98-19/54		
20687	R315-306-2	NSC	02/03/98	Not Printed		
20999	R315-307	5YR	04/20/98	98-10/150		
21000	R315-308	5YR	04/20/98	98-10/150		
21442	R315-308	AMD	11/16/98	98-19/56		
21001	R315-309	5YR	04/20/98	98-10/151		
21443	R315-309	AMD	11/16/98	98-19/59		
20688	R315-309-3	NSC	02/03/98	Not Printed		
21002	R315-310	5YR	04/20/98	98-10/152		
20689	R315-310-7	NSC	02/03/98	Not Printed		
21003	R315-311	5YR	04/20/98	98-10/153		

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21004	R315-312	5YR	04/20/98	98-10/154
	21444	R315-312-1	AMD	11/16/98	98-19/65
	21021	R315-314	5YR	04/28/98	98-10/155
	21445	R315-314-1	AMD	11/16/98	98-19/66
	20690	R315-315	NSC	02/03/98	Not Printed
	21022	R315-315	5YR	04/28/98	98-10/156
	21446	R315-315	AMD	11/16/98	98-19/67
	21023	R315-316	5YR	04/28/98	98-10/156
	20691	R315-316-1	NSC	02/03/98	Not Printed
	21267	R315-316-1	NSC	07/22/98	Not Printed
	21024	R315-317	5YR	04/28/98	98-10/157
	21447	R315-317	AMD	11/16/98	98-19/68
	20692	R315-317-1	NSC	02/03/98	Not Printed
	21025	R315-318	5YR	04/28/98	98-10/158
	21448	R315-320	AMD	11/16/98	98-19/69
<u>WASTE OIL</u>					
Environmental Quality, Air Quality	21101	R307-7	REP	09/15/98	98-11/65
	21563	R307-7-3	NSC	11/12/98	Not Printed
	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
	21354	R307-413	NSC	09/15/98	Not Printed
<u>WASTEWATER</u>					
Environmental Quality, Water Quality	21247	R317-100	AMD	11/09/98	98-14/48
	21478	R317-101	5YR	09/17/98	98-20/37
<u>WATER</u>					
Public Service Commission, Administration	20957	R746-330	5YR	03/31/98	98-8/65
	20626	R746-331	EMR	01/05/98	98-3/87
	20627	R746-331	NEW	04/06/98	98-3/78
	20964	R746-332	5YR	04/02/98	98-9/70
<u>WATER CONSERVATION</u>					
Natural Resources, Water Resources	20694	R653-4	AMD	03/18/98	98-4/88
<u>WATER DEVELOPMENT</u>					
Natural Resources, Water Resources	20717	R653-8	NEW	03/23/98	98-4/89
	20792	R653-8	NSC	03/23/98	Not Printed
	20936	R653-8	NSC	03/30/98	Not Printed
<u>WATERFOWL</u>					
Natural Resources, Wildlife Resources	21400	R657-9	AMD	10/16/98	98-18/26
<u>WATER FUNDING</u>					
Natural Resources, Water Resources	20722	R653-2	AMD	03/18/98	98-4/85
<u>WATER HAULING</u>					
Environmental Quality, Drinking Water	21302	R309-211	AMD	11/01/98	98-16/6
<u>WATER POLICY</u>					
Natural Resources, Water Resources	20694	R653-4	AMD	03/18/98	98-4/88

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	20593	R653-5	AMD	02/18/98	98-2/60
	20791	R653-5	NSC	03/05/98	Not Printed
	20717	R653-8	NEW	03/23/98	98-4/89
	20792	R653-8	NSC	03/23/98	Not Printed
	20936	R653-8	NSC	03/30/98	Not Printed
<u>WATER QUALITY</u>					
Environmental Quality, Water Quality	21478	R317-101	5YR	09/17/98	98-20/37
Public Service Commission, Administration	20957	R746-330	5YR	03/31/98	98-8/65
<u>WATER RIGHTS</u>					
Natural Resources, Water Rights	20955	R655-5	NEW	05/18/98	98-8/40
<u>WATERSHED MANAGEMENT</u>					
Environmental Quality, Drinking Water	20294	R309-110	REP	03/01/98	97-24/56
<u>WATER TREATMENT</u>					
Environmental Quality, Drinking Water	20291	R309-107	REP	03/01/98	97-24/33
	20292	R309-108	REP	03/01/98	97-24/37
	20293	R309-109	REP	03/01/98	97-24/47
<u>WEAPONS</u>					
Human Services, Mental Health, State Hospital	20891	R525-6	NEW	see CPR	98-7/44
	20891	R525-6	CPR	08/15/98	98-14/93
<u>WEATHER MODIFICATION</u>					
Natural Resources, Water Resources	20593	R653-5	AMD	02/18/98	98-2/60
	20791	R653-5	NSC	03/05/98	Not Printed
<u>WEED CONTROL</u>					
Agriculture and Food, Plant Industry	21510	R68-9	5YR	10/05/98	98-21/98
<u>WELFARE</u>					
Human Services, Recovery Services	20647	R527-3	5YR	01/12/98	98-3/104
<u>WELFARE FRAUD</u>					
Human Services, Recovery Services	21424	R527-200	NSC	10/20/98	Not Printed
<u>WILDLIFE</u>					
Natural Resources, Wildlife Resources	20241	R657-5	AMD	01/15/98	97-24/95
	21185	R657-5	AMD	07/16/98	98-12/14
	21414	R657-5	AMD	10/16/98	98-18/23
	21238	R657-6	AMD	08/19/98	98-14/74
	21400	R657-9	AMD	10/16/98	98-18/26
	20928	R657-10	EMR	03/19/98	98-8/57
	21401	R657-10	AMD	10/16/98	98-18/29
	20929	R657-33	EMR	03/19/98	98-8/58
	20938	R657-33	5YR	03/24/98	98-8/65
	20939	R657-33	AMD	05/18/98	98-8/43
	21500	R657-34	5YR	10/01/98	98-20/38
	20243	R657-37	AMD	01/15/98	97-24/104
	20244	R657-38	AMD	01/15/98	97-24/105
	21239	R657-41	AMD	08/19/98	98-14/80

RULES INDEX

<u>KEYWORD</u> <u>AGENCY</u>	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	21240	R657-42	AMD	08/19/98	98-14/81
	20700	R657-43	AMD	03/18/98	98-4/90
	21402	R657-44	AMD	10/16/98	98-18/32
<u>WILDLIFE PERMITS</u>					
Natural Resources, Wildlife Resources	21239	R657-41	AMD	08/19/98	98-14/80
<u>WIND POWER</u>					
Natural Resources, Energy and Resource Planning	20678	R637-1	NEW	03/05/98	98-3/73
<u>WOODBURNING</u>					
Environmental Quality, Air Quality	21103	R307-17	REP	09/15/98	98-11/100
	21125	R307-201	NEW	09/15/98	98-11/118
	21129	R307-302	NEW	09/15/98	98-11/124
<u>WORKERS' COMPENSATION</u>					
Labor Commission, Industrial Accidents	21470	R612-1-9	NSC	10/22/98	Not Printed
	21216	R612-2	5YR	06/15/98	98-13/32
	21451	R612-2-3	AMD	11/03/98	98-19/80
	21452	R612-2-5	AMD	11/03/98	98-19/82
	21537	R612-2-24	NSC	10/22/98	Not Printed
	21217	R612-3	5YR	06/15/98	98-13/33
	21218	R612-5	5YR	06/15/98	98-13/33
	21268	R612-6	5YR	07/06/98	98-15/80
Workers' Compensation Fund, Administration	21214	R980-1	REP	08/07/98	98-13/28
<u>YOUTH CORRECTIONS</u>					
Human Services, Recovery Services	20520	R527-550	AMD	02/11/98	98-1/70
<u>ZONING</u>					
Administrative Services, Facilities Construction and Management	20707	R23-9	5YR	01/28/98	98-4/130