

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The *Utah State Digest* summarizes the contents of the *Utah State Bulletin* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <https://rules.utah.gov/> for additional information.

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between August 03, 2021, 12:00 a.m., and August 16, 2021, 11:59 p.m. are included in this, the September 01, 2021, issue of the *Utah State Digest*.

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least October 01, 2021. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through December 30, 2021, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R357-1	Filing ID 53834

Agency Information

1. Department:	Governor	
Agency:	Economic Opportunity	
Building:	World Trade Center	
Street address:	60 E South Temple	
City, state and zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Dane Ishihara	801-538-8864	dishihara@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R357-1. Rural Fast Track Program
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
During the 2020 General Session, S.B. 95 passed and repealed the Rural Fast Track Program. Thus, the purpose of this rule filing is to repeal the rule in its entirety.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The rule is repealed because the program was discontinued.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no aggregate anticipated cost or savings to the state budget. The repeal of this rule is due to the program being discontinued.
B) Local governments:
There is no aggregate anticipated cost or savings to local governments. The repeal of this rule is due to the program being discontinued.

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

There is no aggregate anticipated cost or savings to small businesses. The repeal of this rule is due to the program being discontinued.

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

There is no aggregate anticipated cost or savings to non-small businesses. The repeal of this rule is due to the program being discontinued.

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

There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities. The repeal of this rule is due to the program being discontinued.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for affected persons. The repeal of this rule is due to the program being discontinued.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

This rule filing will have no impact on businesses. Dan Hemmert, Executive Director

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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

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

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 63N-3-104		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Dan Hemmert, Executive Director	Date:	08/06/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R357-5	Filing ID 53838

Agency Information

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

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

General Information

2. Rule or section catchline:
R357-5. Motion Picture Incentive Rule

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

This proposed rule amendment establishes that a project must have a minimum budget of \$100,000 to qualify for a community film incentive and makes nonsubstantive changes to comply with Executive Order 2021-12. Also, during the 2021 General Session, H.B 348 passed and changed the Governor's Office of Economic Development (GOED) to the Governor's Office of Economic Opportunity (Go Utah) and modified the statute so that the references in rule and the Agreed-Upon Procedures need to be updated.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

This rule filing amends references of Development to Opportunity; amends statute references so that they are correct; makes nonsubstantive changes to comply with the Office of Administrative Rules' Rulewriting Manual for Utah as required by Executive Order 2021-12; amends Section R357-5-105 to establish that a project must have a minimum budget of \$100,000 to qualify for a community film incentive; and amends reference of GEOD to Go Utah the Agreed-Upon Procedures referenced in rule.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:
There is no aggregate anticipated cost or savings to the state budget. These changes merely make technical changes and codify a procedure the office has historically used.
B) Local governments:
There is no aggregate anticipated cost or savings to local governments because local governments are not required to comply with or enforce this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no aggregate anticipated cost or savings to small businesses because this proposed amendment does not create new obligations for small businesses, nor does it increase the costs associated with any existing obligation. Participation in the program is optional.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed amendment does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed amendment does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons because participation in the program is optional.
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
This rule will have no negative impact on businesses. The purpose of this rule filing is to make technical changes and establish that a project must have a minimum budget of \$100,000 to qualify for a community film incentive. Dan Hemmert, Executive Director

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Executive Director of the Governor's Office of Economic Opportunity, Dan Hemmert, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section		
63N-8-104		

Incorporations by Reference Information

8. A) This rule adds, updates, or removes the following title of materials incorporated by references	
	First Incorporation

Official Title of Materials Incorporated (from title page)	Agreed-Upon Procedures
Publisher	Go Utah
Date Issued	07/28/2021

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 10/01/2021

10. This rule change MAY become effective on: 10/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Dan Hemmert, Executive Director	Date:	08/13/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal

Utah Admin. Code Ref (R no.):	R357-19	Filing ID	53835
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Agency Information

1. Department:	Governor		
Agency:	Economic Opportunity		
Building:	World Trade Center		
Street address:	60 E South Temple		
City, state and zip:	Salt Lake City, UT 84111		
Contact person(s):			
Name:	Phone:	Email:	
Dane Ishihara	801-538-8864	dishihara@utah.gov	
Please address questions regarding information on this notice to the agency.			

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

R357-19. Business Resource Centers

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

During the 2021 General Session, H.B. 348 passed and repealed the Utah Business Resource Centers Act. Thus, the purpose of this rule filing is to repeal the rule in its entirety.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The rule is repealed because the program was discontinued.

Fiscal Information**5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

There is no aggregate anticipated cost or savings to the state budget. The repeal of this rule is due to the program being discontinued.

B) Local governments:

There is no aggregate anticipated cost or savings to local governments. The repeal of this rule is due to the program being discontinued.

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

There is no aggregate anticipated cost or savings to small businesses. The repeal of this rule is due to the program being discontinued.

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

There is no aggregate anticipated cost or savings to non-small businesses. The repeal of this rule is due to the program being discontinued.

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

There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities. The repeal of this rule is due to the program being discontinued.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for affected persons. The repeal of this rule is due to the program being discontinued.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

This rule filing will have no impact on businesses. Dan Hemmert, Executive Director

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 63N-3-307		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Dan Hemmert, Executive Director	Date:	08/06/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R357-20	Filing ID 53769

Agency Information

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

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

General Information

2. Rule or section catchline:
R357-20. Education Computing Partnerships
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of this rule filing is to repeal the rule in its entirety. During the 2019 General Session, S.B. 127 passed and moved the STEM Action Center to the now Department of Cultural and Community Engagement. Thus, this rule is repealed and the Department of Cultural and Community Engagement will file a new rule under the correct authority.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The rule is repealed because the program is now under the Department of Cultural and Community Engagement.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no aggregate anticipated cost or savings to the state budget. The repeal of this rule is due to the program being moved to a different state agency.
B) Local governments:
There is no aggregate anticipated cost or savings to local governments. The repeal of this rule is due to the program being moved to a different state agency.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no aggregate anticipated cost or savings to small businesses. The repeal of this rule is due to the program being moved to a different state agency.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no aggregate anticipated cost or savings to non-small businesses. The repeal of this rule is due to the program being moved to a different state agency.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):

There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities. The repeal of this rule is due to the program being moved to a different state agency.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for affected persons. The repeal of this rule is due to the program being moved to a different state agency.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

Go Utah has coordinated with the STEM Action Center and they will recodify a rule under the correct authority. This rule filing will have no impact on businesses. Dan Hemmert, Executive Director

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Executive Director of the Governor's Office of Economic Opportunity, Dan Hemmert, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 9-11-114		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/01/2021

10. This rule change MAY become effective on:	10/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Dan Hemmert, Executive Director	Date:	08/06/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R434-100	Filing ID 53847

Agency Information

1. Department:	Health
Agency:	Family Health and Preparedness, Primary Care and Rural Health
Room no.:	4163
Building:	Cannon Health Building
Street address:	288 N 1460 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142005	
City, state and zip:	Salt Lake City, UT 84114-2005	
Contact person(s):		
Name:	Phone:	Email:
Ashley Moretz	801-350-1546	amoretz@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R434-100. Physician Visa Waivers

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

The Conrad State 30/J-1 Visa Waiver Program exists to help recruit physicians to underserved areas. When physicians come to the US to complete their graduate medical education (GME), they come on a J-1 Visa. This visa allows them to complete their training, but then requires them to return to their home country for two years before applying for a work visa. Physicians can waive this requirement by obtaining a waiver through the Conrad State 30/J-1 Visa Waiver Program.

The Office of Primary Care and Rural Health (OPCRH) is designated by the Governor of the and United States Department of State to act as the State Department of Health Agency to review and recommend waiver applications for approval. Each year, Utah is allocated up to 30 waivers from the home country return requirement for international medical graduates who studied in the U.S. and are willing to work in an underserved area for 3 years.

Over the past 4 years, Utah has only used an average of 6 of the allocated 30 waivers per year and has never used its full allocation. As a result, OPCRH is proposing amendments to this rule governing the J-1 visa waiver program in Utah. The proposed amendments will reduce potential barriers to Utah health care institutions attracting the best possible physicians, and might contribute to increase uptake of the program, which is one tool to reduce Utah's ongoing healthcare professional shortages.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The current rule limits each health care facility to no more than two requests per federal fiscal year; this limit is proposed for elimination since it arbitrarily limits the number of physicians per facility in the absence of competition for the state's full annual allocation of waivers.

The requirement that facilities document their recruitment efforts to hire a qualified United States citizen for at least one immediate prior year for the position the J-1 visa waiver physician seeks to fill is also proposed for elimination, as it presents a barrier to Utah's health facilities attracting the best available physicians. The current requirement that applicants work as a primary care physician located within a federally designated primary care Health Professional Shortage Area would be expanded to include Medically Underserved Areas/Populations (MUA/P), since this will expand the range of potential facilities that may employ J-1 visa waiver physicians.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

None--State government will not receive or be required to expend any funds as a result of the amendment.

B) Local governments:

None--Local governments will not receive or expend any additional funding as a result of the required match.

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

None--Small businesses will not receive or be required to expend any funds as a result of the amendment.

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

None--Non-small businesses will not receive or be required to expend any funds as a result of the amendment.

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

None--Non-small businesses will not receive or be required to expend any funds as a result of the amendment.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

None--Participation in the program is voluntary for health care providers.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Interim Executive Director of the Department of Health, Nathan Checketts, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 26-1-18		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/01/2021

10. This rule change MAY become effective on:	10/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Nathan Checketts, Interim Executive Director	Date:	08/13/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R590-76	Filing ID 53844

Agency Information

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

General Information

2. Rule or section catchline:
R590-76. Health Maintenance Organizations and Limited Health Plans
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being repealed as a result of Executive Order 2021-12. The rule is being repealed because it is no longer necessary due to more specific regulations being enacted in subsequent rules and statutes.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The rule is being repealed because the Department of Insurance uses more specific regulations enacted in other rules and statutes. Sections R590-76-3, R590-76-4, R590-76-5, and R590-76-8 are all regulated under Rule R590-277. Section R590-76-6 is regulated under Section 31A-21-201. Section R590-76-7 is regulated under Rule R590-237. Sections R590-76-9, R590-76-10, and R590-76-11 are no longer necessary.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget. The provisions in the rule being repealed are regulated under other rules and statutes.
B) Local governments:
There are no anticipated costs or savings to local governments. The provisions in the rule being repealed are regulated under other rules and statutes.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings to small businesses. The provisions in the rule being repealed are regulated under other rules and statutes.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no anticipated costs or savings to non-small businesses. The provisions in the rule being repealed are regulated under other rules and statutes.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

There are no anticipated costs or savings to any other persons. The provisions in the rule being repealed are regulated under other rules and statutes.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The provisions in the rule being repealed are regulated under other rules and statutes.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Title 31A, Chapter 8		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/13/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R590-88	Filing ID 53841

Agency Information

1. Department:	Insurance
Agency:	Administration
Room no.:	Suite 2300
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state and zip:	Taylorville, UT 84129
Mailing address:	PO Box 146901
City, state and zip:	Salt Lake City, UT 84114-6901

Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R590-88. Prohibited Transactions Between Producers and Unauthorized Multiple Employer Trusts
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being repealed as a result of Executive Order 2021-12. During the review of this rule, the Department of Insurance determined that this rule is unnecessary.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This rule is being repealed because it is unnecessary. Entities wishing to organize a multiple employer trust are required to register with the US Department of Labor rather than the state.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. Only one entity ever registered a multiple employer plan with the state, and that entity voluntarily surrendered its license in 2012. Also, the licensing chapter for this type of entity was repealed during the 2016 General Session in H.B. 36, Insurance Revisions.
B) Local governments:
There is no anticipated cost or savings to local governments. The option to organize a multiple employer plan is still available through the US Department of Labor, should an entity meet the required criteria and wish to do so.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The option to organize a multiple employer plan is still available through the US Department of Labor, should an entity meet the required criteria and wish to do so.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																																
There is no anticipated cost or savings to non-small businesses. The option to organize a multiple employer plan is still available through the US Department of Labor, should an entity meet the required criteria and wish to do so.																																
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):																																
There is no anticipated cost or savings to any other persons. The option to organize a multiple employer plan is still available through the US Department of Labor, should an entity meet the required criteria and wish to do so.																																
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):																																
There are no compliance costs for any affected persons. There are currently no entities in Utah to which this rule applies; repealing the rule will have no affect and require no compliance.																																
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):																																
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses. Jonathan T. Pike, Commissioner																																
6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																																
Regulatory Impact Table																																
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2022</th> <th>FY2023</th> <th>FY2024</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Fiscal Benefits</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Fiscal Cost	FY2022	FY2023	FY2024	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0	Other Persons	\$0	\$0	\$0	Total Fiscal Cost	\$0	\$0	\$0	Fiscal Benefits			
Fiscal Cost	FY2022	FY2023	FY2024																													
State Government	\$0	\$0	\$0																													
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Total Fiscal Cost	\$0	\$0	\$0																													
Fiscal Benefits																																

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

B) Department head approval of regulatory impact analysis:
 The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201	Section 31A-23a-402	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/13/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R592-8	Filing ID 53842

Agency Information

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

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

General Information

2. Rule or section catchline:
R592-8. Application Process for an Attorney Exemption for Agency Title Insurance Producer Licensing
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being changed in compliance with Executive Order 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended. The Title and Escrow Commission approved these changes in an August 9, 2021, meeting by a vote of 5 to 0.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the changes are being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. It also updates the proposed Section R592-8-6 to use the Department's current language. It does not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no anticipated cost or savings to the state budget. The changes are clerical in nature and do not add, remove, or change regulations.

B) Local governments:

There is no anticipated cost or savings to local governments. This rule applies to insurance licensees and has no bearing on local governments.

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

There is no anticipated cost or savings to small businesses. The changes are clerical in nature and do not add, remove, or change regulations.

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

There is no anticipated cost or savings to non-small businesses. The changes are clerical in nature and do not add, remove, or change regulations.

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

There is no anticipated cost or savings to any other persons. The changes are clerical in nature and do not add, remove, or change regulations.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. Any affected persons are already required to comply with the provisions of this rule, and the changes do not add, remove, or change regulations.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-404	Section 31A-23a-204	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/13/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R592-9	Filing ID 53845

Agency Information

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

General Information

2. Rule or section catchline:
R592-9. Title Insurance Recovery, Education, and Research Fund Assessment Rule
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being changed in compliance with Executive Order 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended. The

Title and Escrow Commission approved these changes in an August 9, 2021, meeting by a vote of 5 to 0.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the changes are being done to fix style issues to bring this rule text more in line with current rewriting standards and to make the language of this rule more clear. The change also removes large sections of this rule because they already properly appear in Rule R590-102, Insurance Department Fee Payment Rule, making their inclusion here duplicative and redundant, and it updates the proposed Section R590-9-7 to use the Department's current language. It does not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no anticipated cost or savings to the state budget. The changes are clerical in nature and do not add, remove, or change regulations.

B) Local governments:

There is no anticipated cost or savings to local governments. This rule applies to insurance licensees and has no bearing on local governments.

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

There is no anticipated cost or savings to small businesses. The changes are clerical in nature and do not add, remove, or change regulations.

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

There is no anticipated cost or savings to non-small businesses. The changes are clerical in nature and do not add, remove, or change regulations.

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

There is no anticipated cost or savings to any other persons. The changes are clerical in nature and do not add, remove, or change regulations.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. Any affected persons are already required to comply with the provisions of the rule, and the changes do not add, remove, or change regulations.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-404	Section 31A-41-202	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/13/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R592-10	Filing ID 53843

Agency Information

1. Department:	Insurance
Agency:	Title and Escrow Commission
Room no.:	Suite 2300
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W

City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R592-10. Title Insurance Regulation Assessment for Agency Title Insurance Producers and Title Insurers
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being changed in compliance with Executive Order 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended. The Title and Escrow Commission approved these changes in an August 9, 2021, meeting by a vote of 5 to 0.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the changes are being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. It also updates the proposed Section R592-10-8 to use the Department's current language. It does not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The changes are clerical in nature and do not add, remove, or change regulations.
B) Local governments:
There is no anticipated cost or savings to local governments. This rule applies to insurance licensees and has no bearing on local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):																												
There is no anticipated cost or savings to small businesses. The changes are clerical in nature and do not add, remove, or change regulations.																												
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																												
There is no anticipated cost or savings to non-small businesses. The changes are clerical in nature and do not add, remove, or change regulations.																												
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																												
There is no anticipated cost or savings to any other persons. The changes are clerical in nature and do not add, remove, or change regulations.																												
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):																												
There are no compliance costs for any affected persons. Any affected persons are already required to comply with the provisions of the rule, and the changes do not add, remove, or change regulations.																												
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):																												
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses. Jonathan T. Pike, Commissioner																												
6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																												
Regulatory Impact Table																												
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2022</th> <th>FY2023</th> <th>FY2024</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2022	FY2023	FY2024	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0	Non-Small Businesses	\$0	\$0	\$0	Other Persons	\$0	\$0	\$0	Total Fiscal Cost	\$0	\$0	\$0
Fiscal Cost	FY2022	FY2023	FY2024																									
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Other Persons	\$0	\$0	\$0																									
Total Fiscal Cost	\$0	\$0	\$0																									

NOTICES OF PROPOSED RULES

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

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 31A-2-404(2)(d)	Subsection 31A-23a-415(2)(d)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	10/01/2021
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10. This rule change MAY become effective on:	10/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/13/2021
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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 comment that requires the **PROPOSED RULE** to be altered before it goes into effect. A **CHANGE IN PROPOSED RULE** allows an agency to respond to comments it receives.

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends October 01, 2021.

From the end of the 30-day waiting period through December 30, 2021, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

CHANGES IN PROPOSED RULES are governed by Section 63G-3-303, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5b, R15-4-7, R15-4-9, and R15-4-10.

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Utah Admin. Code Ref (R no.):	R68-25	Filing ID: 53641

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	350 N Redwood Road	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	ambermbrown@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Cody James	801-982-2376	Codyjames@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R68-25. Industrial Hemp Program for Processors
3. Publication date of previous proposed rule or change in proposed rule:
07/15/2021
4. Reason for this change (Why is the agency submitting this filing?):
Based on public feedback, the Department of Agriculture and Food (Department) would like to make changes to the transportation requirements that were added with the initial rule filing.
5. Summary of this change (What does this filing do?):
This filing makes changes to Section R68-25-13 to simplify the transportation requirements for industrial hemp material and make them more in line with the requirements in the previous version of the rule. A transportation reporting requirement for the receiving licensee has also been added, based on industry feedback and experience with the Department's management of the program.

(EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the July 15, 2021, issue of the Utah State Bulletin, on page 11. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

6. Aggregate anticipated cost or savings to:
A) State budget:
These changes should not have any impact on the state budget. They do not increase fees or compliance requirements. They simply clarify and simplify the reporting requirements related to the transportation of industrial hemp.
B) Local government:
There should be no impact on local governments because they do not regulate or operate as industrial hemp processors.
C) Small businesses ("small business" means a business employing 1-49 persons):
These changes should not have any impact on small businesses. They do not increase fees or compliance requirements. They simply clarify and simplify the reporting requirements related to the transportation of industrial hemp.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These changes should not have any impact on non-small businesses. They do not increase fees or compliance requirements. They simply clarify and simplify the reporting requirements related to the transportation of industrial hemp.
E) Persons other than small businesses, non-small businesses, or state or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
These changes should not have any impact on other persons. They do not increase fees or compliance requirements. They simply clarify and simplify the reporting requirements related to the transportation of industrial hemp.

F) Compliance costs for affected persons:			
The compliance costs for affected persons will not change. The rule changes clarify existing practice and remove reporting requirements put in place with the first filing.			
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):			
This rule will not have a fiscal impact on businesses. Craig W. Buttars, Commissioner			
6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Commissioner of the Utah Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection 4-41-103(4)		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/01/2021

10. This rule change MAY become effective on:	10/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Commissioner	Date:	08/12/2021
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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 agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

REVIEWS are governed by Section 63G-3-305.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R23-32	Filing ID: 53632

Agency Information

1. Department:	Government Operations	
Agency:	Facilities Construction and Management	
Room no.:	Third Floor	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141160	
City, state and zip:	Salt Lake City, UT 84114-1160	
Contact person(s):		
Name:	Phone:	Email:
Jim Russell	801-957-7191	jimrussell@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:	R23-32. Rules of Procedure for Conduct of Utah State Building Board Meetings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	

Subsection 63A-5-102(2) allows the Building Board to "adopt rules of procedure for the conduct of its meetings." Subsection 63A-5-103(1)(e) grants the Building Board administrative rulemaking authority.

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

There have been no public comments during or since the last five-year review of this rule.

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

This rule should be continued to allow the Building Board to continue to have meetings to conduct Building Board business, as mandated by Utah law.

Agency Authorization Information

Agency head or designee, and title:	Joe Burgess, State Building Board Chair	Date:	08/10/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
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Utah Admin. Code Ref (R no.):	R25-2	Filing ID: 53484
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Agency Information

1. Department:	Government Operations
Agency:	Finance
Room no.:	Floor 3

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141031	
City, state and zip:	Salt Lake City, UT 84114-1031	
Contact person(s):		
Name:	Phone:	Email:
Janica Gines	801-957-7727	jmgines@utah.gov
Please address questions regarding information on this notice to the agency.		

Agency:	Occupational and Professional Licensing	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state, zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Lynne Anthony	801-530-6179	lanthony@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R25-2. Finance Adjudicative Proceedings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Pursuant to Section 63G-4-203, if an agency enacts rules designating one or more categories of adjudicative proceedings as informal adjudicative proceedings, the agency shall, by rule, prescribe procedures for informal adjudicative proceedings.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received in the last five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
The legislative direction for this rule still exists. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R156-15. Health Facility Administrator Act Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 58, Chapter 15, provides for the licensure and regulation of health facility administrators. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Health Facility Administrators Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to clarify the provisions of Title 58, Chapter 15, with respect to health facility administrators.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
Since this rule was last reviewed in August 2016, the rule has been amended one time. The Division did receive a November 20, 2018, email from Randy Lindner/National Association of Long Term Care Administrators Board in which he suggested one word change in Section R156-15-308 of the proposed rule. As a result of Mr. Lindner's request, the Division filed a nonsubstantative change on December 10, 2018, under Filing No. 43433. The Division has received no other written comments with respect to this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule should be continued as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 15. This rule should also be continued as it provides information to ensure applicants for

Agency Authorization Information

Agency head or designee, and title:	Janica Gines, Director	Date:	07/20/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R156-15	Filing No.	50261
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Agency Information

1. Department:	Commerce
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licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Director	Date:	05/21/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-71	Filing No. 50308

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state, zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Larry Marx	801-530-6254	lmarx@utah.gov

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

General Information

2. Rule catchline:
R156-71. Naturopathic Physician Practice Act Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 58, Chapter 71, provides for the licensure and regulation of naturopathic physicians. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Naturopathic Physicians Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to clarify the provisions of Title 58, Chapter 71, with respect to naturopathic physicians.

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

Since this rule was last reviewed in August 2016, the rule has been amended one time. The Division has received no written comments with respect to this rule.

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

This rule should be continued as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 71. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Director	Date:	03/02/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R307-124	Filing ID: 50574

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact person(s):		
Name:	Phone:	Email:
Mat Carlile	385-306-3565	mcarlile@utah.gov

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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

General Information

2. Rule catchline:
R307-124. General Requirements: Conversion to Alternative Fuel Grant Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Section 19-2-304, which establishes the requirements, procedures, criteria, and definitions used to determine eligibility for the Conversion to Alternative Fuel Grant Program. Rule R307-124 sets the minimum requirements for the application and the awarding of funds that are designated for the Conversion to Alternative Fuel Grant Program.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments received during and since the rule was enacted from interested persons supporting or opposing this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R307-124 should be continued because it provides necessary guidance in the administration of the Conversion to Alternative Fuel Grant Program.

Agency Authorization Information

Agency head or desinee, and title:	Bryce C. Bird, Director	Date:	08/04/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R428-1	Filing ID: 53300

Agency Information

1. Department:	Health
Agency:	Center for Health Data, Health Care Statistics
Room no.:	106
Building:	Cannon Health Bldg
Street address:	288 N. 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO 144004
City, state and zip:	Salt Lake City, UT 84114-4004

Contact person(s):		
Name:	Phone:	Email:
Carl Letamendi	801-538-7052	cletamendi@utah.gov
Stephanie Saperstein	801-538-6430	stephaniesaperstein@utah.gov
Mike Martin	801-538-9205	mikemartin@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R428-1. Health Data Plan and Incorporated Documents
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is required by Subsection 26-33a-104(2) which reads in part: "The committee shall: (a) with the concurrence of the department and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, develop and adopt by rule, following public hearing and comment, a health data plan..."
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Office of Health Care Statistics has not received any written comments since the last five-year review of this rule from interested persons supporting or opposing this rule. Only general inquires have been made and responded to by the Office. On July 20, 2021, the Health Data Committee voted, with unanimous consent, to continue Rule R428-1.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R428-1 establishes the basic operational requirement for the Health Data Committee (HDC) to manage the data collection, analysis, and distribution; that is, to adopt a health data plan through a public process. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or desinee, and title:	Nate Checketts, Executive Director	Date:	08/13/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R428-2	Filing ID: 51037

Agency Information

1. Department:	Health	
Agency:	Center for Health Data, Health Care Statistics	
Room no.:	106	
Building:	Cannon Health Bldg	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO 144004	
City, state and zip:	Salt Lake City, UT 84114-4004	
Contact person(s):		
Name:	Phone:	Email:
Carl Letamendi	801-538-7052	cletamendi@utah.gov
Stephanie Saperstein	801-538-6430	stephaniesaperstein@utah.gov
Mike Martin	801-538-9205	mikemartin@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R428-2. Health Data Authority Standards for Health Data
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Section 26-33a-104, which provides for data collection activities and rulemaking to carry out these activities.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Office of Health Care Statistics has not received any written comments since the last five-year review of this rule from interested persons supporting or opposing this rule. Only general inquires have been made and responded to by the Office. On July 20, 2021, the Health Data Committee voted, with unanimous consent, to continue Rule R428-2.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R428-2 establishes the reporting standards which apply to data suppliers, and the classification, control, use, and release of data received by the Health Data Committee pursuant to Title 26, Chapter 33a. Continuation of Rule R428-2 will assure the data definitions, standards, security, and disclosure under the Health Data Authority Act are consistent across all data suppliers, data users, and public inquiries. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/13/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R428-5	Filing ID: 51042

Agency Information

1. Department:	Health	
Agency:	Center for Health Data, Health Care Statistics	
Room no.:	106	
Building:	Cannon Health Bldg	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO 144004	
City, state and zip:	Salt Lake City, UT 84114-4004	
Contact person(s):		
Name:	Phone:	Email:
Carl Letamendi	801-538-7052	cletamendi@utah.gov
Stephanie Saperstein	801-538-6430	stephaniesaperstein@utah.gov
Mike Martin	801-538-9205	mikemartin@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R428-5. Appeal and Adjudicative Proceedings

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is allowed by Section 26-33a-104 and Title 63, Chapter 46b, the Utah Administrative Procedures Act. It is necessary to clarify administrative adjudicative procedures under the Utah Administrative Procedures Act.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Office of Health Care Statistics has not received any written comments since the last five-year review of this rule from interested persons supporting or opposing this rule. Only general inquires have been made and responded to by the Office. On July 20, 2021, the Health Data Committee voted, with unanimous consent, to continue Rule R428-5.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R428-5 outlines the formal adjudicative procedures requirements for administrative adjudicative actions of the Health Data Committee (HDC). The Utah Administrative Procedures Act allows administrative agencies to adopt certain procedures by rule if the agency conducts formal administrative adjudicative proceedings. This rule provides appropriate administrative procedures to handle a disagreement by the HDC, if any, in data collection activities. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/13/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R428-10	Filing ID: 51040

Agency Information

1. Department:	Health
Agency:	Center for Health Data, Health Care Statistics
Room no.:	106
Building:	Cannon Health Bldg
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO 144004

City, state and zip:	Salt Lake City, UT 84114-4004	
Contact person(s):		
Name:	Phone:	Email:
Carl Letamendi	801-538-7052	cletamendi@utah.gov
Stephanie Saperstein	801-538-6430	stephaniesaperstein@utah.gov
Mike Martin	801-538-9205	mikemartin@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R428-10. Health Data Authority Healthcare Facility Data Reporting Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Subsection 26-33a-104(3), which states "In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the committee, with the concurrence of the department, may adopt rules to carry out the provisions of this chapter."
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Office of Health Care Statistics has not received any written comments since the last five-year review of this rule from interested persons supporting or opposing this rule. Only general inquires have been made and responded to by the Office. On July 20, 2021, the Health Data Committee voted, with unanimous consent, to continue Rule R428-10.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R428-10 establishes the reporting standards and procedures for discharge and encounter data submitted by licensed hospitals, ambulatory surgery centers and emergency departments in the . Continuation of the rule will assure that the continuously carries out its activities in developing and using the statewide healthcare facility database to improve health care cost, quality, and access. There is widespread use of nearly 30 years of data within many programs at the health department for planning and reports on hospitalization trends. Also, public use data files have been purchased by many individuals in the healthcare industry, researchers, and the Federal Agency

for Healthcare Research and Quality. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/13/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R428-12	Filing ID: 51038

Agency Information

1. Department:	Health	
Agency:	Center for Health Data, Health Care Statistics	
Room no.:	106	
Building:	Cannon Health Bldg	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO 144004	
City, state and zip:	Salt Lake City, UT 84114-4004	
Contact person(s):		
Name:	Phone:	Email:
Carl Letamendi	801-538-7052	cletamendi@utah.gov
Stephanie Saperstein	801-538-6430	stephaniesaperstein@utah.gov
Mike Martin	801-538-9205	mikemartin@utah.gov

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

General Information

2. Rule catchline:
R428-12. Health Data Authority Survey of Enrollees in Health Plans
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Subsection 26-33a-104(3), which states "In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the committee, with

the concurrence of the department, may adopt rules to carry out the provisions of this chapter."

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

The Office of Health Care Statistics has not received any written comments since the last five-year review of this rule from interested persons supporting or opposing this rule. Only general inquiries have been made and responded to by the Office. On July 20, 2021, the Health Data Committee voted, with unanimous consent, to continue Rule R428-12.

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

Rule R428-12 allows monitoring of satisfaction with the quality and access of care provided by participating Utah health plans. Continuation of this rule will assure that health plans are monitored using nationally-recognized standards. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/13/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R432-200	Filing ID: 51077

Agency Information

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

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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

General Information

2. Rule catchline:
R432-200. Small Health Care Facility (Four to Sixteen Beds)
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to provide regulations for a small healthcare facility (four to sixteen beds) to allow services at varying levels of health care intensity to be provided in structures that depart from the traditional institutional setting.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments from any party regarding this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Health care may be delivered in a less restrictive, residential, or home-like setting. There are facilities currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R432-300	Filing ID: 51081

Agency Information

1. Department:	Health
Agency:	Family Health and Preparedness, Licensing
Room no.:	4th Floor
Building:	Cannon Health Bldg
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144103
City, state and zip:	Salt Lake City, UT 84114-4103

Contact person(s):		
Name:	Phone:	Email:
Kristi Grimes	385-214-9187	
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R432-300. Small Health Care Facility - Type N
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to establish standards for protection of the health, safety, and welfare of individuals who receive nursing care in privately-owned homes.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments from any party regarding this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
There are facilities currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R432-650	Filing ID: 51082

Agency Information

1. Department:	Health
Agency:	Family Health and Preparedness, Licensing
Room no.:	4th Floor
Building:	Cannon Health Bldg
Street address:	288 N 1460 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state and zip:	Salt Lake City, UT 84114-4103	
Contact person(s):		
Name:	Phone:	Email:
Kristi Grimes	385-214-9187	
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R432-650. End Stage Renal Disease Facility Rules
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments from any party regarding this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule sets standards for the operation and maintenance for End Stage Renal Disease (ESRD) facilities in order to provide safe and effective services. There are facilities currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R432-700	Filing ID: 51091

Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Licensing	
Room no.:	4th Floor	
Building:	Cannon Health Bldg	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state and zip:	Salt Lake City, UT 84114-4103	
Contact person(s):		
Name:	Phone:	Email:
Kristi Grimes	385-214-9187	
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R432-700. Home Health Agency Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments from any party regarding this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule sets standards for the operation of home health agencies. There are agencies currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R432-725	Filing ID: 53420

Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Licensing	
Room no.:	4th Floor	
Building:	Cannon Health Bldg	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state and zip:	Salt Lake City, UT 84114-4103	
Contact person(s):		
Name:	Phone:	Email:
Kristi Grimes	385-214-9187	
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R432-725. Personal Care Agency Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments from any party regarding this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule sets standards for the operation of personal care agencies. There are agencies currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R432-750	Filing ID: 51085

Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Licensing	
Room no.:	4th Floor	
Building:	Cannon Health Bldg	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state and zip:	Salt Lake City, UT 84114-4103	
Contact person(s):		
Name:	Phone:	Email:
Kristi Grimes	385-214-9187	
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R432-750. Hospice Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments from any party regarding this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule sets standards for the operation of hospice agencies. There are agencies currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R432-950	Filing ID:	51104
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Agency Information

1. Department:	Health		
Agency:	Family Health and Preparedness, Licensing		
Room no.:	4th Floor		
Building:	Cannon Health Bldg		
Street address:	288 N 1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 144103		
City, state and zip:	Salt Lake City, UT 84114-4103		
Contact person(s):			
Name:	Phone:	Email:	
Kristi Grimes	385-214-9187		
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule catchline:
R432-950. Mammography Quality Assurance
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities. The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

There have been no written comments from any party regarding this rule.

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

This rule ensures the agency is in compliance with the Mammography Quality Standards Act of 1992. There are agencies currently licensed in this category. The Department of Health agrees with the need to continue this rule.

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R590-207	Filing ID:	51408
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Agency Information

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

General Information

2. Rule catchline:
R590-207. Health Producer Commissions for Small Employer Groups
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 31A-2-201(3) authorizes the Insurance Commissioner to write rules to implement the provisions of

Title 31A, the Insurance Code. Subsection 31A-30-104(7) authorizes the Insurance Commissioner to establish guidelines relating to the Commission structure for small group health insurance agents in the small employer group market. Commission structure can affect access to health insurance coverage for small employer groups.

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

The Department of Insurance has received no written comments regarding this rule during the past five years.

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

This rule requires that Commission schedules not be set up by insurers to restrict or hinder agents from selling to small business owners. This rule is important because it eliminates the pressure on agents from insurers regarding the sale of guaranteed issue or renewal policies to small business owners. In this way, small employers are guaranteed health insurance coverage. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R590-210	Filing ID: 51406

Agency Information

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

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

General Information

2. Rule catchline:
R590-210. Privacy of Consumer Information Exemption for Manufacturer Warranties and Service Contracts

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

Section 31A-2-201 authorizes the Insurance Commissioner to implement the provisions of Title 31A, the Insurance Code. Subsection 31A-23a-417(3) authorizes the Insurance Commissioner to adopt rules to implement the requirements of Title V, Sections 501 through 505 of the Gramm-Leach-Bliley Act of 1999 (15 U.S.C. 6801 through 6820). Title V, Section 505 empowers the Insurance Commissioner to enforce Subtitle A of Title V of the Act.

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

The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.

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

Rule R590-206 applies to licensees of the Department, and Rule R590-210 exempts certain licensees from the provisions of that rule. Persons or entities that provide warranty or service contracts on consumer goods are required to register with the Department and to provide certain information about their ability to perform under the warranty or service contract. Technically, a registration may be considered a license issued by the Department. Unless those contracts are exempted from this rule, the provider must comply with Rule R590-206.

Without the exemption, the persons or entities providing the warranties or service contracts will experience immediate and substantial costs to comply with Rule R590-206. Without the exemption, they will either be out of compliance or must stop providing the product or provide the product subject to being in violation of this rule. The impact to the public would be immediate and perilous. It would impact the delivery of these products in interstate commerce and result in increased cost to purchasers. It would impact the supply of these products in the market. Warranty and service contract providers are not subject to the Gramm-Leach-Bliley Act.

However, because they are required to register with the Department, they can technically be considered "licensees" of the Department. Without the exemption, they would be subject to Rule R590-206, which applies

only to financial services entities under the Gramm-Leach Bliley Act. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R590-237	Filing ID: 52982

Agency Information

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

General Information

2. Rule catchline:
R590-237. Access to Health Care Providers in Rural Counties
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 31A-2-201(3)(a) authorizes the Insurance Commissioner to implement the provisions of Title 31A, the Insurance Code. Subsection 31A-45-501(8)(c) authorizes the Insurance Commissioner to identify, by rule, counties with a population density of less than 100 people per square mile, independent hospitals, and federally qualified health centers.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department of Insurance (Department) received one written comment regarding this rule during the past five years. The commenter requested the addition of clarifying language to this rule, which the Department added in a subsequent amendment.

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

This rule requires health maintenance organizations (HMO) to provide enrollees in rural areas a notice that includes a list of non-HMO contracted medical providers they can use. This rule is needed to ensure that people living in rural areas have access to adequate health care services. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	08/12/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R907-66	Filing ID: 52097

Agency Information

1. Department:	Transportation	
Agency:	Administration	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

General Information

2. Rule catchline:

R907-66. Procurement of Consultant Services - Procedures and Contract Administration

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

Authority for this rule is under Subsections 63G-6a-106(3)(a) and 72-1-201(1)(h).

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

The Department of Transportation has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

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

This rule incorporates by reference applicable federal regulations required to receive federal-aid funds for transportation-related projects, i.e., 2 CFR Part 200 and 23 CFR Part 172 for both federal and state-funded projects; matches the federal simplified acquisition threshold in 48 CFR 2.101 for small purchase contracts as allowed by 23 CFR Part 172 and Subsection 63G-6a-506(2); and, adopts a qualifications-based consultant selection process for other professional services in addition to design and engineering-related services. All these functions help the consultant services division to run efficiently and effectively. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Bracerias, PE, Executive Director	Date:	08/03/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R909-1	Filing ID:	53050
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Agency Information

1. Department:	Transportation
Agency:	Motor Carrier
Room no.:	Administrative Suite, 1st Floor

Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:

R909-1. Safety Regulations for Motor Carriers

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

Subsection 72-9-103(1) requires the Department of Transportation (Department) to regulate motor carrier safety in the state with an administrative rule that includes the components in this rule.

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

The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

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

The Department must continue this rule because Subsection 72-9-103(1), which is still in effect, requires the Department to regulate motor carrier safety with an administrative rule that includes the components included in this rule.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	07/30/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R926-2	Filing ID: 52129

Agency Information

1. Department:	Transportation	
Agency:	Program Development	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R926-2. Evaluation of Proposed Additions to or Deletions from the State Highway System
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 72-4-102.5(7)(a) requires the Department of Transportation (Department) to make rules establishing and defining a functional classification of highways for the purpose of implementing Section 72-4-102.5, defining and

designating regionally significant arterial highways, and establishing an access management policy consistent with the functional classification of roadway. This rule satisfies these requirements.

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

The Department has received no written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

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

This rule must continue because Subsection 72-4-102.5(7)(a) is still in effect.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	07/30/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R926-3	Filing ID: 52131

Agency Information

1. Department:	Transportation	
Agency:	Program Development	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R926-3. Class B and Class C Road Funds
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 72-2-109(1) requires the Department of Transportation (Department) to "make rules providing for uniform accounting of funds to be expended upon class B and C roads as required by the federal government under Title 23, United States Code Annotated, relating to federal aid for highway purposes together with all amendatory acts." This rule satisfies that statutory requirement.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
The Department must continue this rule. Subsection 72-2-109(1) requires the Department to maintain this rule, and it includes procedures the Department must follow to distribute Class B and C road funds to counties and municipalities.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Bracerias, PE, Executive Director	Date:	08/03/2021
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

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

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Agriculture and Food

Plant Industry

No. 53550 (Amendment) R68-27: Cannabis Cultivation
Published: 06/15/2021
Effective: 08/09/2021

No. 53566 (Amendment) R68-28: Cannabis Processing
Published: 07/01/2021
Effective: 08/09/2021

No. 53565 (Amendment) R68-32: Sale and Transfer of Industrial Hemp Waste Material to Medical Cannabis Cultivators
Published: 07/01/2021
Effective: 08/09/2021

Capitol Preservation Board (State)

Administration

No. 53560 (Amendment) R131-3: Use of Magnetometers on Capitol Hill
Published: 06/15/2021
Effective: 08/04/2021

Education

Administration

No. 53595 (Amendment) R277-309: Appropriate Licensing and Assignment of Teachers
Published: 07/01/2021
Effective: 08/12/2021

No. 53748 (Amendment) R277-317: Incentives for National Board Certification
Published: 06/01/2021
Effective: 08/12/2021

No. 53596 (New Rule) R277-328: Educational Equity in Schools
Published: 07/01/2021

Effective: 08/09/2021

No. 53645 (Repeal) R277-503: Licensing Routes
Published: 07/15/2021
Effective: 08/25/2021

No. 53597 (Amendment) R277-601: Standards for Utah School Buses and Operations
Published: 07/01/2021
Effective: 08/12/2021

No. 53644 (Amendment) R277-605: Coaching Standards and Athletic Clinics
Published: 07/15/2021
Effective: 08/25/2021

No. 53646 (Amendment) R277-607: Absenteeism and Truancy Prevention
Published: 07/15/2021
Effective: 08/25/2021

No. 53598 (Amendment) R277-607: Absenteeism and Truancy Prevention
Published: 07/01/2021
Effective: 08/12/2021

No. 53647 (Amendment) R277-609: Standards for LEA Discipline Plans and Emergency Safety Interventions
Published: 07/15/2021
Effective: 08/25/2021

No. 53599 (Amendment) R277-700: The Elementary and Secondary School General Core
Published: 07/01/2021
Effective: 08/12/2021

No. 53600 (Amendment) R277-920: School Improvement - Implementation of the School Turnaround and Leadership Development Act
Published: 07/01/2021
Effective: 08/12/2021

NOTICES OF RULE EFFECTIVE DATES

No. 53601 (Amendment) R277-925: Effective Teachers in High Poverty Schools Incentive Program
Published: 07/01/2021
Effective: 08/12/2021

No. 53651 (New Rule) R277-930: English Language Learner Software
Published: 07/15/2021
Effective: 08/25/2021

Health

Administration

No. 53445 (Repeal) R380-200: Patient Safety Surveillance and Improvement Program (PSSIP)
Published: 06/15/2021
Effective: 08/18/2021

No. 53444 (Repeal) R380-210: Health Care Facility Patient Safety Program
Published: 06/15/2021
Effective: 08/18/2021

Disease Control and Prevention, Health Promotion

No. 53435 (Amendment) R384-100: Cancer Reporting Rule

Published: 06/01/2021
Effective: 08/02/2021

No. 53559 (Amendment) R384-415: Electronic Cigarette Substance Standards
Published: 06/15/2021
Effective: 09/09/2021

Health Care Financing, Coverage and Reimbursement Policy

No. 53604 (Amendment) R414-1: Withholding of Payments
Published: 07/01/2021
Effective: 08/16/2021

No. 53579 (Amendment) R414-2a-7: Limitations
Published: 07/01/2021
Effective: 08/13/2021

Patient Safety Program

No. 53439 (New Rule) R429-1: Patient Safety Surveillance and Improvement Program (PSSIP)
Published: 06/15/2021
Effective: 08/18/2021

No. 53440 (New Rule) R429-2: Health Care Facility Patient Safety Program
Published: 06/15/2021
Effective: 08/18/2021

No. 53441 (New Rule) R429-3: Adverse Events from the Administration of Sedation or Anesthesia; Recording and Reporting
Published: 06/15/2021
Effective: 08/18/2021

Family Health and Preparedness, Licensing
No. 53605 (Amendment) R432-30: Adjudicative Procedure
Published: 07/01/2021
Effective: 08/12/2021

No. 53420 (Amendment) R432-725-4: Personal Care Agency Rule
Published: 05/15/2021
Effective: 08/12/2021

Family Health and Preparedness, Primary Care and Rural Health

No. 53443 (Repeal) R434-150: Adverse Events from the Administration of Sedation or Anesthesia; Recording and Reporting
Published: 06/15/2021
Effective: 08/14/2021

Center for Health Data, Vital Records and Statistics

No. 53434 (Repeal and Reenact) R436-18: Adoption Program Procedures, Form Content, and Donations
Published: 06/01/2021
Effective: 08/03/2021

Higher Education (Utah Board of)
Administration

No. 53603 (Amendment) R765-431: State Authorization Reciprocity Agreement Rule
Published: 07/01/2021
Effective: 08/19/2021

No. 53591 (Amendment) R765-605: Higher Education Success Stipend Program
Published: 07/01/2021
Effective: 08/19/2021

No. 53592 (Amendment) R765-613: Public Safety Officer Career Advancement Reimbursement (POSCAR)
Published: 07/01/2021
Effective: 08/19/2021

Human Services

Administration

No. 53387 (New Rule) R495-830: Qualifications for Forensic Evaluator
Published: 05/01/2021
Effective: 08/12/2021

Insurance

Title and Escrow Commission

No. 53653 (Amendment) R592-1: Title Insurance Licensing
Published: 07/15/2021
Effective: 08/23/2021

No. 53654 (Amendment) R592-5: Title Insurance Product or Service Approval for a Dual Licensed Title Licensee
Published: 07/15/2021
Effective: 08/23/2021

No. 53655 (Amendment) R592-6: Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business
Published: 07/15/2021
Effective: 08/23/2021

Natural Resources

Wildlife Resources

No. 53588 (Amendment) R657-6: Taking Upland Game
Published: 07/01/2021
Effective: 08/09/2021

No. 53636 (Amendment) R657-9: Taking Waterfowl, Wilson's Snipe and Coot
Published: 07/15/2021
Effective: 08/23/2021

No. 53589 (Amendment) R657-39: Wildlife Board and Regional Advisory Councils
Published: 07/01/2021
Effective: 08/09/2021

Navajo Trust Fund

Trustees

No. 53472 (New Rule) R661-24: Utah Navajo Trust Fund Higher Education Financial Assistance and Scholarship Program
Published: 06/01/2021
Effective: 08/09/2021

No. 53473 (New Rule) R661-25: Utah Navajo Trust Fund Housing Projects Policy
Published: 06/01/2021
Effective: 08/09/2021

Public Safety

Administration

No. 53556 (Amendment) R698-8: Local Public Safety and Firefighter Surviving Spouse Trust Fund
Published: 06/15/2021
Effective: 08/04/2021

Highway Patrol

No. 53703 (New Rule) R714-164: School Bus Inspection, Maintenance and Auditing Requirements
Published: 07/15/2021
Effective: 08/23/2021

No. 53610 (New Rule) R714-560: Technology and Equipment for Officer-Involved Critical Incident Investigation
Published: 07/01/2021
Effective: 08/09/2021

End of the Notices of Rule Effective Dates Section