

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed July 02, 2022, 12:00 a.m. through July 15, 2022, 11:59 p.m.

Number 2022-15
August 01, 2022

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

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

Utah state digest.

Semimonthly.

1. Delegated legislation--Utah--Digests. I. Utah. Office of Administrative Rules.

KFU440.A73S7

348.792'025--DDC

85-643197

TABLE OF CONTENTS

NOTICES OF PROPOSED RULES	1
AGRICULTURE AND FOOD	
Plant Industry	
R68-7. Utah Pesticide Control Rule	2
COMMERCE	
Administration	
R151-4. Department of Commerce Administrative Procedures Act Rule	3
HEALTH AND HUMAN SERVICES	
Administration (Health)	
R380-411. Administrative Hearing Procedures	5
R380-412. Compassionate Use Board	6
R380-500. Agency Authority	8
Family Health and Preparedness, Licensing	
R432-31. Life with Dignity Order	10
PUBLIC SAFETY	
Highway Patrol	
R714-570. Mental Health Resources for First Responders Grant Funding	11
WORKFORCE SERVICES	
Employment Development	
R986-300-306. Time Limits	13
R986-700-721. Eligible Provider	15
NOTICES OF CHANGES IN PROPOSED RULES.....	17
ENVIRONMENTAL QUALITY	
Air Quality	
R307-508. Oil and Gas Industry: VOC Control Devices	18
R307-509. Oil and Gas Industry: Leak Detection and Repair Requirements	19
NOTICES OF 120-DAY (EMERGENCY) RULES.....	23
HEALTH AND HUMAN SERVICES	
Administration (Health)	
R380-300. Employee Background Screening	23
R380-411. Administrative Hearing Procedures	24
R380-412. Compassionate Use Board	25

TABLE OF CONTENTS

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION27

ENVIRONMENTAL QUALITY

 Air Quality

 R307-230. NO_x Emission Limits for Natural Gas-Fired Water Heaters27

FINANCIAL INSTITUTIONS

 Administration

 R331-5. Rule Governing Sale of Securities by Persons Issuing Securities,
 Who Are Under the Jurisdiction of the Department of Financial Institutions28

 R331-7. Rule Governing Leasing Transactions by Depository Institutions
 Subject to the Jurisdiction of the Department of Financial Institutions28

 R331-9. Rule Prescribing Rules of Procedure for Hearings Before the
 Commissioner of Financial Institutions of the State of Utah29

 R331-10. Schedule for Retention or Destruction of Records of Financial
 Institutions Under the Jurisdiction of the Department of Financial Institutions29

 R331-12. Guidelines Governing the Purchase and Sale of Loans and
 Participations in Loans by all State Chartered Financial Institutions30

 R331-22. Rule Governing Reimbursement of Costs of Financial Institutions
 for Production of Records31

HEALTH AND HUMAN SERVICES

 Administration (Health)

 R380-41. Governance Committee Electronic Meetings31

LABOR COMMISSION

 Adjudication

 R602-3. Procedure and Standards for Approval of Assignment of Benefits32

PUBLIC SERVICE COMMISSION

 Administration

 R746-310. Uniform Rules Governing Electricity Service by Electric Utilities32

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS35

EDUCATION

 Administration

 R277-120. Licensing of Material Developed with Public Education Funds35

 R277-121. Board Waiver of Administrative Rules35

 R277-514. Deaf Education in Public Schools36

NOTICES OF FIVE-YEAR EXPIRATIONS37

GOVERNOR

 Criminal and Juvenile Justice (State Commission on)

R356-3. Electronic Meetings.....37

NOTICES OF RULE EFFECTIVE DATES39

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 02, 2022, 12:00 a.m., and July 15, 2022, 11:59 p.m. are included in this, the August 01, 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 August 31, 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 November 29, 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.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R68-7	Filing ID: 54754

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	4315 S 2700 W, TSOB, South Bldg, Floor 2	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@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:
R68-7. Utah Pesticide Control Rule
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
Clarifications are needed that will improve management of the program.
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):
Clarifying language is added to make this rule easier to understand and more consistent between changes, based on feedback from program staff and suggestions from the Environmental Protection Agency. Incorrect citations are fixed. Other changes are made to make the rule text more consistent with the guidelines of the 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 clarify rule requirements but don't alter the requirements of the program. There should be no fiscal impact to the state.

B) Local governments:

Local governments are not licensed as pesticide applicators or businesses and do not manage the program so they will not be impacted by the rule changes.

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

The changes clarify rule requirements but don't alter the requirements of the program. There should be no fiscal impact to small businesses.

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

The changes clarify rule requirements but don't alter the requirements of the program. There should be no fiscal impact to 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*):

The changes clarify rule requirements but don't alter the requirements of the program. There should be no fiscal impact to other persons.

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

Compliance costs will not change because program requirements are not changing.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Utah Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved the regulatory impact analysis.			

Citation Information

6. 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 4-14-106		

Public Notice Information

8. 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:	08/31/2022
9. This rule change MAY become effective on:	09/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	07/13/2022
---	--------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Rule or Section Number:	R151-4	Filing ID:	54753

Agency Information

1. Department:	Commerce	
Agency:	Administration	
Street address:	160 E 300 S, 2nd Floor	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	Box 146701	
City, state and zip:	Salt Lake City, UT 84114-6701	
Contact persons:		
Name:	Phone:	Email:
Masuda Medcalf	801-530-7663	mmedcalf@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R151-4. Department of Commerce Administrative Procedures Act Rule
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The reason for the amendment is to update this rule to become consistent with recent legislative amendments as noted below and making clerical changes for consistency with the Utah Rulewriting Manual.
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):
Various changes have been made for consistency with the Utah Rulewriting Manual including adding real tables, removing "provision of," "purposes of," "thereof," "him or herself;" replacing "7" with "seven," "must" with "shall," "with respect to" with "as to," "where" with "if," where deemed appropriate "which" with "that," "prior to" with "before," "subsequent to" with "after," "by means of" with "by;" and otherwise clarifying and simplifying existing language.

The following changes are due to recent statutory amendments:
 1) in Subsection R151-4-201(2)(iii), removes "Occupational" from the name for the Division of Professional Licensing per S.B. 43 passed in the 2022 General Session; and changing the diversion program name to "Utah Professionals Health Program, per H.B. 285 passed in the 2020 General Session."
 2) in Subsection R151-4-901(2), removes the Regulatory Sandbox, which was repealed in H.B. 243 passed in the 2022 General Session; removes "Occupational" from the name for the Division of Professional Licensing; and changing the diversion program name to "Utah Professionals Health Program" as noted above.

Fiscal Information

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

A) State budget:

This rule does not amend fees or any revenue generation for the state and will not affect the state budget.

B) Local governments:

Local governments are typically involved in administrative proceedings before the Department of Commerce (Department) and are not impacted by this amendment.

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

This rule is procedural in nature and has no discernable impact on the costs required for a small businesses to take part in proceedings before the Department.

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

This rule is procedural in nature and has no discernable impact on the costs required for a non-small businesses to take part in proceedings before the Department.

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**):

This rule is procedural in nature and has no discernable impact on the costs required for other persons to take part in proceedings before the Department.

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

As noted in the sections above, this rule is procedural and has no discernable costs.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

6. 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 13-1-6	Subsection 63G-4-102(6)	
----------------	-------------------------	--

Public Notice Information

8. 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:	08/31/2022

9. This rule change MAY become effective on:	09/07/22
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Margaret W. Busse, Executive Director	Date:	07/13/2022
---	---------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal and Reenact		
Rule or Section Number:	R380-411	Filing ID: 54745

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	Martha Hughes Cannon Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141000	
City, state and zip:	Salt Lake City, UT 84114-1000	
Contact persons:		
Name:	Phone:	Email:
Richard Oborn	385-232-4259	roborn@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:
R380-411. Administrative Hearing Procedures
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The Department of Health and Human Services (Department) is repealing and reenacting Rule R380-411 alongside Rule R380-412, the Compassionate Use Board

rule, to ensure the administrative hearing procedures are updated for the consolidated Department.
 (EDITOR'S NOTES: A corresponding 120-day (emergency) filing for Rule R380-411 that is effective as of 07/12/2022 is under ID 54747; and the proposed repeal and reenactment of Rule R380-412 is under ID 54746 in this issue, August 1, 2022, 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):

This filing updates the administrative hearing procedures for the Center for Medical Cannabis with the consolidated Department's standards and procedures. It also amends language to adhere to the Utah Rulewriting Manual.

Fiscal Information

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

A) State budget:
 The Department does not anticipate that this rule will result in a fiscal impact to the state budget. This rule updates the administrative hearing procedures with the consolidated Department's standards and is not fiscal in nature.

B) Local governments:
 This proposed rule will not result in a fiscal impact to local governments because this rule does not establish requirements for local agencies.

C) Small businesses ("small business" means a business employing 1-49 persons):
 This proposed rule will not result in a fiscal impact to small businesses because this rule does not establish requirements for small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 This proposed rule will not result in a fiscal impact to non-small businesses because this rule does not establish requirements for 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**):
 This proposed rule will not result in a fiscal impact to persons other than small businesses, non-small businesses, state, or local government entities because this amendment does not fiscally impact the requirements for persons other than small businesses, non-small businesses, state, or local government entities.

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 associated with this rule.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

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

Section 26-1-24	Section 63G-4-102	
-----------------	-------------------	--

Public Notice Information

8. 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: 08/31/2022

9. This rule change MAY become effective on: 09/07/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/11/2022
---	----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact

Rule or Section Number: R380-412 **Filing ID:** 54746

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	Martha Hughes Cannon Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141000	
City, state and zip:	Salt Lake City, UT 84114-1000	
Contact persons:		
Name:	Phone:	Email:
Richard Oborn	385-232-4259	roborn@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:

R380-412. Compassionate Use Board

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

The Department of Health and Human Services (Department) is repealing and reenacting Rule R380-412 alongside Rule R380-411, to ensure the administrative hearing procedures are updated for the consolidated Department.
 (EDITOR'S NOTES: A corresponding 120-day (emergency) filing for Rule R380-412 that is effective as of 07/12/2022 is under ID 54748; and the proposed repeal and reenactment of Rule R380-411 is under ID 54745 in this issue, August 1, 2022, 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):

This repeal and reenact updates the administrative hearing procedures for the Center for Medical Cannabis Compassionate Use Board with the consolidated Department's standards and procedures. It also amends language to adhere to the Utah Rulewriting Manual.

Fiscal Information

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

A) State budget:

The Department does not anticipate that this rule will result in a fiscal impact to the state budget. This rule updates the administrative hearing procedures with the consolidated Department's standards and is not fiscal in nature.

B) Local governments:

This proposed rule will not result in a fiscal impact to local governments because this rule does not establish requirements for local agencies.

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

This proposed rule will not result in a fiscal impact to small businesses because this rule does not establish requirements for small businesses.

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

This proposed rule will not result in a fiscal impact to non-small businesses because this rule does not establish requirements for 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**):

This proposed rule will not result in a fiscal impact to persons other than small businesses, non-small businesses, state, or local government entities because this amendment does not fiscally impact the requirements for persons other than small businesses, non-small businesses, state, or local government entities.

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 associated with this rule.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

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

Section 26-1-24	Section 63G-4-102	
-----------------	-------------------	--

Public Notice Information

8. 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:	08/31/2022
--	------------

9. This rule change MAY become effective on:	09/07/2022
---	------------

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/11/2022
---	----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New		
Rule or Section Number:	R380-500	Filing ID: 54732

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
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:
R380-500. Agency Authority

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

This rule clarifies the rule authority for the Department of Health and Human Services (Department).

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 clarifies that the Department of Health and Human Services shall have the authority for all rules made effective under Title 26B, Department of Health and Human Services Code; Title 26, Utah Health Code; and Title 62A, Utah Human Services Code.
(EDITOR'S NOTES: A corresponding 120-day (emergency) filing for Rule R380-500 that is effective as of 07/01/2022 is under ID 54733 in the July 15, 2022, issue of the Bulletin.)

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 associated with this rule. This rule is the result of the consolidation of the Department and is technical in nature.

B) Local governments:
There are no anticipated costs or savings for local government agencies associated with this rule. This rule is the result of the consolidation of the Department and is technical in nature.

C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings for small businesses associated with this rule. This rule is the result of the consolidation of the Department and is technical in nature.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no anticipated costs or savings for non-small businesses associated with this rule. This rule is the result of the consolidation of the Department and is technical in nature.

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 for persons other than small businesses, non-small businesses, state, or

local government entities, associated with this rule. This rule is the result of the consolidation of the Department and is technical 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 associated with this rule.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

Citation Information

6. 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 26B-1-103	Section 26B-1-1202	
-------------------	--------------------	--

Public Notice Information

8. 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: 08/31/2022

9. This rule change MAY become effective on: 09/07/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/01/2022
---	----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Rule or Section Number:	R432-31	Filing ID:	54759
--------------------------------	---------	-------------------	-------

Agency Information

1. Department:	Health and Human Services		
Agency:	Family Health and Preparedness, Licensing		
Room number:	1st Floor		
Building:	Multi-Agency State Office Bldg.		
Street address:	195 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 144103		
City, state and zip:	Salt Lake City, UT 84114-4103		
Contact persons:			
Name:	Phone:	Email:	
Erica Pryor	801-273-2994	ericapryor@utah.gov	

Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R432-31. Life with Dignity Order
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
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 revisions include more specific language consistent with the Utah Rulewriting Manual standards.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys. No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. There are no substantive changes being made regarding the fiscal impact of this rule.
B) Local governments:
Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. The Provider Order for Life Sustaining Treatment (POLST) Standards are regulated by the Department of Health and Human Services and not local governments. There will be no change in local business licensing or any other items with which local government is involved. There are no substantive changes being made regarding the fiscal impact of this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting

Manual standards. There are no substantive changes being made regarding the fiscal impact of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. There are no substantive changes being made regarding the fiscal impact of this rule.

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**):

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. There are no substantive changes being made regarding the fiscal impact of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. There are no substantive changes being made regarding the fiscal impact of this rule.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Title 26, Chapter 21		
-------------------------	--	--

Public Notice Information

8. 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:	08/31/2022
--	------------

9. This rule change MAY become effective on:	09/07/2022
---	------------

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/12/2022
---	-------------------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: New		
Rule or Section Number:	R714-570	Filing ID: 54742

Agency Information

1. Department:	Public Safety	
Agency:	Highway Patrol	
Building:	Calvin Rampton Complex	
Street address:	4501 S 2700 W	
City, state and zip:	Salt Lake City, UT 84119-5994	
Mailing address:	PO Box 141100	
City, state and zip:	Salt Lake City, UT 84114-1100	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov

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

General Information

2. Rule or section catchline:
R714-570. Mental Health Resources for First Responders Grant Funding

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

This rule is required as a result of the passage of H.B. 23 during the 2022 General Session, and is authorized by Section 53-21-103.

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 creates a program to assist first responder agencies through monetary grants using one-time funding appropriated by the legislature during the 2022 General Session. This rule establishes the Mental Health Resources for First Responders Grant Funding Committee to assist the Department of Public Safety in awarding funds to first responder agencies, criteria for first responder agencies to apply for grant funding, criteria for awarding grant funding to first responder agencies, parameters for mental health resources to be provided to retirees of first responder agencies, and requirements to ensure accountability for funding provided to first responder agencies.

Fiscal Information

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

A) State budget:
The Utah Highway Patrol (UHP) anticipates a cost to the state budget of \$5,000,000. The Utah Legislature

appropriated one-time funding in the amount of \$5,000,000 to provide grant funding for first responder agencies to either establish a new program, or enhance an existing program, to provide mental health resources to first responders employed by the agencies.

B) Local governments:

UHP anticipates a cost savings of \$5,000,000 to local governments. Local first responder agencies will have the ability to apply for grant funding from the \$5,000,000 appropriation in order to establish a new program, or enhance and existing program, to provide mental health resources to first responders employed by the agencies. Local law enforcement entities will apply for grant funding, and once approved, will be awarded grant funding. Those agencies awarded grant funding will see an inestimable fiscal benefit. In addition, this rule sets parameters for mental health resources to be provided to retirees of first responder agencies for a period of three years, which could result in an inestimable fiscal impact to local first responder agencies.

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

In Utah, it is estimated that there are 162 small business out-patient mental health centers (NAICS 621420), 138 small business offices of mental health physicians (NAICS 621112), 455 small business offices of mental health practitioners (NAICS 621330), and 1647 small business offices of physicians, ex. mental health (NAICS 621111). It is not clear which of these businesses might be qualified to provide mental health services to first responders in compliance with the requirements under Section 53-21-103.

First responder agencies applying for grant funding will be required to submit a request for proposal, request for qualifications or program description that meets the statutory criteria under Subsection 53-21-103(2) for consideration prior to grant funding being awarded. Through this process it will be determined which of these small businesses would meet the statutory criteria to provide required services. Those small businesses that meet statutory criteria and enter into a contract with a first responder agency to provide the required services could potentially see an inestimable fiscal benefit.

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

In Utah, it is estimated that there are 7 non-small business out-patient mental health centers (NAICS 621420), 1 non-small business offices of mental health physicians (NAICS 621112), 2 non-small business offices of mental health practitioners (NAICS 621330), and 104 non-small business offices of physicians, ex. mental health (NAICS 621111).

First responder agencies applying for grant funding will be required to submit a request for proposal, request for

qualifications or program description that meets the statutory criteria under Subsection 53-21-103(2) for consideration prior to grant funding being awarded. Through this process it will be determined which of these non-small businesses would meet the statutory criteria to provide required services. Those small businesses that meet statutory criteria and enter into a contract with a first responder agency to provide the required services could potentially see an inestimable fiscal benefit.

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**):

First responders who retire from a first responder agency or separate employment as a result of a critical incident will be entitled to mental health resources provided by the first responder agency for a period of three years. This could result in a fiscal benefit to a person who retires or separates employment and seeks mental health resources from the first responder agency with whom they were previously employed.

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

There are no compliance costs for affected persons because this rule identifies the process for first responder agency to seek grant funding to provide mental health resources to first responders employed by the agencies and establishes parameters for mental health resources to be provided to retirees of first responder agencies.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this fiscal analysis.

Citation Information

6. 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 53-21-103

Public Notice Information

8. 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: 08/31/2022

9. This rule change MAY become effective on: 09/07/2022
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title: Mike Rapich, Colonel UHP
Date: 07/08/2022

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R986-300-306	Filing ID: 54728

Agency Information

1. Department:	Workforce Services	
Agency:	Employment Development	
Building:	Olene Walker Building	
Street address:	140 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 45244	
City, state and zip:	Salt Lake City, UT 84145-0244	
Contact persons:		
Name:	Phone:	Email:
Amanda B. McPeck	801-526-9653	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline: R986-300-306. Time Limits
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?): This amendment adopts language to reflect changes adopted by the federal Office of Refugee Resettlement (ORR).
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 changes clarify the date of eligibility for assistance in certain circumstances; and add language addressing Refugee Resettlement Program (RRP) assistance eligibility of Afghan and Ukrainian parolees and refugees due to changes in federal law and policy.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget: This rule amendment is not expected to have any fiscal impact on state revenues or expenditures. There are no additional state employees or resources needed to oversee the new subsections. This new subsection will not increase workload and can be carried out with existing budget. Any costs will be paid with funds granted to the state through the Federal ORR.

B) Local governments:
This rule amendment is not expected to have any fiscal impact on local governments' revenues or expenditures because the program is federally-funded and does not rely on local governments for funding, administration, or enforcement.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule amendment is expected to have an indirect fiscal benefit for small businesses because covered individuals will be able to receive RRP assistance, thereby increasing the individuals' ability to purchase goods and services from small businesses. The indirect benefit is not calculable, but it presumed to be a portion of the benefits to other persons as shown in the Regulatory Impact Table below.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule amendment is expected to have an indirect fiscal benefit for non-small businesses because covered individuals will be able to receive RRP financial assistance, thereby increasing the individuals' ability to purchase goods and services from non-small businesses. The indirect benefit is not calculable, but it presumed to be a portion of the benefits to other persons as shown in the Regulatory Impact Table below.
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):
Based on information provided by the U.S. State Department, the Department of Workforce Services (Department) estimates that approximately 64 Ukrainian refugees will be eligible for assistance in fiscal year 2023, with 21 eligible in fiscal year 2024. The average amount of assistance provided is estimated to be \$192 per month, based on the Department's recent experience. In 2023, the monthly amount of assistance is estimated to be \$12,288, and the 2024 estimate is \$4,032 per month. The Department therefore estimates the total amount provided to refugees to be \$147,456 in FY2023 and \$48,384.00 in FY2024.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
This rule amendment is not expected to cause any compliance costs for affected persons because this new section does not create any new administrative fees.
G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$147,436	\$48,384	\$0
Total Fiscal Benefits	\$147,436	\$48,384	\$0
Net Fiscal Benefits	\$147,436	\$48,384	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. 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 35A-3-103	45 CFR 400.65 through 400.68	

Public Notice Information

8. 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:	08/31/2022

9. This rule change MAY become effective on:	09/07/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Casey Cameron, Executive Director	Date:	06/30/2022
---	-----------------------------------	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R986-700-721	Filing ID: 54749

Agency Information

1. Department:	Workforce Services	
Agency:	Employment Development	
Building:	Olene Walker Building	
Street address:	140 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 45244	
City, state and zip:	Salt Lake City, UT 84145-0244	
Contact persons:		
Name:	Phone:	Email:
Amanda B. McPeck	801-526-9653	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R986-700-721. Eligible Provider
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The change makes commercial preschools eligible to participate in the child care subsidy program.
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 changes provide that commercial preschools are eligible to participate in the child care subsidy program, and clarifies which child care centers are eligible.

Fiscal Information

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

A) State budget:

This rule amendment is not expected to have any fiscal impact on state revenues or expenditures. There are no additional state employees or resources needed due to the changes. The changes will not increase workload and can be carried out with existing budget. Any costs will be paid with funds granted to the state by federal funds.

B) Local governments:

This rule amendment is not expected to have any fiscal impact on local governments' revenues or expenditures because the program is federally-funded and does not rely on local governments for funding, administration, or enforcement.

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

This rule amendment is expected to have an indirect fiscal benefit for small businesses because assistance for preschool enrollment will enable more individuals to work and purchase goods and services. Most, if not all preschools are small businesses, who may receive an indirect benefit because more families will be able to afford preschool if they receive a subsidy and thus use a preschool's services. The indirect benefit is not calculable, but it presumed to be a portion of the benefits to other persons as shown in the Regulatory Impact Table below. There are no compliance costs for small businesses.

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

This rule amendment is expected to have an indirect fiscal benefit for non-small businesses because assistance for preschool enrollment will enable more individuals to work and purchase goods and services. Preschools that are non-small businesses may receive an indirect benefit because more families will be able to afford preschool if they receive a subsidy and thus use a preschool's services. The indirect benefit is not calculable, but it presumed to be a portion of the benefits to other persons as shown in the Regulatory Impact Table below. There are no compliance costs for 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):

Based on the best available information, the Department of Workforce Services (Department) estimates that an additional 127 children per year will be able to receive subsidy payments if this rule amendment is enacted. The average subsidy payment is estimated to be \$339 per month per child, based on the Department's recent payments. The total subsidy is therefore estimated to be

NOTICES OF PROPOSED RULES

\$43,053 per month, or \$516,636 annually. Subsidy payments are made using funds granted to the state by federal funds.

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

This rule amendment is not expected to cause any compliance costs for affected persons because this new subsection does not create any new administrative fees.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$516,636	\$516,636	\$516,636

Total Fiscal Benefits	\$516,636	\$516,636	\$516,636
Net Fiscal Benefits	\$516,636	\$516,636	\$516,636

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

This rule amendment provides financial assistance to parents seeking child care from commercial preschools in the form of child care subsidy payments. The funding for child care subsidy payments is provided through federal funding. Assistance for child care means that parents are more available to work, providing reliable employees for businesses. The Executive Director of the Department of Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

Citation Information

6. 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 35A-3-203	Section 35A-3-310	
-------------------	-------------------	--

Public Notice Information

8. 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:	08/31/2022
--	------------

9. This rule change MAY become effective on:	09/07/2022
---	------------

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Casey Cameron, Executive Director	Date:	07/12/2022
---	-----------------------------------	--------------	------------

End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a **PROPOSED RULE** in the *Utah State Bulletin*, it may receive comment that requires the **PROPOSED RULE** to be altered before it goes into effect. A **CHANGE IN PROPOSED RULE** allows an agency to respond to comments it receives.

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends August 31, 2022.

From the end of the 30-day waiting period through November 29, 2022, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Rule or Section Number:	R307-508	Filing ID: 54500
Date of Previous Publication:	05/01/2022	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov
Sheila Vance	801-518-3132	svance@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R307-508. Oil and Gas Industry: VOC Control Devices
3. Reason for this change (Why is the agency submitting this filing?):
The Division of Air Quality is responding to comments received during the public comment period.
4. Summary of this change (What does this filing do?):
Compliance date clarification for sources that have an Approval Order. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the May 1, 2022, issue of the Utah State Bulletin, on page 85. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

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

A) State budget:

These changes are not expected to have a fiscal impact on the state budget beyond those of the original amendment. They provide clarification, but do not add any additional burdens.

B) Local government:

These changes are not expected to have any fiscal impact on local governments because this rule is not applicable to them.

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

These changes are not expected to have a fiscal impact on small businesses beyond those of the original amendment. They provide clarification, but do not add any additional burdens.

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

These changes are not expected to have a fiscal impact on non-small businesses beyond those of the original amendment. They provide clarification, but do not add any additional burdens.

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

These changes are not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities because the proposed changes apply only to business operating in the gas and oil industry.

F) Compliance costs for affected persons:

Compliance costs for affected persons will not be impacted by these changes.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Environmental Quality, Kim Shelley, has reviewed and approved this fiscal analysis.			

Citation Information

6. 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 19-2-104		

Public Notice Information

8. 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:	No formal comment period
9. This rule change MAY become effective on:	08/31/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director	Date:	07/06/2022
---	-------------------------	--------------	------------

NOTICE OF CHANGE IN PROPOSED RULE

Rule or Section Number:	R307-509	Filing ID:	54501
Date of Previous Publication:	05/01/2022		

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov
Sheila Vance	801-518-3132	svance@utah.gov

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

General Information

2. Rule or section catchline:
R307-509. Oil and Gas Industry: Leak Detection and Repair Requirements
3. Reason for this change (Why is the agency submitting this filing?):
The Division of Air Quality is responding to comments received during the public comment period.
4. Summary of this change (What does this filing do?):
These changes remove the proposed requirement to perform leak detection and repair (LDAR) inspections in

specific months in Duchesne and Uintah counties and the requirement to perform a LDAR inspection after a temporary shut in of a well. They also clarify the applicability of this rule to facilities with an Approval Order. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the May 1, 2022, issue of the Utah State Bulletin, on page 87. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

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

A) State budget:

There may be a fiscal savings due to the removal of the LDAR inspection requirements, but the exact amount is inestimable since the original requirements were never effective.

B) Local government:

These changes are not expected to have any fiscal impact on local governments because this rule is not applicable to them.

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

There may be a fiscal savings due to the removal of the LDAR inspection requirements, but the exact amount is inestimable since the original requirements were never effective.

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

There may be a fiscal savings due to the removal of the LDAR inspection requirements, but the exact amount is inestimable since the original requirements were never effective.

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

These changes are not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities because the proposed changes apply only to business operating in the gas and oil industry.

F) Compliance costs for affected persons:

Compliance costs for affected persons may be reduced due to the removal of the LDAR inspection requirements, but the exact amount is inestimable since the original requirements were never effective.

G) 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	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Kim Shelley, has reviewed and approved this fiscal analysis.

Citation Information

6. 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 19-2-104

Public Notice Information

8. 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: No formal comment period

9. This rule change MAY become effective on: 08/31/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director	Date:	07/06/2022
---	----------------------------	--------------	------------

End of the Notices of Changes in Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE		
Rule or Section Number:	R380-300	Filing ID: 54752
Effective Date:	07/13/2022	

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Carmen Richins	801-273-2802	carmenrichins@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R380-300. Employee Background Screening

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The reason for the filing is to consolidate the Department of Health and the Department of Human Services employee background screening rules into one overarching rule.
4. Summary of the new rule or change (What does this filing do?):
This filing repeals and reenacts the employee background screening rule for the consolidated Department of Health and Human Services (Department).
5A) The agency finds that regular rulemaking would:
<input type="checkbox"/> cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/> cause an imminent budget reduction because of budget restraints or federal requirements; or
<input checked="" type="checkbox"/> place the agency in violation of federal or state law.
B) Specific reasons and justifications for this finding:
In compliance with S.B. 45 passed in the 2022 General Session, the Department is officially consolidated beginning 07/01/2022 and the rule applying to employees of the Department needs to be enacted and in effect immediately as required by Section 26B-1-211, while the budgetary items are worked out for the regular proposed rule filing in September 2022.

Fiscal Information

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

A) State budget:

There are no anticipated costs or savings because the changes reflected in this emergency rule filing will not substantively impact the process. This emergency rule is a result of the Department's consolidation, this rule consolidates the employee background screening process. Any remaining budgetary items will be coordinated with the regular proposed rule filing in September 2022.

B) Local governments:

There will be no aggregate cost or savings to local governments as a result of this rule enactment. These changes will not substantively impact existing operations.

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

There will be no aggregate cost or savings to small businesses as a result of this rule enactment. These changes will not substantively impact existing operations.

D) Persons other than 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 will be no aggregate cost or savings to persons other than small businesses as a result of this rule enactment. These changes will not substantively impact existing operations.

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

No compliance costs are associated with this filing. These changes will not substantively impact existing operations.

F) 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

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 26B-1-211

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/13/2022
---	----------------------------------	--------------	------------

NOTICE OF EMERGENCY (120-DAY) RULE

Rule or Section Number:	R380-411	Filing ID:	54747
Effective Date:	07/12/2022		

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	Martha Hughes Cannon Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 14100	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Richard Oborn	385-232-4259	roborn@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:
R380-411. Administrative Hearing Procedures

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

The Department of Health and Human Services (Department) is filing emergency rules for Rules R380-411 and R380-412, the Compassionate Use Board rule, to ensure the administrative hearing procedures are in place for the consolidated Department.

4. Summary of the new rule or change (What does this filing do?):

This filing updates the administrative hearing procedures for the Center for Medical Cannabis with the consolidated Department's standards and procedures.
(EDITOR'S NOTES: The 120-day (emergency) filing for Rule R380-412 is under ID 54748; and a corresponding proposed repeal and reenactment of Rule R380-411 is

under ID 54745 in this issue, August 1, 2022, of the Bulletin.)

5A) The agency finds that regular rulemaking would:

- X cause an imminent peril to the public health, safety, or welfare;
- cause an imminent budget reduction because of budget restraints or federal requirements; or
- place the agency in violation of federal or state law.

B) Specific reasons and justifications for this finding:

This filing is to ensure that adjudicative proceedings are in place for the consolidated Department. The Department is filing an emergency rule.

Fiscal Information

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

A) State budget:

The Department does not anticipate that this rule will result in a fiscal impact to the state budget. This filing updates the administrative hearing procedures with the consolidated Department's standards and is not fiscal in nature.

B) Local governments:

This repeal and reenactment will not result in a fiscal impact to local governments because this rule does not establish requirements for local agencies.

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

This repeal and reenactment will not result in a fiscal impact to small businesses because this rule does not establish requirements for small businesses.

D) Persons other than 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**):

This repeal and reenactment will not result in a fiscal impact to persons other than small businesses, non-small businesses, state, or local government entities because this amendment does not fiscally impact the requirements for persons other than small businesses, non-small businesses, state, or local government entities.

E) 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 associated with this emergency rule filing.

F) 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

Citation Information

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

Section 26-1-24	Section 63G-4-102	
-----------------	-------------------	--

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/11/2022
---	----------------------------------	--------------	------------

NOTICE OF EMERGENCY (120-DAY) RULE

Rule or Section Number:	R380-412	Filing ID: 54748
Effective Date:	07/12/2022	

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	Martha Hughes Cannon Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 14100	
City, state and zip:	Salt Lake City, UT 84116	

Contact persons:

Name:	Phone:	Email:
Richard Oborn	385-232-4259	roborn@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:
R380-412. Compassionate Use Board
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

NOTICES OF 120-DAY (EMERGENCY) RULES

The Department of Health and Human Services (Department) is filing emergency rules for Rules R380-411 and R380-412, the Compassionate Use Board rule, to ensure the administrative hearing procedures are in place for the consolidated Department.

4. Summary of the new rule or change (What does this filing do?):

This filing updates the administrative hearing procedures for the Center for Medical Cannabis with the consolidated Department's standards and procedures.
(EDITOR'S NOTES: The 120-day (emergency) filing for Rule R380-411 is under ID 54747; and a corresponding proposed repeal and reenactment of Rule R380-412 is under ID 54746 in this issue, August 1, 2022, of the Bulletin.)

5A) The agency finds that regular rulemaking would:

- cause an imminent peril to the public health, safety, or welfare;
- cause an imminent budget reduction because of budget restraints or federal requirements; or
- place the agency in violation of federal or state law.

B) Specific reasons and justifications for this finding:

This filing is to ensure that adjudicative proceedings are in place for the consolidated Department. The Department is filing an emergency rule.

Fiscal Information

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

A) State budget:

The Department does not anticipate that this rule will result in a fiscal impact to the state budget. This filing updates the administrative hearing procedures with the consolidated Department's standards and is not fiscal in nature.

B) Local governments:

This repeal and reenactment will not result in a fiscal impact to local governments because this rule does not establish requirements for local agencies.

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

This repeal and reenactment will not result in a fiscal impact to small businesses because this rule does not establish requirements for small businesses.

D) Persons other than 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**):

This repeal and reenactment will not result in a fiscal impact to persons other than small businesses, non-small businesses, state, or local government entities because this amendment does not fiscally impact the requirements for persons other than small businesses, non-small businesses, state, or local government entities.

E) 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 associated with this emergency rule filing.

F) 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

Citation Information

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

Section 26-1-24	Section 63G-4-102	
-----------------	-------------------	--

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/11/2022
---	----------------------------------	--------------	------------

End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at 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

Rule Number:	R307-230	Filing ID: 50606
Effective Date:	07/12/2022	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

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

General Information

2. Rule catchline:	R307-230. NO _x Emission Limits for Natural Gas-Fired Water Heaters
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 the Section 15A-6-102 of the Utah Code, which prohibits the sale or installation of natural gas water heaters that do not meet the criteria in the statute for controlling NO_x emissions.

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

No written comments have been received regarding 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 Clean Air Act requires the state of Utah to establish, maintain, and enforce rules to meet air quality health standards through the State Implementation Plan (SIP). This rule is required as part of the PM_{2.5} SIP to reduce NO_x, which is a precursor pollutant to PM_{2.5}. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director	Date: 07/06/2022
---	-------------------------	-------------------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-5	Filing ID: 50797
Effective Date:	07/13/2022	

Agency Information

1. Department:	Financial Institutions	
Agency:	Administration	
Room number:	201	
Street address:	324 S State St	
City, state and zip:	Salt Lake City, UT 84111-2393	
Mailing address:	PO Box 146800	
City, state and zip:	Salt Lake City, UT 84114-6800	
Contact persons:		
Name:	Phone:	Email:
Paul Allred	801-538-8855	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R331-5. Rule Governing Sale of Securities by Persons Issuing Securities, Who Are Under the Jurisdiction of the Department of Financial Institutions
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 7-1-503 authorizes the Commissioner of Financial Institutions (Department) to regulate the sale by financial institutions of securities including the solicitation of deposit accounts which is restricted. Subsection 7-1-301(13) allows the Commissioner to regulate the issuance, advertising, offer for sale, and sale of a security to the extent authorized by Section 7-1-503.
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 supporting or opposing written comments have been received by the agency concerning 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 because it covers registration with the Department, offering circular requirements, securities sale report, limitations on resale of "restricted securities", remuneration paid for solicitation or for sales, manipulative and deceptive devices, waivers, and penalties for violation. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	07/13/2022
---	----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-7	Filing ID:	50796
Effective Date:	07/13/2022		

Agency Information

1. Department:	Financial Institutions	
Agency:	Administration	
Room number:	201	
Street address:	324 S State St	
City, state and zip:	Salt Lake City, UT 84111-2393	
Mailing address:	PO Box 146800	
City, state and zip:	Salt Lake City, UT 84114-6800	
Contact persons:		
Name:	Phone:	Email:
Paul Allred	801-538-8855	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R331-7. Rule Governing Leasing Transactions by Depository Institutions Subject to the Jurisdiction of the Department of Financial Institutions
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 7-1-501 lists the persons and institutions subject to the jurisdiction of the Department of Financial Institutions (Department), and those under the jurisdiction of the Department who must comply with supervision and examination including, as the rule states, "acceptable employment of deposits and other funds involved in leasing or leasing transactions."
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 supporting or opposing written comments have been received by the agency concerning 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 clearly defines acceptable leases and leasing transactions, residual dependence restrictions, salvage powers, sales-type capital lease restrictions, saleleaseback restrictions, leveraged lease restrictions, and account requirements. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	07/13/2022
---	----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-9	Filing ID:	50798
Effective Date:	07/13/2022		

Agency Information

1. Department:	Financial Institutions		
Agency:	Administration		
Room number:	201		
Street address:	324 S State St		
City, state and zip:	Salt Lake City, UT 84111-2393		
Mailing address:	PO Box 146800		
City, state and zip:	Salt Lake City, UT 84114-6800		
Contact persons:			
Name:	Phone:	Email:	
Paul Allred	801-538-8855	pallred@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule catchline:
R331-9. Rule Prescribing Rules of Procedure for Hearings Before the Commissioner of Financial Institutions of the State of Utah
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 7-1-309 expressly authorizes the Commissioner of Financial Institutions (Department) to conduct hearings relating to matters within his supervisory jurisdiction.

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 supporting or opposing written comments have been received by the agency concerning 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:

Section 7-1-301 affords the Commissioner the functions, powers, duties, and responsibilities with respect to institutions, persons, or businesses subject to the jurisdiction of the department. This rule lists the types of hearings the Commissioner may call in connection with any matter pending before the Department and how those hearings should commence. It also covers confidential proceedings, pleadings, discovery, and subpoenas. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	07/13/2022
---	----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-10	Filing ID:	50810
Effective Date:	07/13/2022		

Agency Information

1. Department:	Financial Institutions		
Agency:	Administration		
Room number:	201		
Street address:	324 S State St		
City, state and zip:	Salt Lake City, UT 84111-2393		
Mailing address:	PO Box 146800		
City, state and zip:	Salt Lake City, UT 84114-6800		
Contact persons:			
Name:	Phone:	Email:	
Paul Allred	801-538-8855	pallred@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule catchline:
R331-10. Schedule for Retention or Destruction of Records of Financial Institutions Under the Jurisdiction of the Department of Financial Institutions

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 7-1-301(7) authorizes the Commissioner to adopt rules for the retention and destruction of financial institution records under the Department of Financial Institution's (Department) jurisdiction that are consistent with federal laws and regulations.
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 supporting or opposing written comments have been received since the last notice of continuation.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
No other state rule establishes the schedule of retention and destruction of records for financial institutions under the Department's jurisdiction. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	07/13/2022
---	----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R331-12	Filing ID: 50800
Effective Date:	07/13/2022	

Agency Information

1. Department:	Financial Institutions	
Agency:	Administration	
Room number:	201	
Street address:	324 S State St	
City, state and zip:	Salt Lake City, UT 84111-2393	
Mailing address:	PO Box 146800	
City, state and zip:	Salt Lake City, UT 84114-6800	
Contact persons:		
Name:	Phone:	Email:
Paul Allred	801-538-8855	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R331-12. Guidelines Governing the Purchase and Sale of Loans and Participations in Loans by all State Chartered Financial Institutions
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 7-1-301 authorizes the Commissioner to establish guidelines for the purchase and sale of loans and participations in loans by state-chartered financial institutions.
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 supporting or opposing written comments have been received since the last notice of continuation.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
No other state rule establishes the guidelines for the purchase and sale of loans and participations in loans by state-chartered financial institutions. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	07/13/2022
---	----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R331-22	Filing ID: 50809
Effective Date:	07/13/2022	

Agency Information

1. Department:	Financial Institutions	
Agency:	Administration	
Room number:	201	
Street address:	324 S State St	
City, state and zip:	Salt Lake City, UT 84111-2393	
Mailing address:	PO Box 146800	
City, state and zip:	Salt Lake City, UT 84114-6800	

Contact persons:		
Name:	Phone:	Email:
Paul Allred	801-538-8855	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R331-22. Rule Governing Reimbursement of Costs of Financial Institutions for Production of Records

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 7-1-301(6) and Section 7-1-1004 expressly authorize the Commissioner of Financial Institutions to promulgate rules establishing rates and conditions under which financial institutions that supply information to requesting agencies may seek reimbursement of costs.

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 supporting or opposing written comments have been received since the last notice of continuation.

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

No other rule establishes cost-reimbursement guidelines for financial institutions that provide information to requesting agencies. Section 7-1-1004 requires the Commissioner to have a rule establishing the cost-reimbursement guidelines. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	07/13/2022
---	----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R380-41	Filing ID:	50876
Effective Date:	07/08/2022		

Agency Information

1. Department:	Health and Human Services
Agency:	Administration (Health)

Building:	MASOB
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116

Contact persons:		
Name:	Phone:	Email:
Jonah Shaw	385-310-2389	jshaw@utah.gov
Heather Borski	801-538-9998	hborski@utah.gov

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

General Information

2. Rule catchline:
R380-41. Governance Committee Electronic Meetings

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

This rule is authorized by Section 52-4-207 and Title 63G, Chapter 3, the Utah Administrative Rulemaking Act. Section 26-1-5 and Subsection 26-1-4(2) are outdated due to the Department of Health and Human Services' (Department) consolidation and will be addressed in a subsequent nonsubstantive change.

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

No written comments have been received.

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

Section 52-4-207 requires a state public body that holds electronic meeting to have a rule governing the use of electronic meetings. This rule establishes procedures for conducting electronic meetings by the Governance Committee. It will require at least a nonsubstantive change as a part of the Department consolidation. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/08/2022
---	----------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R602-3	Filing ID: 51482
Effective Date:	07/06/2022	

Agency Information

1. Department:	Labor Commission	
Agency:	Adjudication	
Room number:	3rd Floor	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146600	
City, state and zip:	Salt Lake City, UT 84114-6600	
Contact persons:		
Name:	Phone:	Email:
Aurora Holley	801-530-6865	auroraholley@utah.gov
Chris Hill	801-530-6113	chill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R602-3. Procedure and Standards for Approval of Assignment of Benefits
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 34A-1-104 authorizes the Labor Commission (Commission) to adopt rules and conduct adjudicative proceedings to resolve workers' compensation and occupational disease claims. Sections 34A-1-104 and 34A-2-802 also authorize the Commission to adopt rules to carry out those adjudicative functions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received 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:

As part of the Commission's continuing responsibility to administer a system for adjudication of workers' compensation and occupational disease claims, it is necessary for the Commission to establish procedures for pleadings and discovery, standards for use and compensation of medical panels, as well as standards for evaluating settlement agreements. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jaceson R. Maughan, Director	Date:	07/06/2022
---	------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
--	--	--

Rule Number:	R746-310	Filing ID: 51957
Effective Date:	07/15/2022	

Agency Information

1. Department:	Public Service Commission	
Agency:	Administration	
Building:	Heber M Wells Building	
Street address:	160 E 300 S, 4th Floor	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 4558	
City, state and zip:	Salt Lake City, UT 84114-4558	
Contact persons:		
Name:	Phone:	Email:
Michael Hammer	801-530-6729	michaelhammer@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R746-310. Uniform Rules Governing Electricity Service by Electric Utilities
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Sections 54-3-1, 54-3-7, and 54-4-1 vests the Public Service Commission (PSC) with jurisdiction over public utilities and tasks the PSC with ensuring public utilities provide adequate service and charge just and reasonable rates stemming from PSC-approved tariffs that are on file with the PSC. The PSC is also statutorily (Sections 54-4-8 and 54-4-14) charged with ensuring public utilities maintain

and develop infrastructure to ensure adequate service and that they do so in a manner consistent with public safety. Finally, Section 54-4-23 charges the PSC with ensuring public utilities maintain accounts and records sufficient to fulfill these statutory mandates.

Rule R746-310 is authorized under these statutory provisions and is necessary to fulfill these duties with respect to public utilities that provide electric service.

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 PSC has received no comments from interested persons supporting or opposing 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:

Rule R746-310 is necessary to facilitate the PSC's fulfillment of its statutory responsibilities, enumerated in responses in Box 3 above, with respect to public utilities that provide electric service. This rule establishes technical and other parameters for utility infrastructure that serve to ensure safe and adequate service and adopts industry-standard accounting and record-keeping requirements necessary to establish just and reasonable rates. This rule also implements processes to ensure customers are charged only for electricity they actually consume and provides an administrative mechanism for customers to seek redress for alleged overbilling. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Thad LeVar, PSC Chair	Date:	07/15/2022
---	--------------------------	--------------	------------

End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR REVIEW EXTENSION (EXTENSION)** with the Office of Administrative Rules. The **EXTENSION** permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed **EXTENSIONS** for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date.

EXTENSIONS are governed by Subsection 63G-3-305(6).

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Rule Number:	R277-120	Filing ID: 53396
New Date:	Deadline	12/05/2022

Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state and zip:	Salt Lake City, UT 84114-4200	
Contact persons:		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-120. Licensing of Material Developed with Public Education Funds
3. Reason for requesting the extension:
The Utah State Board of Education (USBE) will be presenting this rule for review and approval during their 08/04/2022 general meeting. An extension is needed in order to have adequate time to file possible additional amendments that may be approved by the USBE before this rule is due to expire.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	07/12/2022
---	--	--------------	------------

NOTICE OF FIVE-YEAR REVIEW EXTENSION

Rule Number:	R277-121	Filing ID: 52556
New Date:	Deadline	12/05/2022

Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state and zip:	Salt Lake City, UT 84114-4200	
Contact persons:		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-121. Board Waiver of Administrative Rules

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

3. Reason for requesting the extension:
The Utah State Board of Education (USBE) will be presenting this rule for review and approval during their 08/04/2022 general meeting. An extension is needed in order to have adequate time to file possible additional amendments that may be approved by the USBE before this rule is due to expire.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	07/12/2022
---	---	--------------	------------

NOTICE OF FIVE-YEAR REVIEW EXTENSION			
Rule Number:	R277-514	Filing ID: 50483	
New Date:	Deadline	12/05/2022	

Agency Information

1. Department:	Education
Agency:	Administration
Building:	Board of Education
Street address:	250 E 500 S
City, state and zip:	Salt Lake City, UT 84111
Mailing address:	PO Box 144200

City, state and zip:	Salt Lake City, UT 84114-4200	
Contact persons:		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-514. Deaf Education in Public Schools
3. Reason for requesting the extension:
The Utah State Board of Education (USBE) will be presenting this rule for review and approval during their 08/04/2022 general meeting. An extension is needed in order to have adequate time to file possible additional amendments that may be approved by the USBE before this rule is due to expire.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	07/12/2022
---	---	--------------	------------

End of the Notices of Five-Year Review Extensions Section

NOTICES OF FIVE-YEAR EXPIRATIONS

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).

NOTICE OF EXPIRED RULE		
Rule Number:	R356-3	Filing ID: 50852
Effective Date:	07/12/2022	

Agency Information

1. Department:	Governor
Agency:	Criminal and Juvenile Justice (State Commission on)
Room number:	330
Building:	Senate Building
Street address:	Utah State Capitol Complex
City, state and zip:	Salt Lake City, UT 84114-2330
Contact persons:	

Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

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

General Information

2. Rule catchline:
R356-3. Electronic Meetings
3. Summary:
The five-year review and notice of continuation was not filed for this rule by the deadline. 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

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

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

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

Agriculture and Food

Animal Industry

No. 54641 (Amendment) R58-7: Livestock Markets, Satellite Video Livestock Auction Market, Livestock Sales, Dealers, and Livestock Market Weighpersons
Published: 06/01/2022
Effective: 07/19/2022

Regulatory Services

No. 54614 (Repeal) R70-440: Egg Products Inspection
Published: 06/01/2022
Effective: 07/15/2022

Career Service Review Office

Administration

No. 54540 (Amendment) R137-1: Grievance Procedure Rules
Published: 05/15/2022
Effective: 07/01/2022

Commerce

Occupational and Professional Licensing

No. 54610 (Amendment) R156-55c: Plumber Licensing Act Rule
Published: 06/01/2022
Effective: 07/14/2022

Corrections

Administration

No. 54594 (New Rule) R251-714: Offender Sexual Assault Prevention
Published: 06/01/2022
Effective: 07/18/2022

Education

Administration

No. 54623 (Amendment) R277-122: Board of Education Procurement
Published: 06/15/2022
Effective: 07/22/2022

No. 54624 (Amendment) R277-302: Educator Licensing Renewal
Published: 06/15/2022
Effective: 07/22/2022

No. 54628 (Amendment) R277-404: Requirements for Assessments of Student Achievement
Published: 06/15/2022
Effective: 07/22/2022

No. 54634 (Amendment) R277-406: Early Learning Program and Benchmark Assessments
Published: 06/15/2022
Effective: 07/22/2022

No. 54622 (Amendment) R277-410: Accreditation of Schools
Published: 06/15/2022
Effective: 07/22/2022

No. 54629 (New Rule) R277-465: CPR in Schools
Published: 06/15/2022
Effective: 07/22/2022

No. 54630 (Amendment) R277-476: Local Innovations Civics Education Pilot Program
Published: 06/15/2022
Effective: 07/22/2022

No. 54625 (Amendment) R277-477: Distributions of Funds from the Trust Distribution Account and Administration of the School LAND Trust Program
Published: 06/15/2022
Effective: 07/22/2022

No. 54626 (Amendment) R277-491: School Community Councils
Published: 06/15/2022
Effective: 07/22/2022

No. 54627 (Amendment) R277-605: Coaching Standards and Athletic Clinics
Published: 06/15/2022
Effective: 07/22/2022

No. 54631 (Amendment) R277-606: Dropout Prevention and Recovery Program
Published: 06/15/2022
Effective: 07/22/2022

No. 54632 (Amendment) R277-622: School-based Mental Health Qualifying Grant Program
Published: 06/15/2022
Effective: 07/22/2022

No. 54633 (Amendment) R277-701: Early College Programs
Published: 06/15/2022
Effective: 07/22/2022

Environmental Quality

Air Quality

No. 54498 (Amendment) R307-110: General Requirements: State Implementation Plan
Published: 05/01/2022
Effective: 07/07/2022

No. 54502 (Amendment) R307-511: Oil and Gas Industry: Associated Gas Flaring
Published: 05/01/2022
Effective: 07/07/2022

Environmental Response and Remediation

No. 54597 (Amendment) R311-200: Underground Storage Tanks: Definitions.
Published: 06/01/2022
Effective: 07/15/2022

No. 54598 (Amendment) R311-201: Underground Storage Tanks: Certification Programs and UST Operator Training.
Published: 06/01/2022
Effective: 07/15/2022

No. 54599 (Amendment) R311-203: Petroleum Storage Tanks: Technical Standards
Published: 06/01/2022
Effective: 07/15/2022

No. 54601 (Amendment) R311-204: Underground Storage Tanks: Closure and Remediation
Published: 06/01/2022
Effective: 07/15/2022

No. 54602 (Amendment) R311-205: Petroleum Storage Tanks: Site Assessment Protocol and Release Reporting
Published: 06/01/2022
Effective: 07/15/2022

No. 54603 (Amendment) R311-206: Underground Storage Tanks: Certificate of Compliance and Financial Assurance Mechanisms
Published: 06/01/2022
Effective: 07/15/2022

No. 54604 (Amendment) R311-207: Accessing the Petroleum Storage Tank Fund for Leaking Petroleum Storage Tanks
Published: 06/01/2022
Effective: 07/15/2022

No. 54605 (Amendment) R311-208: Underground Storage Tanks Penalty Guidance
Published: 06/01/2022
Effective: 07/15/2022

No. 54606 (Amendment) R311-211: Corrective Action Cleanup Standards Policy - PST and CERCLA Sites
Published: 06/01/2022
Effective: 07/15/2022

No. 54607 (Amendment) R311-212: Administration of the Petroleum Storage Tank Fund Loan Program
Published: 06/01/2022
Effective: 07/15/2022

Governor

Economic Opportunity

No. 54617 (Amendment) R357-5: Motion Picture Incentive Rule
Published: 06/01/2022
Effective: 07/15/2022

Health and Human Services

Administration (Health)

No. 54590 (Repeal) R380-10: Informal Adjudicative Proceedings
Published: 05/15/2022
Effective: 07/01/2022

Children's Health Insurance Program

No. 54587 (Amendment) R382-1: Benefits and Administration
Published: 05/15/2022
Effective: 07/01/2022

No. 54588 (Amendment) R382-2: Electronic Personal Medical Records for the Children's Health Insurance Program
 Published: 05/15/2022
 Effective: 07/11/2022

No. 54589 (Amendment) R382-3: Accountable Care Organization Incentives to Appropriately Use Emergency Room Services in the Children's Health Insurance Program
 Published: 05/15/2022
 Effective: 07/26/2022

Disease Control and Prevention, Environmental Services
 No. 54379 (Amendment) R392-600: Illegal Drug Operations Decontamination Standards
 Published: 03/15/2022
 Effective: 07/13/2022

Health Care Financing, Coverage and Reimbursement Policy
 No. 54586 (Amendment) R414-1: Utah Medicaid Program
 Published: 05/15/2022
 Effective: 07/01/2022

Family Health and Preparedness, Emergency Medical Services
 No. 54578 (Amendment) R426-8: Emergency Medical Services Ground Ambulance Rates and Charges
 Published: 05/15/2022
 Effective: 07/01/2022

Administration, Administrative Hearings
 No. 54592 (Amendment) R497-100: Adjudicative Proceedings
 Published: 05/15/2022
 Effective: 07/01/2022

Insurance

Administration
 No. 54613 (New Rule) R590-288: Limited Line Producer Line of Authority for Pet Insurance
 Published: 06/01/2022
 Effective: 07/08/2022

Natural Resources

Water Rights
 No. 54644 (Repeal and Reenact) R655-4: Water Wells
 Published: 06/15/2022
 Effective: 07/26/2022

Public Service Commission

Administration
 No. 54621 (Amendment) R746-409-1: General Provisions
 Published: 06/15/2022
 Effective: 07/22/2022

Tax Commission

Motor Vehicle Enforcement
 No. 54573 (Amendment) R877-23V-14: Dealer Identification of Fees Associated with Issuance of Temporary Permits Pursuant to Utah Code Ann. Sections 41-3-301 and 41-3-302
 Published: 06/01/2022
 Effective: 07/16/2022

No. 54574 (Amendment) R877-23V-16: Replacement or Renewal of Lost or Stolen Special Plates Pursuant to Utah Code Ann. Section 41-3-507
 Published: 05/15/2022
 Effective: 07/16/2022

Property Tax
 No. 54575 (Amendment) R884-24P-66: County Board of Equalization Procedures and Appeals Pursuant to Utah Code Ann. Sections 59-2-1001 and 59-2-1004
 Published: 05/15/2022
 Effective: 07/16/2022

Workforce Services

Employment Development
 No. 54665 (Amendment) R986-700-707.1: Initial Registration Fee Assistance
 Published: 06/15/2022
 Effective: 08/01/2022

End of the Notices of Rule Effective Dates Section