

# 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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# EXECUTIVE DOCUMENTS

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

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

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## EXECUTIVE ORDER 2022-02

Providing optional substitute leave for state employees to support Utah schools

**WHEREAS**, recent staffing shortages in our schools are making it difficult for public and private schools to remain open;

**WHEREAS**, in-person instruction has been shown to be the most effective learning environment for children and keeping children in schools is a high priority for this administration;

**WHEREAS**, children are our greatest legacy and should have access to a high-quality education at all times, including during the COVID-19 pandemic;

**WHEREAS**, throughout the pandemic, teachers, administrators and education support staff have worked tirelessly to keep Utah students in school and learning during a very challenging time;

**WHEREAS**, Utah is the number one state in the nation for volunteerism and is a place where we come together for the common good and serve those in need;

**WHEREAS**, Utah's 22,000 public employees are unified in their devotion to bettering their communities;

**NOW, THEREFORE**, I, Spencer J. Cox, Governor of the State of Utah, by the authority vested in me by the constitution and laws of this state, hereby order the following:

1. As used in this order, "agency" means a state executive branch agency, including:
  - a. the Utah State Tax Commission;
  - b. the Utah National Guard; and
  - c. the Board of Pardons and Parole.
2. Each state agency shall:
  - a. grant all benefitted agency employees up to thirty (30) hours of administrative leave, as defined in Utah Administrative Code R477-1-1 and hereafter referred to as 'substitute leave,' from their normal state employment responsibilities to serve in their local K-12 school district as a substitute teacher, bus driver, secretary, cafeteria worker, or other support service positions;
  - b. set appropriate limitations and ensure the agency's critical work is not unduly interrupted;
  - c. postpone or deny the use of substitute leave if an employee's use of this leave significantly harms the agency, including the agency incurring incremental costs;
  - d. shall not count substitute leave toward the 18-week maximum of unprotected leaveset forth in DHRM rule R477-7-1(11); and
  - e. shall inform all agency employees of this Order.

EXECUTIVE DOCUMENTS

3. Each Employee wanting to use substitute leave shall:
  - a. request and receive individual permission from their agency leadership;
  - b. understand that serving with the school districts is voluntary and that performing school district work and travel to and from the schoolwork site is completely separate and segregated from their employment with the state; and
  - c. comply with agency conflict of interest policies, complete any required conflict of interest declarations, and comply with the Utah Public Employees Ethics Act.
  
4. Employees may:
  - a. accept pay from the school districts for work performed in addition to using substitute leave;
  - b. use a portion of approved substitute leave to apply for a position and to complete any necessary background checks or training as required by the school districts; and
  - c. break up the substitute leave into hourly segments as long as the leave used for this purpose does not exceed thirty (30) hours.
  
5. Both full-time and part-time benefited employees are eligible for participation in the program and may receive a prorated amount of administrative leave time.
  
6. The Division of Human Resource Management (DHRM) shall issue guidance and policies to ensure implementation of this order.
  
7. The Finance Division of the Department of Government Operations shall work with the DHRM to support the implementation of this Order.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 31st day of January, 2022.

(State Seal)

**Spencer J. Cox**  
**Governor, State of Utah**

ATTEST:

**Deidre M. Henderson**  
**Lieutenant Governor, State of Utah**

**End of the Executive Documents Section**

## NOTICES OF PROPOSED RULES

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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 January 15, 2022, 12:00 a.m., and February 01, 2022, 11:59 p.m. are included in this, the February 15, 2022, 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 March 17, 2022. 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 June 15, 2022, 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.

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**The Proposed Rules Begin on the Following Page**

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New		
Utah Admin. Code Ref (R no.):	R64-4	Filing ID 54357

### Agency Information

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Conservation Commission	
<b>Street address:</b>	350 N Redwood Road	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Jim Bowcutt	801-536-4436	jdbowcutt@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

### General Information

<b>2. Rule or section catchline:</b>
R64-4. Agricultural Water Optimization Program
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is needed to provide guidelines for the Agricultural Water Optimization program that provides grants to agricultural producers to help fund water conservation and improvement projects. The program has been in place since 2019 and is funded by legislative appropriation. It is authorized pursuant to Section 4-18-108 that allows the Utah Conservation Commission to issue grants to agricultural producers to fund environmental improvement projects. Federal American Rescue Plan Act (ARPA) funds have been infused into the program and the department seeks to codify program requirements and practices in rule.
<b>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):</b>
This rule sets guidelines and parameters for the Agricultural Water Optimization Program including the purposes of the program, eligibility and application

requirements, ranking procedures, and project and reporting requirements.

### Fiscal Information

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule should not have a fiscal impact to the state because the Agricultural Water Optimization Program will be funded with federal funds from the ARPA.
<b>B) Local governments:</b>
This rule should not impact local governments because they do not typically receive grants under this program.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
The program set forth in this rule will benefit small businesses that can receive water optimization grants. \$20,000,000 of federal funding has been dedicated to this program to be spent over the next 3 years. The Department of Agriculture and Food (Department) estimates that half will benefit small businesses, or a \$900,000 positive fiscal impact over 3 years (accounting for 10% administration costs).
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
The program set forth in this rule is generally used by small businesses. The Department does not foresee an impact on non-small businesses employing 50 or more persons.
<b>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>):</b>
The program set forth in this rule will benefit individuals who can receive water optimization grants. \$20,000,000 of federal funding has been dedicated to this program to be spent over the next 3 years. The Department estimates that 50% will go to individuals, or \$900,000 over 3 years, accounting for 10% of funds dedicated to administration costs.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no compliance costs associated with the Agricultural Water Optimization program.
<b>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):</b>

This rule will have a positive impact on businesses in Utah.  
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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$300,000	\$300,000	\$300,000
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$300,000	\$300,000	\$300,000
<b>Total Fiscal Benefits</b>	<b>\$600,000</b>	<b>\$600,000</b>	<b>\$600,000</b>
<b>Net Fiscal Benefits</b>	<b>\$600,000</b>	<b>\$600,000</b>	<b>\$600,000</b>

**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:**

Section 4-18-108		
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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.)

<b>A) Comments will be accepted until:</b>	03/17/2022
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<b>10. This rule change MAY become effective on:</b>	03/24/2022
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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**

<b>Agency head or designee, and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	01/27/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R70-101</b>	<b>Filing ID</b> <b>54355</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Regulatory Services	
<b>Street address:</b>	350 N Redwood Road	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
 R70-101. Bedding, Upholstered Furniture and Quilted Clothing

**3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):**  
 Changes are needed to correct typos in this rule, make the text more consistent with Utah Rulewriting Manual, and remove the compliance period for manufacturers of quilted clothing given that the deadline has passed.

**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 requirement in Subsection R70-101-9(4) that manufacturers of quilted clothing have five years from January 1, 2017, to include the sterilization permit number on a textile label has been removed given that the deadline has passed. Additional changes have been made to correct typos in this rule and make the text more consistent with Utah Rulewriting Manual.

**Fiscal Information**

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

**A) State budget:**  
 The changes are nonsubstantive and clarifying and will not impact the operation of the program, and therefore will not have a fiscal impact on the state.

**B) Local governments:**  
 Local governments do not administer the program and are not regulated under the program and will not be impacted.

**C) Small businesses ("small business" means a business employing 1-49 persons):**  
 There should be no fiscal impact to small businesses because the changes are clarifying existing practice and the operation of the program will not change.

**D) Non-small businesses ("non-small business" means a business employing 50 or more persons):**  
 There should be no fiscal impact to non-small businesses because the changes are clarifying existing practice and the operation of the program will not change.

**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 should be no fiscal impact to other persons because the changes are clarifying existing practice and the operation of the program will not change.

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

There should be no change in compliance costs for affected persons because compliance requirements are not changing.

**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 should 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.)**

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>B) Department head approval of regulatory impact analysis:</b>
The Commissioner of the Utah Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this fiscal analysis.

**Citation Information**

<b>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:</b>
Section 4-10-103

**Public Notice Information**

<b>9. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)
<b>A) Comments will be accepted until:</b> 03/17/2022

<b>10. This rule change MAY become effective on:</b> 03/24/2022
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**

<b>Agency head or designee, and title:</b> Craig W. Buttars, Commissioner	<b>Date:</b> 01/24/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R501-1</b>	<b>Filing ID 54356</b>

**Agency Information**

<b>1. Department:</b>	Human Services
<b>Agency:</b>	Administration, Administrative Services, Licensing
<b>Building:</b>	MASOB
<b>Street address:</b>	195 N 1950 W
<b>City, state and zip:</b>	Salt Lake City, UT 84116

Contact person(s):		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R501-1. General Provisions for Licensing
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Following internal review and discussion, it was determined that the struck-through language was not necessary to meet the statutory requirements. Additionally, there were some minor subnumbering and citation mistakes.
<b>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):</b>
It was determined that the struck-through language was not necessary to meet the statutory requirements. Additionally, there were some minor numeration and citation mistakes.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no aggregate anticipated cost or savings to state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.
<b>B) Local governments:</b>
There is no aggregate anticipated cost or savings to local governments because the proposed rule changes only support local government requirements but does not impose any additional requirements on them.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>

The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.

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

The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there a number of ways programs may choose to comply.

**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 impact on persons due to the enactment of these proposed rule changes, as the Office of Licensing can only regulate small or non-small businesses meeting the statutory definition for licensure.

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

There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.

**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 proposal will not result in a fiscal impact to businesses. Tracy Gruber, 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

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**B) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Human Services, Tracy Gruber, 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 62A-2-101	Section 62A-2-106	Section 62A-2-123
Section 62A-2-124	Section 62A-2-125	

**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:** 03/17/2022

**10. This rule change MAY become effective on:** 03/24/2022

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**

<b>Agency head or designee, and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	01/26/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R512-203	Filing ID 54241

**Agency Information**

<b>1. Department:</b>	Human Services	
<b>Agency:</b>	Child and Family Services	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	120 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Carol Miller	801-557-1772	carolmiller@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R512-203. Child Protective Services, Significant Risk Assessments
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this rule filing is to bring this rule in-line with Executive Order No. 2021-12, issued by Utah's Governor on May 6, 2021.
<b>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):</b>
This rule has been updated to ensure legal citations are accurate and to bring this rule in-line with the Utah Rulewriting Manual.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There are no anticipated costs or savings to the state budget because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services utilizes significant risk assessments.

<b>B) Local governments:</b>
There are no anticipated costs or savings to local governments because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services utilizes significant risk assessments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
There are no anticipated costs or savings to small businesses because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services utilizes significant risk assessments.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
There are no anticipated costs or savings to non-small businesses because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services utilizes significant risk assessments.
<b>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>):</b>
There are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services utilizes significant risk assessments.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal in nature.
<b>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):</b>
After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director
<b>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.)</b>
<b>Regulatory Impact Table</b>

NOTICES OF PROPOSED RULES

<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>B) Department head approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Human Services, Tracy Gruber, 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	Section	Section
62A-4a-102	62A-4a-105	62A-4a-1002

**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.)**

<b>A) Comments will be accepted until:</b>	03/17/2022
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<b>10. This rule change MAY become effective on:</b>	03/24/2022
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**

<b>Agency head or designee, and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	12/14/2021
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R512-205</b>	<b>Filing ID</b> <b>54242</b>

**Agency Information**

<b>1. Department:</b>	Human Services	
<b>Agency:</b>	Child and Family Services	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	120 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Carol Miller	801-557-1772	carolmiller@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R512-205. Child Protective Services, Investigation of Domestic Violence Related Child Abuse
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this rule filing is to bring this rule in-line with Executive Order No. 2021-12, issued by Utah's Governor on May 6, 2021.
<b>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):</b>

This rule has been updated to ensure legal citations are accurate and to bring this rule in-line with the Utah Rulewriting Manual.

**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 because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes the criteria for investigation of an allegation of Domestic Violence Related Child Abuse.

**B) Local governments:**

There are no anticipated costs or savings to local governments because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes the criteria for investigation of an allegation of Domestic Violence Related Child Abuse.

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

There are no anticipated costs or savings to small businesses because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes the criteria for investigation of an allegation of Domestic Violence Related Child Abuse.

**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 because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes the criteria for investigation of an allegation of Domestic Violence Related Child Abuse.

**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 persons other than small businesses, non-small businesses, state, or local government entities because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes the criteria for investigation of an allegation of Domestic Violence Related Child Abuse.

**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 associated with implementing this rule because these changes are not fiscal in nature.

**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 proposal will not result in a fiscal impact to businesses. Tracy Gruber, 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**B) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Human Services, Tracy Gruber, 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 62A-4a-102	Section 62A-4a-105	Section 76-5-109.1
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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:** 03/17/2022

**10. This rule change MAY become effective on:** 03/24/2022

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**

<b>Agency head or designee, and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	12/14/2021
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R512-300</b>	<b>Filing ID</b> <b>54243</b>

**Agency Information**

<b>1. Department:</b>	Human Services	
<b>Agency:</b>	Child and Family Services	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	120 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Carol Miller	801-557-1772	carolmiller@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

**2. Rule or section catchline:**  
R512-300. Out-of-Home Services

**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 bring this rule in-line with Executive Order No. 2021-12, issued by Utah's Governor on May 6, 2021.

**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 has been updated to ensure legal citations are accurate and to bring this rule in-line with the Utah Rulewriting Manual.

**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 because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services provides Out-of-Home Services.

**B) Local governments:**

There are no anticipated costs or savings to local governments because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services provides Out-of-Home Services.

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

There are no anticipated costs or savings to small businesses because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services provides Out-of-Home Services.

**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 because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services provides Out-of-Home Services.

**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 persons other than small businesses, non-small businesses, state, or local government entities because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services provides Out-of-Home Services.

**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 associated with implementing this rule because these changes are not fiscal in nature.

**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 proposal will not result in a fiscal impact to businesses. Tracy Gruber, 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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

<b>Total Fiscal Benefits</b>	\$0	\$0	\$0
<b>Net Fiscal Benefits</b>	\$0	\$0	\$0

**B) Department head approval of regulatory impact analysis:**

The Executive Director of Human Services, Tracy Gruber, 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 62A-4a-102	Section 62A-4a-105	
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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:** 03/17/2022

**10. This rule change MAY become effective on:** 03/24/2022

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**

<b>Agency head or designee, and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	12/14/2021
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R512-311</b>	<b>Filing ID</b> <b>54252</b>

**Agency Information**

<b>1. Department:</b>	Human Services
<b>Agency:</b>	Child and Family Services
<b>Building:</b>	Multi-Agency State Office Building
<b>Street address:</b>	120 N 1950 W
<b>City, state and zip:</b>	Salt Lake City, UT 84116

<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Carol Miller	801-557-1772	carolmiller@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R512-311. Psychotropic Medication Oversight Panel
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this rule filing is to bring this rule in-line with Executive Order No. 2021-12, issued by Utah's Governor on May 6, 2021.
<b>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):</b>
This rule has been updated to ensure legal citations are accurate and to bring this rule in-line with the Utah Rulewriting Manual.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There are no anticipated costs or savings to the state budget because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes and operates a psychotropic medication Oversight Panel for children in the custody of Child and Family Services to ensure that foster children are being prescribed psychotropic medication consistent with their needs.
<b>B) Local governments:</b>
There are no anticipated costs or savings to local governments because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes and operates a psychotropic medication Oversight Panel for children in the custody of Child and Family Services to ensure that foster children are being prescribed psychotropic medication consistent with their needs.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings to small businesses because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes and operates a psychotropic medication Oversight Panel for children in the custody of Child and Family Services to ensure that foster children are being prescribed psychotropic medication consistent with their needs.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There are no anticipated costs or savings to non-small businesses because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes and operates a psychotropic medication Oversight Panel for children in the custody of Child and Family Services to ensure that foster children are being prescribed psychotropic medication consistent with their needs.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
There are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities because the changes just update and make corrections to the existing rule text and do not change how Child and Family Services establishes and operates a psychotropic medication Oversight Panel for children in the custody of Child and Family Services to ensure that foster children are being prescribed psychotropic medication consistent with their needs.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal in nature.
<b>G) Comments by the department head on the fiscal impact this rule may have on businesses</b> (Include the name and title of the department head):
After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director
<b>6. A) Regulatory Impact Summary Table</b> (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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>B) Department head approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>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:</b>		
Section 62A-4a-102	Section 62A-4a-105	Section 62A-4a-213

**Public Notice Information**

<b>9. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	03/17/2022

<b>10. This rule change MAY become effective on:</b>	03/24/2022
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**

<b>Agency head or designee, and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	12/14/2021
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New			
<b>Utah Admin. Code Ref (R no.):</b>	<b>R539-12</b>	<b>Filing ID</b>	<b>54360</b>

**Agency Information**

<b>1. Department:</b>	Human Services		
<b>Agency:</b>	Services for People with Disabilities		
<b>Building:</b>	MASOB		
<b>Street address:</b>	195 N 1950 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Bruce Quaglia	435-669-4855	bquaglia@utah.gov	
Jonah Shaw	385-310-2389	jshaw@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
R539-12. Person-Centered Budget
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
The Division of Services for People with Disabilities (Division) is acting on the Office of Legislative Auditor's recommendation to enact a rule for the Division person-centered budget practices.
<b>4. Summary of the new rule or change</b> (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

Rule R539-12 describes multiple budget practices: the annual budget review, initial budget development, and budget adjustments. This rule also creates the Request for Services Committee.

**Fiscal Information**

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

**A) State budget:**

No anticipated cost or savings to the state budget. Changes to this rule do not alter service access or funding.

**B) Local governments:**

No anticipated cost or savings to local governments. Local governments do not contribute funding to state disability services.

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

No anticipated cost or savings to small businesses. Small businesses do not contribute funding to state disability services.

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

No anticipated cost or savings to non-small businesses. Non-small businesses do not contribute funding to state disability services.

**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**):

No anticipated cost or savings to persons other than small businesses, non-small businesses, state, or local government entities. Changes to this rule do not alter service access or funding.

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

No anticipated compliance costs for affected persons. Changes to this rule do not alter service access or funding.

**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 proposal will not result in a fiscal impact to businesses. Tracy Gruber, 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**

<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**B) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Human Services, Tracy Gruber, 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 62A-5-103

**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.)

<b>A) Comments will be accepted until:</b>	03/17/2022
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<b>10. This rule change MAY become effective on:</b>	03/24/2022
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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**

<b>Agency head or designee, and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	01/31/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Repeal and Reenact		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-91</b>	<b>Filing ID</b> <b>54362</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-91. Credit Life Insurance and Credit Accident and Health Insurance

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

This rule is being repealed and reenacted in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a significant number of minor issues that

needed to be amended and determined that a repeal and reenact was the proper method.

**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 Utah Rulewriting Manual standards and to make the language of this rule clearer. Substantive changes remove certain requirements including a duplicative filing requirement for rates and forms, reserving standards that are no longer applicable, duplicative annual financial reporting requirements, and outdated and unenforced experience reporting 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 substantive rule changes are limited to removal of requirements that are duplicative, outdated, or no longer enforced.

**B) Local governments:**  
There is no anticipated cost or savings to local governments. The substantive rule changes are limited to removal of requirements that are duplicative, outdated, or no longer enforced.

**C) Small businesses ("small business" means a business employing 1-49 persons):**  
There is no anticipated cost or savings to small businesses. The substantive rule changes are limited to removal of requirements that are duplicative, outdated, or no longer enforced.

**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 substantive rule changes are limited to removal of requirements that are duplicative, outdated, or no longer enforced.

**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 substantive rule changes are limited to removal of requirements that are duplicative, outdated, or no longer enforced.

**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 substantive rule changes are limited to removal of requirements that are duplicative, outdated, or no longer enforced.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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

**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:** 03/17/2022

**10. This rule change MAY become effective on:** 03/24/2022

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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	02/01/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-160</b>	<b>Filing ID</b> <b>54363</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129
<b>Mailing address:</b>	PO Box 146901
<b>City, state and zip:</b>	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:
R590-160. Adjudicative Proceedings
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 No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
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 the Utah Rulewriting Manual standards. Other changes make the language of the rule clearer. The changes do 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 largely clerical in nature and will not change how the Department functions.
B) Local governments:
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect 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 largely clerical in nature and will not affect small businesses.
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 largely clerical in nature and will not affect non-small businesses.

**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 largely clerical in nature.

**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 changes are largely clerical in nature.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

NOTICES OF PROPOSED RULES

<b>Net Benefits</b>	<b>Fiscal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>B) Department head approval of regulatory impact analysis:</b>				
The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this fiscal analysis.				

**Citation Information**

<b>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:</b>		
Section 31A-2-201	Section 63G-4-102	Section 63G-4-203

**Public Notice Information**

<b>9. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	03/17/2022

<b>10. This rule change MAY become effective on:</b>	03/24/2022
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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	02/01/2022
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<b>NOTICE OF PROPOSED RULE</b>	
<b>TYPE OF RULE:</b> Amendment	
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-176</b>
	<b>Filing ID 54364</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-176. Health Benefit Plan Enrollment
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>4. Summary of the new rule or change</b> (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 Utah Rulewriting Manual standards. Other changes make the language of the rule clearer and update Section R590-176-6 to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature and will not change how the Department functions.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature and will not affect small businesses.

**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 largely clerical in nature and will not affect non-small businesses.

**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 largely clerical in nature.

**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 changes are largely clerical in nature.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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-2-202	
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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:** 03/17/2022

**10. This rule change MAY become effective on:** 03/24/2022

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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	02/01/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-181</b>	<b>Filing ID</b> <b>54365</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	Suite 2300

<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R590-181. Yankee Bond Rule
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>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):</b>
The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards. Other changes make the language of the rule clearer and update Section R590-181-5 to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature and will not change how the Department functions.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>

There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature and will not affect small businesses.

**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 largely clerical in nature and will not affect non-small businesses.

**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 largely clerical in nature.

**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 changes are largely clerical in nature.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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-18-101	
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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:** 03/17/2022

**10. This rule change MAY become effective on:** 03/24/2022

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**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	02/01/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R634-4</b>	<b>Filing ID</b> <b>54361</b>

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Administration	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kaelyn Anfinen	801-538-7201	kaelynanfinen@utah.gov

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

**General Information**

**2. Rule or section catchline:**

R634-4. Health Reform -- Health Insurance Coverage in State Contracts -- Implementation

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

The Department of Natural Resources (Department) failed to file a five-year review and notice of continuation and the penalty was the expiration of Rule R634-2. This rule filing is now being proposed. The previous rule was Rule R634-2 but because rule numbers cannot be reused, the rule number is now R634-4. (EDITOR'S NOTE: There is a corresponding 120-day emergency rule filing for Rule R634-4 that is effective as of 11/23/2021 and was published under ID No. 54154 in the December 15, 2021, issue of the Bulletin.)

**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 Department is reinstating a rule that expired. This rule designates that all design or construction contracts entered into by the Department that the contractors and subcontractors shall obtain and maintain an offer of qualified health insurance coverage for the duration of contracts. The text is the same as the expired Rule R634-2.

**Fiscal Information**

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

**A) State budget:**

This proposed rule filing places into effect the rule that had previously been effective without any additional changes. Therefore, the Department has determined that this rule does not create a cost or savings impact to the state budget or the Department's budget since the changes will

NOTICES OF PROPOSED RULES

not increase workload and can be carried out with existing budget.

**B) Local governments:**

Since the proposed filing makes no changes to the rule text that was previously effective, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule change does not create a situation requiring services from local governments.

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

The proposed rule will not directly impact small businesses nor is there a service required of them.

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

The proposed rule will not directly impact non-small businesses nor is there a service required of them.

**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**):

The proposed rule will not directly impact other persons nor is there a service required of them.

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

There is no cost compliance with the re-issuance of this rule because it is not being amended at this time.

**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 measurable fiscal impact to businesses. Brian Steed, 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**B) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Natural Resources, Brian Steed, 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 79-2-404		
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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.)

<b>A) Comments will be accepted until:</b>	03/17/2022
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**10. This rule change MAY become effective on:**

03/24/2022  
 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**

<b>Agency head or designee, and title:</b>	Brian C. Steed, Executive Director	<b>Date:</b>	02/01/2022
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**End of the Notices of 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](http://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.):	R105-2	Filing ID: 50202
Effective Date:	01/25/2022	

### Agency Information

1. Department:	Attorney General	
Agency:	Administration	
Room no.:	230	
Building:	Utah State Capitol Complex	
Street address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Lonny Pehrson	801-281-1246	lpehrson@agutah.gov
GRAMA Coordinator	801-281-1286	Ago_grama_coordinator@agutah.gov
Office of the Attorney General	801-366-0260	uag@agutah.gov
Please address questions regarding information on this notice to the agency.		

### General Information

2. Rule catchline:	R105-2. Records Access and Management
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 63G-2-204(3) provides that a governmental entity may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, specifying where and to whom requests for access shall be directed.

### 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 Attorney General's Office is not aware of any written comments 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 is necessary to ensure that requests for access to records and appeals are properly submitted to the Attorney General's Office. Therefore, this rule should be continued.

### Agency Authorization Information

Agency head or designee, and title:	Lonny Pehrson, Assistant Attorney General, Government Records Counsel	Date:	01/25/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-16a	Filing ID: 50255
Effective Date:	01/25/2022	

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Occupational and Professional Licensing	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Larry Marx	801-530-6254	lmarx@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R156-16a. Optometry Practice Act Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Title 58, Chapter 16a, provides for the licensure and regulation of optometrists. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Optometrist 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 16a, with respect to optometrists.
<b>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:</b>
Since this rule was last reviewed in February 2017, the Division has received no written comments with respect to this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 16a. This rule also 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. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Mark B. Steinagel, Director	<b>Date:</b>	10/04/2021
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R156-76</b>	<b>Filing ID:</b>	<b>53315</b>
<b>Effective Date:</b>	<b>01/25/2022</b>		

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Occupational and Professional Licensing	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Duncombe	801-530-6235	sduncombe@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R156-76. Professional Geologist Licensing Act Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Title 58, Chapter 76, provides for the licensure and regulation of professional geologists. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Professional Geologists 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 76, with respect to professional geologists.

**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 February 2017, 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 is necessary as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 76. This rule also 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. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Mark B. Steinagel, Director	<b>Date:</b>	10/04/2021
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R164-101</b>	<b>Filing ID:</b>	<b>50337</b>
<b>Effective Date:</b>	<b>01/16/2022</b>		

**Agency Information**

<b>1. Department:</b>	Commerce		
<b>Agency:</b>	Securities		
<b>Building:</b>	Heber M. Wells		
<b>Street address:</b>	160 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316		
<b>Mailing address:</b>	PO Box 146760		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6760		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Charles Lyons	801-530-6600	clyons@utah.gov	
Please address questions regarding information on this notice to the agency.			

**General Information**

<b>2. Rule catchline:</b>
R164-101. Securities Fraud Reporting Program Act

**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 Sections 61-1-24, 61-1-103, and 61-1-107. Subsection 61-1-24(1)(a) authorizes the Division of Securities (Division) to make, amend, or rescind a rule when necessary to carry out the chapter. Section 61-1-103 describes the information required for an individual to be considered for an award under the Securities Fraud Program Reporting Act and requires that the individual provide such information in accordance with procedures established by rule made by the Division. Section 61-1-107 sets forth the procedures related to an award to a fraud reporter and requires that the Division adopt rules memorializing those procedures.

**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 comments have been received regarding the 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 forth procedures for filing an application for an award under the Securities Fraud Reporting Program Act and the procedures for the making or denial of such an award. It provides an incentive for individuals to report suspected violations of the securities laws to the Division. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Jason Sterzer, Division Director	<b>Date:</b>	01/19/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R305-1</b>	<b>Filing ID:</b>	<b>50560</b>
<b>Effective Date:</b>	<b>01/24/2022</b>		

**Agency Information**

<b>1. Department:</b>	Environmental Quality
<b>Agency:</b>	Administration
<b>Building:</b>	Multi-Agency State Office Building
<b>Street address:</b>	195 N 1950 W
<b>City, state and zip:</b>	Salt Lake City, UT 84116
<b>Mailing address:</b>	PO Box 144820
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4820

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Wood	385-499-3416	rwood@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R305-1. Records Access and Management
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The authority for this rule is found in Section 63G-2-204 of the Government Records Access and Management Act (GRAMA), effective July 1, 1992, and Section 63A-12-104 of the Archives and Records Service Act.
<b>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:</b>
No comments have been received since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule continues to be needed because it describes the processes, requirements, fees, and timelines that govern the sharing of public records under GRAMA. These specifics are not included in the GRAMA statute and must therefore be specified by administrative rule. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Kimberly Shelley, Executive Director	<b>Date:</b>	01/22/2022
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>			
<b>Utah Admin. Code Ref (R no.):</b>	R337-10	<b>Filing ID:</b>	50823
<b>Effective Date:</b>	01/18/2022		

**Agency Information**

<b>1. Department:</b>	Financial Institutions
<b>Agency:</b>	Credit Unions
<b>Room no.:</b>	201

<b>Street address:</b>	324 S State St	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2393	
<b>Mailing address:</b>	PO Box 146800	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6800	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Paul Allred	801-538-8761	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R337-10. Rule Designating Applicable Federal Law for Credit Unions Subject to the Jurisdiction of the Department of Financial Institutions
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule designates which one or more federal laws are applicable to a credit union subject to the jurisdiction of the Department of Financial Institutions (Department). This rule establishes that designated federal law may only be enforced by the Department by taking action permitted under Title 7 and the applicable chapters set forth in Section 7-1-325. The statutory provision states that the "...department shall by rule...designate which one or more federal laws are applicable to an institution subject to the jurisdiction of the department."
<b>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:</b>
No supporting or opposing written comments have been received since the last notice of continuation.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Section 7-1-325 requires that the Department designate, by rule, which one or more federal laws are applicable to an institution subject to the jurisdiction of the Department. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	G. Edward Leary, Commissioner	<b>Date:</b>	01/18/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R380-77	Filing ID: 54307
Effective Date:	01/25/2022	

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Administration	
<b>Room no.:</b>	104	
<b>Building:</b>	Dr. Martha Hughes Cannon Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kyle Lunt	385-332-1578	kylelunt@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R380-77. Coordination of Patient Identification and Validation Services
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule was enacted to meet the Department of Health's (Department) responsibility defined in Subsection 26-1-30(30) to "establish methods or measures for health care providers, public health entities, and health care insurers to coordinate among themselves to verify the identity of the individuals they serve."
<b>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:</b>
The Department has not received comments on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The Department consulted with the Utah Digital Health Service Commission and the committee established by this rule. Those parties recommended this committee and rule continue as it had not fully yet fulfilled the responsibilities outlined in Subsection 26-1-30(30). The Department recently filed nonsubstantive changes to align this rule with the Utah Rulewriting Manual. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

Utah Admin. Code Ref (R no.):	R406-100	Filing ID: 50942
Effective Date:	01/24/2022	

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, WIC Services	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 141013	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1013	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Chris Furner	801-554-4509	cfurner@utah.gov
Rick Wardle	801-580-7932	rwardle@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R406-100. Special Supplemental Nutrition Program for Women, Infants and Children
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26-1-15 authorizes the Executive Director of the Utah Department of Health to accept federal funding to operate the Women, Infants, and Children (WIC) program.
<b>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:</b>
Comments on this rule were requested from the Utah Association of WIC Administrators (UAWA). The Department has received no comments on this rule since the last five-year review.

**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 is needed to regulate the administration of the WIC program within the local health departments. It includes specific requirements for processing applications and implementing waiting lists. Requirements for record retention and vendor monitoring are listed. This rule is also needed to outline materials incorporated by reference. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R406-200</b>	<b>Filing ID:</b>	<b>50954</b>
<b>Effective Date:</b>	<b>01/24/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, WIC Services	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 141013	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1013	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Chris Furner	801-554-4509	cfurner@utah.gov
Rick Wardle	801-580-7932	rwardle@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R406-200. Program Overview
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>

Section 26-1-15 authorizes the Executive Director of the Utah Department of Health (Department) to accept federal funding to operate the Women, Infants, and Children (WIC) 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:**

Comments on this rule were requested from the Utah Association of WIC Administrators (UAWA). The Department has received no comments on this rule since the last five-year review.

**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 agency intends to repeal this rule to eliminate unnecessary information and because some of the information is being consolidated into Rule R406-100. Therefore, this rule should be continued until this rule can be repealed through the regular rulemaking process.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R406-201</b>	<b>Filing ID:</b>	<b>50949</b>
<b>Effective Date:</b>	<b>01/24/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, WIC Services	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 141013	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1013	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Chris Furner	801-554-4509	cfurner@utah.gov
Rick Wardle	801-580-7932	rwardle@utah.gov

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

**General Information**

**2. Rule catchline:**  
R406-201. Outreach 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:**

Section 26-1-15 authorizes the Executive Director of the Utah Department of Health (Department) to accept federal funding to operate the Women, Infants, and Children (WIC) 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:**

Comments on this rule were requested from the Utah Association of WIC Administrators (UAWA). The Department has received no comments on this rule since the last five-year review.

**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 agency intends to repeal this rule because all critical information is included in incorporated materials in other administrative rules. Therefore, this rule should be continued until this rule can be repealed through the regular rulemaking process.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R406-202</b>	<b>Filing ID:</b>	<b>50944</b>
<b>Effective Date:</b>	<b>01/24/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health
<b>Agency:</b>	Family Health and Preparedness, WIC Services
<b>Building:</b>	Cannon Health Building
<b>Street address:</b>	288 N 1460 W
<b>City, state and zip:</b>	Salt Lake City, UT 84116
<b>Mailing address:</b>	PO Box 141013

**City, state and zip:** Salt Lake City, UT 84114-1013

**Contact person(s):**

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Chris Furner	801-554-4509	cfurner@utah.gov
Rick Wardle	801-580-7932	rwardle@utah.gov

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

**General Information**

**2. Rule catchline:**  
R406-202. Eligibility

**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 26-1-15 authorizes the Executive Director of the Utah Department of Health (Department) to accept federal funding to operate the Women, Infants, and Children (WIC) 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:**

Comments on this rule were requested from the Utah Association of WIC Administrators (UAWA). The Department has received no comments on this rule since the last five-year review.

**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 agency intends to repeal this rule because all critical information is included in incorporated materials in other administrative rules. Therefore, this rule should be continued until this rule can be repealed through the regular rulemaking process.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R406-301</b>	<b>Filing ID:</b>	<b>50955</b>
<b>Effective Date:</b>	<b>01/24/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, WIC Services	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 141013	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1013	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Chris Furner	801-554-4509	cfurner@utah.gov
Rick Wardle	801-580-7932	rwardle@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R406-301. Clinic Guidelines
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26-1-15 authorizes the Executive Director of the Utah Department of Health (Department) to accept federal funding to operate the Women, Infants, and Children (WIC) program.
<b>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:</b>
Comments on this rule were requested from the Utah Association of WIC Administrators (UAWA). The Department has received no comments on this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is needed to regulate the administration of the WIC program within the local health departments. It requires WIC clinics to receive state approval for clinic guidelines prior to implementation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R432-31</b>	<b>Filing ID:</b>	<b>51061</b>
<b>Effective Date:</b>	<b>01/24/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, Licensing	
<b>Room no.:</b>	4th Floor	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Joel Hoffman	801-273-2804	jhoffman@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R432-31. Life With Dignity Order
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities.
<b>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:</b>
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:**

The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards. This rule sets standards for the Life with Dignity Order. There are multiple agencies, facilities and individuals currently using these rules to complete end of life decisions. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R432-40</b>	<b>Filing ID: 51064</b>
<b>Effective Date:</b>	<b>01/24/2022</b>	

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, Licensing	
<b>Room no.:</b>	4th Floor	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Joel Hoffman	801-273-2804	jhoffman@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R432-40. Long-Term Care Facility Immunizations
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>

Title 26, Chapter 21, is the health code that mandates the licensing of health facilities.

**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:**

The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards. This rule sets standards for Long Term Care Facility Immunizations. There are multiple facilities required to comply with immunization rules. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R432-150</b>	<b>Filing ID: 51073</b>
<b>Effective Date:</b>	<b>01/24/2022</b>	

**Agency Information**

<b>1. Department:</b>	Health	
<b>Agency:</b>	Family Health and Preparedness, Licensing	
<b>Room no.:</b>	4th Floor	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Joel Hoffman	801-273-2804	jhoffman@utah.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:**

R432-150. Nursing Care Facility

**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.

**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:**

The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards. This rule sets standards for the operation of Nursing Care Facilities. There are facilities currently licensed in this category. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	R432-151	<b>Filing ID:</b>	51079
<b>Effective Date:</b>	01/24/2022		

**Agency Information**

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

**Contact person(s):**

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Joel Hoffman	801-273-2804	jhoffman@utah.gov

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

**General Information**

**2. Rule catchline:**

R432-151. Mental Disease Facility

**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.

**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:**

The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards. This rule sets standards for the operation of Mental Disease Facilities. Nursing care facilities that have more than 50% of their residents with a diagnosis of mental disease would then be classified as a mental disease facility. Nursing care facilities have a very fluid census and changing to this classification is likely at any given time. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	R432-201	<b>Filing ID:</b>	51078
<b>Effective Date:</b>	01/24/2022		

**Agency Information**

<b>1. Department:</b>	Health
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<b>Agency:</b>	Family Health and Preparedness, Licensing	
<b>Room no.:</b>	4th Floor	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Joel Hoffman	801-273-2804	jhoffman@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R432-201. Mental Retardation Facility: Supplement "A" to the Small Health Care Facility Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Title 26, Chapter 21, is the health code that mandates the licensing of health facilities.
<b>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:</b>
There have been no written comments from any party regarding this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The purpose of this rule is to promote the public health and welfare through the establishment and enforcement of licensure standards. This rule sets standards for the operation of Intermediate Care Facilities with Intellectual Disabilities. There are facilities currently licensed in this category. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Nate Checketts, Executive Director	<b>Date:</b>	01/23/2002
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-116</b>	<b>Filing ID: 54096</b>
<b>Effective Date:</b>	<b>01/26/2022</b>	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R590-116. Valuation of Assets
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 31A-2-201 authorizes the Insurance Commissioner to write rules to implement Title 31A, Insurance Code. Section 31A-17-401 requires the Insurance Commissioner to set standards for the valuation of an insurer's assets and securities, and to write rules to determine the present value of future income derived from securities owned by an insurer.
<b>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:</b>
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule sets a standard for an insurer doing business in Utah to use in determining the value of its assets. This rule helps the Department assess the financial health of

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

each licensed insurer in an effort to protect the financial security of their insureds. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	01/26/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-117</b>	<b>Filing ID: 53910</b>
<b>Effective Date:</b>	<b>01/26/2022</b>	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R590-117. Valuation of Liabilities
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 31A-2-201 authorizes the Insurance Commissioner to write rules to implement Title 31A, Insurance Code. Section 31A-17-402 requires the Insurance Commissioner to adopt a rule specifying which liabilities insurers must report and the methods for evaluating those assets. Section R590-117-4 states the liabilities that are to be listed on the insurer's financial statement and also the methods by which these liabilities will be valued.

**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:**

This rule standardizes the liabilities that must be listed on an insurer's annual statement and how they are to be valued. It is important that the liabilities of all licensed insurers in Utah be evaluated using the same standard for fairness. Knowing the true value of an insurer's liabilities is one way the Department can determine the insurer's financial health. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	01/26/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R590-147</b>	<b>Filing ID: 54097</b>
<b>Effective Date:</b>	<b>01/31/2022</b>	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>	
R590-147. Annual and Quarterly Statement Filing Instructions	
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	
Section 31A-2-201 authorizes the Insurance Commissioner to write rules to implement Title 31A, Insurance Code. Section 31A-4-113 authorizes the Insurance Commissioner to prescribe by rule the information to be submitted with, and the form of, the annual statement. This rule provides instructions for the filing of annual and quarterly statements with supplementary schedules, exhibits, and documents by insurers.	
<b>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:</b>	
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.	
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	
If this rule is not continued in force, it may create confusion for insurers regarding their quarterly and annual reporting requirements for the National Association of Insurance Commissioners and the Utah Insurance Department. Annual and quarterly statements may be filed incorrectly more frequently, resulting in costly and unnecessary follow-ups both by insurers and the Department. Therefore, this rule should be continued.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	01/31/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	R590-150	<b>Filing ID:</b> 54099
<b>Effective Date:</b>	01/31/2022	

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room no.:</b>	Suite 2300

<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>	
R590-150. Commissioner's Acceptance of Examination Reports	
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	
Section 31A-2-201 authorizes the Insurance Commissioner to make rules to implement Title 31A, Insurance Code. Section 31A-2-203 authorizes the Insurance Commissioner to approve actuarial evaluations made by an actuary and defines standards that must be met in a report of an examination conducted by an insurance department in another state in order to be acceptable to the Insurance Commissioner. These standards were implemented as a result of the National Association of Insurance Commissioners' (NAIC) accreditation program.	
<b>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:</b>	
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.	
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	
This rule supports Subsection 31A-2-203(4) by defining standards that must be met in reports of examinations conducted by insurance departments of other states in order to be acceptable to the commissioner. These standards were implemented as a result of the NAIC accreditation program. Therefore, this rule should be continued.	

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	01/31/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R657-43</b>	<b>Filing ID: 51755</b>
<b>Effective Date:</b>	<b>02/01/2022</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Wildlife Resources	
<b>Room no.:</b>	Suite 2110	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R657-43. Landowner Permits
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Under Sections 23-14-18 and 23-14-19 the Wildlife Board is authorized and required to provide rules to regulate the management of big game species. This rule provides the standards and procedures for private landowners to obtain landowner permits for taking specific big game species from the landowner's property.
<b>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:</b>
No written comments supporting or opposing Rule R657-43 were received since March 2017 when this rule was last reviewed.

**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 R657-43 provides the requirements, procedures and standards for private landowners to obtain landowner permits for taking buck deer within a general regional hunt boundary where the landowner's property is located, and taking bull elk, buck deer or buck pronghorn within a limited entry unit. This rule provides the opportunity for landowners, whose property provides habitat for deer, elk or pronghorn, to benefit by obtaining landowner permits for use within a general regional hunt area or limited entry area where the landowner's property is located. The provisions adopted in this rule are effective in providing the requirements, procedures and standards for managing the landowner permit program. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	J Shirley, Division Director	<b>Date:</b>	02/01/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Utah Admin. Code Ref (R no.):</b>	<b>R746-349</b>	<b>Filing ID: 51978</b>
<b>Effective Date:</b>	<b>01/27/2022</b>	

**Agency Information**

<b>1. Department:</b>	Public Service Commission	
<b>Agency:</b>	Administration	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S, 4th Floor	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 4558	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4558	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Yvonne Hogle	801-530-6709	yhogle@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R746-349. Competitive Entry and Reporting Requirements

<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule was enacted under Title 54, Chapter 8b, Part 2.2, "Interconnection". This rule establishes filing requirements and procedures that competing telecommunications corporations must meet and follow in order to offer telecommunications services and compete with the incumbent telecommunications corporation in the state of Utah, consistent with Section 54-8b-2.2. This statute states, "[t]he commission shall adopt rules or issue an interim order which implements by December 31, 1996, the competitive provision of facilities-based intraLATA toll and local exchange services."
<b>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:</b>
No comments have been received since the last five-year review of this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary because it continues to promote the policy of the state of Utah of ensuring competition in the telecommunications industry. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Thad LeVar, PSC Chair	<b>Date:</b>	01/27/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R746-351</b>	<b>Filing ID: 51970</b>
<b>Effective Date:</b>	<b>01/27/2022</b>	

**Agency Information**

<b>1. Department:</b>	Public Service Commission
<b>Agency:</b>	Administration
<b>Building:</b>	Heber M. Wells Building
<b>Street address:</b>	160 E 300 S, 4th Floor
<b>City, state and zip:</b>	Salt Lake City, UT 84111
<b>Mailing address:</b>	PO Box 4558
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4558

<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Yvonne Hogle	801-530-6709	yhogle@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R746-351. Pricing Flexibility
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule was enacted under Title 54, Chapter 8b, Part 2.3, "Pricing Flexibility". Because this rule establishes a procedure by which the pricing flexibility granted to an incumbent telecommunications corporation under Subsection 54-8b-2.3(2)(b) becomes effective, rules must be enacted to provide additional detail regarding the way that an "incumbent", like a "competing" telecommunications corporation, is also able to achieve pricing flexibility. The rules that apply to the competitive local exchange carrier's pricing flexibility were promulgated under Subsections 54-8b-2.2(2)(a) and (b), and they reside in large part under Section R746-349-4. These rules are largely inapplicable to incumbents. Therefore, rules that specifically apply to the incumbent as it relates to pricing flexibility are still needed. Subsection 54-8b-2.3(2)(b) states "[t]he incumbent telephone corporation's pricing flexibility shall be the same as a competing telecommunications corporation's pricing flexibility for all public telecommunications services." Therefore, since there are no specific rules for incumbents, Rule R746-351 is needed. Finally, this rule is largely promulgated to ensure that the competing telecommunications corporation is not at a competitive disadvantage as compared to the incumbent telecommunications corporation. For example, under this rule, to achieve pricing flexibility, the incumbent must demonstrate that the competing telecommunications corporation is interconnected to the incumbent's system. This furthers the policy of the state of ensuring continued competition in the telecommunications industry.
<b>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:</b>
No comments have been received since the last five-year review of this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

As explained in Box 3 above, the statutory requirement and policy need for this rule still exist. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Thad LeVar, PSC Chair	<b>Date:</b>	01/27/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Utah Admin. Code Ref (R no.):</b>	<b>R746-440</b>	<b>Filing ID: 51981</b>
<b>Effective Date:</b>	<b>01/27/2022</b>	

**Agency Information**

<b>1. Department:</b>	Public Service Commission	
<b>Agency:</b>	Administration	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S, 4th Floor	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 4558	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4558	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Michael Hammer	801-530-6729	michaelhammer@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
R746-440. Voluntary Resource Decision
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 54-17-103(1) requires the Public Service Commission (PSC) to create certain rules and authorizes it to make other rules, as necessary, to implement the Energy Resources Procurement Act, Title 54, Chapter 17. See also Subsection 54-17-302(8) (providing the PSC "shall make rules regarding the process for approval of a significant energy resource decision under this section"); Subsection 54-17-402(9) (providing the PSC "shall make rules regarding the process for approval of a resource decision under this section").
<b>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:</b>
No comments have been received since the last five-year review of this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary and specifically required by statute to implement the Energy Resources Procurement Act, which governs the circumstances under which an electric utility must, and in some cases may, obtain approval from the Public Service Commission before procuring certain energy resources. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee, and title:</b>	Thad LeVar, PSC Chair	<b>Date:</b>	01/27/2022
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**End of the Five-Year Notices of Review and Statements of Continuation Section**

## NOTICES OF FIVE-YEAR EXPIRATIONS

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Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). The Office of Administrative Rules (Office) is required to notify agencies of rules due for review at least 180 days prior to the anniversary date. If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR EXTENSION (EXTENSION)** with the Office. However, if the agency fails to file either the **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION** or the **EXTENSION** by the date provide by the Office, the rule expires.

Upon expiration of the rule, the Office files a **NOTICE OF FIVE-YEAR EXPIRATION (EXPIRATION)** to document the action. The Office is required to remove the rule from the *Utah Administrative Code*. The agency may no longer enforce the rule and it must follow regular rulemaking procedures to replace the rule if it is still needed.

The Office has filed **EXPIRATIONS** for each of the rules listed below which were not reviewed in accordance with Section 63G-3-305. These rules have expired and have been removed from the *Utah Administrative Code*.

The expiration of administrative rules for failure to comply with the five-year review requirement is governed by Subsection 63G-3-305(8).

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NOTICE OF EXPIRED RULE		
Utah Admin. Code Ref (R no.):	R311-401	ID No. 53201

#### Agency Information

1. Department:	Environmental Quality	
Agency:	Environmental Response and Remediation	
Street address:	195 N 1950 W	
City, state, and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

#### General Information

2. Title of rule (catchline):	
R311-401. Utah Hazardous Substances Priority List	
3. Effective Date:	01/21/2022
4. Summary:	
The five-year review and notice of continuation was not filed for this rule by the deadline of 01/20/2022. This rule has expired and will be removed from the Utah Administrative Code.	

**End of the Notices of Notices of Five Year Expirations Section**



## NOTICES OF RULE EFFECTIVE DATES

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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.

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### Agriculture and Food

#### Administration

No. 54137 (Amendment) R51-5: Rural Rehabilitation Loans  
Published: 12/15/2021  
Effective: 02/01/2022

#### Animal Industry

No. 54114 (Amendment) R58-11: Slaughter of Livestock  
and Poultry  
Published: 12/01/2021  
Effective: 01/12/2022

#### Conservation Commission

No. 54136 (Amendment) R64-1: Agriculture Resource  
Development Loans (ARDL)  
Published: 12/15/2021  
Effective: 02/01/2022

### Commerce

#### Occupational and Professional Licensing

No. 54139 (Amendment) R156-17b: Pharmacy Practice Act  
Rule  
Published: 12/15/2021  
Effective: 01/27/2022

No. 54215 (Amendment) R156-28: Veterinary Practice Act  
Rule  
Published: 01/01/2022  
Effective: 02/09/2022

### Environmental Quality

#### Air Quality

No. 54174 (Repeal) R307-301: Utah and Weber Counties:  
Oxygenated Gasoline Program As a Contingency Measure  
Published: 12/15/2021  
Effective: 02/03/2022

#### Waste Management and Radiation Control, Waste Management

No. 54189 (Amendment) R315-307: Landtreatment  
Disposal Standards  
Published: 01/01/2022  
Effective: 02/14/2022

### Health

#### Family Health and Preparedness, Licensing

No. 54175 (Amendment) R432-152: Intermediate Care  
Facility for Individuals with Intellectual Disabilities  
Published: 12/15/2021  
Effective: 01/31/2022

No. 54081 (Amendment) R432-200: Small Health Care  
Facility - Four to Sixteen Beds  
Published: 12/01/2021  
Effective: 01/31/2022

### Higher Education (Utah Board of)

#### Administration

No. 54119 (Amendment) R765-611: Veterans Tuition Gap  
Program  
Published: 12/01/2021  
Effective: 01/20/2022

No. 54120 (Amendment) R765-800: Free Expression on  
Campus  
Published: 12/01/2021  
Effective: 01/20/2022

No. 54121 (Amendment) R765-801: Student Due Process  
Published: 12/01/2021  
Effective: 01/20/2022

No. 54122 (Amendment) R765-802: Weapons on Campus  
Published: 12/01/2021  
Effective: 01/20/2022

## NOTICES OF RULE EFFECTIVE DATES

University of Utah, Administration  
No. 54190 (Amendment) R805-2: Government Records  
Access and Management Act Procedures  
Published: 01/01/2022  
Effective: 02/08/2022

University of Utah, Commuter Services  
No. 53380 (Amendment) R810-6: Permit Prices and  
Refunds  
Published: 01/01/2022  
Effective: 02/08/2022

### Human Services

Recovery Services  
No. 54169 (Amendment) R527-40: Retained Support  
Published: 12/15/2021  
Effective: 01/24/2022

No. 54111 (Amendment) R527-300: Income Withholding  
Published: 12/15/2021  
Effective: 01/24/2022

No. 54167 (Amendment) R527-301: Non-IV-D Income  
Withholding  
Published: 12/15/2021  
Effective: 01/24/2022

No. 54170 (Amendment) R527-430: Administrative Notice  
of Lien-Levy Procedures  
Published: 12/15/2021  
Effective: 01/24/2022

No. 54171 (Amendment) R527-450: Federal Tax Refund  
Intercept  
Published: 12/15/2021  
Effective: 01/24/2022

No. 54168 (Amendment) R527-920: Mandatory  
Disbursement to Obligee Through Electronic Funds Transfer  
Published: 12/15/2021  
Effective: 01/24/2022

### Insurance

Administration  
No. 54184 (Amendment) R590-132: Insurance Treatment  
of Human Immunodeficiency Virus (HIV) Infection  
Published: 01/01/2022  
Effective: 02/08/2022

No. 54185 (Amendment) R590-142: Continuing Education  
Rule  
Published: 01/01/2022  
Effective: 02/08/2022

No. 54149 (Repeal and Reenact) R590-155: Utah Life and  
Health Insurance Guaranty Association Summary Document  
Published: 12/15/2021  
Effective: 01/24/2022

No. 54186 (Amendment) R590-166: Home Protection  
Service Contracts  
Published: 01/01/2022  
Effective: 02/08/2022

No. 54183 (Repeal) R590-182: Risk Based Capital  
Instructions  
Published: 01/01/2022  
Effective: 02/08/2022

No. 54187 (Amendment) R590-283: Defrayment of State-  
Required Benefits  
Published: 01/01/2022  
Effective: 02/08/2022

### Labor Commission

Administration  
No. 54138 (Amendment) R600-2: Operations  
Published: 12/15/2021  
Effective: 01/24/2022

Industrial Accidents  
No. 54141 (Amendment) R612-400-5: Premium Rates for  
the Uninsured Employers' Fund and the Employers'  
Reinsurance Fund  
Published: 12/15/2021  
Effective: 01/24/2022

### Tax Commission

Administration  
No. 54131 (Amendment) R861-1A-16: Utah State Tax  
Commission Management Plan Pursuant to Utah Code Ann.  
Section 59-1-207  
Published: 12/01/2021  
Effective: 01/13/2022

### Transportation

Administration  
No. 54161 (Amendment) R907-63-2: Procedure to Collect  
for Damage to Structures and Highways  
Published: 12/15/2021  
Effective: 02/07/2022

### Transportation Commission

Administration  
No. 54160 (Amendment) R940-3: State Infrastructure Bank  
Fund, Prioritization process, Procedures, and Standards for  
Making Loans or Providing Infrastructure Assistance  
Published: 12/15/2021  
Effective: 02/07/2022

**End of the Notices of Rule Effective Dates Section**