

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed July 16, 2022, 12:00 a.m. through August 01, 2022, 11:59 p.m.

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August 15, 2022

Brody Mangum, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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# EDITOR'S NOTES

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## Nonsubstantive Changes Filed by Office of Administrative Rules

Subsection 63G-3-402(3)(c) authorizes the Office of Administrative Rules (Office) file a nonsubstantive change for an agency if a catchline needs to be changed to more accurately reflect the substance of each section, part, rule, or title. Subsection 63G-3-402(5) directs the Office to publish a list in the Utah State Digest of the changes the Office has filed under Subsection 63G-3-402(3).

Affected Code Citation	Description of the Change	Date the Change Was Made
R512-2-4	"R152" is changed to "R512" to accurately reflect the rule number	07/27/2022

**End of the Editor's Notes Section**



## NOTICES OF PROPOSED RULES

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A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 16, 2022, 12:00 a.m., and August 01, 2022, 11:59 p.m. are included in this, the August 15, 2022, issue of the *Utah State Digest*.

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

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least September 14, 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 December 13, 2022, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

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

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R151-1	Filing ID: 54760

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R151-1. Department of Commerce General Provisions
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This amendment updates this rule to become consistent with recent legislative amendments (H.B. 22 passed in the 2022 General Session) and making clerical changes for consistency with the Utah Rulewriting Manual.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
In Section R151-1-2, the change removes the capitalization of the first letter in lists, and otherwise clarifying and simplifying existing language.
Other changes further update the language based on amendments to the Open and Public Meetings Act in H.B. 22 (2022), provide that in electronic meetings the presence of a quorum and vote taking may be done by roll call, and that electronic meetings may be held without an anchor location for public health and safety concerns.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
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<b>A) State budget:</b>																				
This rule does not amend fees or any revenue generation for the state and will not affect the state budget.																				
<b>B) Local governments:</b>																				
Local governments are not typically involved in electronic meetings before the Department of Commerce and are not impacted by this amendment.																				
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>																				
This rule is procedural in nature and has no discernable impact on the costs required for a small business to take part in electronic meetings before the Department.																				
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>																				
This rule is procedural in nature and has no discernable impact on the costs required for a non-small business to take part in electronic meetings before the Department.																				
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>																				
This rule is procedural in nature and has no discernable impact on the costs required for other persons to take part in electronic meetings before the Department.																				
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>																				
As indicated in above fiscal impact sections, this rule is procedural in nature and should result in no discernable costs to affected persons.																				
<b>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.)</b>																				
<b>Regulatory Impact Table</b>																				
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2023</th> <th>FY2024</th> <th>FY2025</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </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
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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. The changes are not expected to impact small and non-small business revenues or expenditures because the amendments clarify definitions, standards, and procedures to incorporate current requirements and update this rule to conform to the rulewriting recommendations from the Office of Administrative Rules. There is no expected fiscal impact as these costs are either inestimable or there is not a fiscal impact that will result.

**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:**

Art IV, Sec 10	Subsection 53-13-101(12)	Subsection 13-1-6(1)
Subsection 13-1-2(1)(b)	Section 52-4-207	

**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:** 09/14/2022

**9. This rule change MAY become effective on:** 09/21/2022

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**

<b>Agency head or designee and title:</b>	Margaret W. Busse, Executive Director	<b>Date:</b>	07/18/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Repeal

<b>Rule or Section Number:</b>	<b>R151-55</b>	<b>Filing ID:</b>	<b>54761</b>
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**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Administration	
<b>Street address:</b>	160 E 300 S, 2nd Floor	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	Box 146701	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6701	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
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:**  
R151-55. Regulatory Sandbox Program Rule

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

H.B. 243, passed in the 2022 General Session, repealed the Department of Commerce Regulatory Sandbox Program. Therefore the Department of Commerce is repealing the Regulatory Sandbox Program Rule, which is now moot.

**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 repeals the Regulatory Sandbox Program Rule in its entirety.

**Fiscal Information**

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

**A) State budget:**

The fiscal note to H.B. 243 (2022) states that the repeal of the regulatory sandbox program could result in a decrease of expenditures by \$148,000 ongoing beginning in FY 2023. However, no additional costs or savings are anticipated to the state budget as a result of this rule repeal.

**B) Local governments:**

No costs or savings are anticipated to local governments as a result of this rule repeal.

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

The fiscal note for HB 243 (2022) remarks that the repeal of the regulatory sandbox program could result in a decrease of expenditures by \$148,000 beginning in FY 2023, however, small businesses may not specifically be affected by the repeal. Accordingly, no fiscal impact is expected as these costs are either inestimable or there is no fiscal impact.

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

The changes are not expected to impact non-small business revenues or expenditures. For the same reasons relating to small business, there is no expected fiscal impact as these costs are either inestimable or there is not a fiscal impact that will result.

**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 being repealed, so no costs or savings are anticipated to other persons as a result of this rule repeal.

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

This rule is being repealed, so there are no costs for affected persons.

**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
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State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**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. The changes are not expected to impact non-small businesses' revenues or expenditures. For the same reasons relating to small businesses, there is no expected fiscal impact as these costs are either inestimable or there is not a fiscal impact that will result.

**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:**

Subsection 13-1-6(2)		
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**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.)

<b>A) Comments will be accepted until:</b>	09/14/2022
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<b>9. This rule change MAY become effective on:</b>	09/21/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Margaret W. Busse, Executive Director	<b>Date:</b>	07/18/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R154-1</b>	<b>Filing ID:</b> <b>54775</b>

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Corporations and Commercial Code	
<b>Building:</b>	Heber M Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146705	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6705	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Leigh Veillette	801-530-6162	lveillette@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R154-1. Central Filing System for Agriculture Product Liens
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This filing is made in accordance with Executive Order No. 2021-12 to update this rule and make changes consistent with the Utah Rulewriting Manual.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>

Rule R154-1 was due for a review and update to ensure that this rule conforms to any changes to agency processes resulting from the agency's new UCC/CFS filing system, as well as to incorporate a more recent version of a federal regulation.

**Fiscal Information**

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

**A) State budget:**

No costs or savings because the changes made through the amendment merely clarify this rule and ensure it accurately reflects agency processes.

**B) Local governments:**

No costs or savings because the changes made through the amendment merely clarify this rule and ensure it accurately reflects agency processes.

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

No costs or savings because the changes made through the amendment merely clarify this rule and ensure it accurately reflects agency processes.

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

No costs or savings because the changes made through the amendment merely clarify this rule and ensure it accurately reflects agency processes.

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

No costs or savings because the changes made through the amendment merely clarify this rule and ensure it accurately reflects agency processes.

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

No costs or savings because the changes made through the amendment merely clarify this rule and ensure it accurately reflects agency processes.

**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

NOTICES OF PROPOSED RULES

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

**Citation Information**

<b>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:</b>		
Section		
70A-9a-320		

**Incorporations by Reference Information**

<b>7. Incorporations by Reference :</b>	
<b>A) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	9 CFR Part 205 – Clear Title – Protection for Purchasers of Farm Products
<b>Publisher</b>	Government Publishing Office
<b>Issue Date</b>	01/01/2021

<b>Issue or Version</b>	01/01/2021 Edition
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**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.)

<b>A) Comments will be accepted until:</b>	09/14/2022
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<b>9. This rule change MAY become effective on:</b>	09/21/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Leigh Veillette, Director	<b>Date:</b>	07/28/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal and Reenact		
<b>Rule or Section Number:</b>	<b>R154-2</b>	<b>Filing ID:</b> <b>54776</b>

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Corporations and Commercial Code	
<b>Building:</b>	Heber M Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146705	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6705	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Leigh Veillette	801-530-6162	lveillette@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R154-2. Utah Uniform Commercial Code, Revised Article 9 Rules

**3. Purpose of the new rule or reason for the change** (Why is the agency submitting this filing?):  
 This filing is made in accordance with Executive Order No. 2021-12 to update this rule and make changes consistent 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):  
 Rule R154-2 was due for a review and update to ensure that this rule conformed as much as possible with the International Association of Commercial Administrators (IACA) 2018 model rule, as well as any changes to agency processes resulting from the Division of Corporations and Commercial Code's new UCC/CFS filing system.

**Fiscal Information**

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

**A) State budget:**  
 No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**B) Local governments:**  
 No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
 No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
 No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**E) Persons other than small businesses, non-small businesses, state, or local government entities** ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):  
 No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

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

No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

The Executive Director of the Department of Commerce, Margaret 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 70A-9a-526		
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**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:** 09/14/2022

**9. This rule change MAY become effective on:** 09/21/2022

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**

<b>Agency head or designee and title:</b>	Leigh Veillette, Director	<b>Date:</b>	07/28/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal and Reenact			
<b>Rule or Section Number:</b>	<b>R154-100</b>	<b>Filing ID:</b>	<b>54777</b>

**Agency Information**

<b>1. Department:</b>	Commerce		
<b>Agency:</b>	Corporations and Commercial Code		
<b>Building:</b>	Heber M Wells Building		
<b>Street address:</b>	160 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316		
<b>Mailing address:</b>	PO Box 146705		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6705		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Leigh Veillette	801-530-6162	lveillette@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R154-100. Utah Administrative Procedures Act Rules
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This filing is made in accordance with Executive Order No. 2021-12 to update this rule and make changes consistent with the Utah Rulewriting Manual.

<b>4. Summary of the new rule or change</b> (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
Rule R154-100 was due for a review and update to ensure that this rule is consistent with agency processes and the Utah Administrative Procedures Act (UAPA).

**Fiscal Information**

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

**A) State budget:**  
No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**B) Local governments:**  
No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**E) Persons other than small businesses, non-small businesses, state, or local government entities** ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):  
No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):  
No costs or savings because the changes made through the repeal and reenactment merely clarify this rule and ensure it accurately reflects agency processes.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

The Executive Director of the Department of Commerce, Margaret 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 63G-4-202	Section 13-1a-5	
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**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.)

<b>A) Comments will be accepted until:</b>	09/14/2022
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<b>9. This rule change MAY become effective on:</b>	09/21/2022
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**

<b>Agency head or designee and title:</b>	Leigh Veillette, Director	<b>Date:</b>	07/28/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Rule or Section Number:</b>	R156-71	<b>Filing ID:</b>	54769

**Agency Information**

<b>1. Department:</b>	Commerce		
<b>Agency:</b>	Professional Licensing		
<b>Building:</b>	Heber M Wells Building		
<b>Street address:</b>	160 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316		
<b>Mailing address:</b>	PO Box 146741		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Larry Marx	801-530-6628	lmarx@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>	R156-71. Naturopathic Physician Practice Act Rule
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>	This rule is amended in accordance with changes made by S.B. 154 passed in the 2022 General Session.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>	Section R156-71-102 is amended to update citations and make minor formatting changes.

Section R156-71-202 is deleted in its entirety in accordance with S.B. 154 (2022) which removed the requirement for the Naturopathic Physician Formulary.

Section R156-71-203 is added under the authority of the new Section 58-71-203, to reserve a section in rule where new approved drug categories will be listed in a future table in accordance with newly enacted Section 58-71-203.

Section R156-71-502 is amended in accordance with newly enacted Section 58-71-203, to delete the reference to the obsolete formulary, and instead define the unprofessional conduct as failure to comply with the drug categories consistent with the practice of naturopathic medicine.

**Hearing Information:**  
 Heber M Wells Bldg, 160 E 300 S, Conference Room 402, Salt Lake City, UT, on 08/18/2022 at 9:30 AM.

Rule hearing can also be accessed via Google Meet info below:  
 Google Meet Meeting link  
[meet.google.com/ovb-xevo-jrm](https://meet.google.com/ovb-xevo-jrm)

Join by phone at:  
 (US) +1 402-752-0198  
 PIN: 256207287

**Fiscal Information**

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

**A) State budget:**  
 The proposed amendments are expected to have no measurable impact on state government revenues or expenditures as none of the amendments will impact state government practices or procedures beyond the mandates of S.B. 154 (2022).

**B) Local governments:**  
 The proposed amendments are expected to have no measurable impact on local governments' revenues or expenditures as none of the amendments will impact local governments' practices or procedures beyond the mandates of S.B. 154 (2022).

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
 There are currently 69 Naturopathic Physician licensees in Utah, and it is estimated that most operate private or small group practices in their own offices, and that several operate in the facilities of others, such as hospitals or HMO medical centers (NAICS 621399). However, the amendments are expected to have no measurable impact on small businesses' revenues or expenditures as they

only conform this rule to the statutory changes enacted by S.B. 154 (2022), with no fiscal impact to small business beyond those identified in the fiscal note available at <https://le.utah.gov/~2022/bills/static/SB0154.html>.

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

There are currently several Naturopathic Physicians who operate in larger facilities such as hospitals or HMO medical centers (NAICS 621399). However, the amendments are expected to have no measurable impact on non-small businesses' revenues or expenditures as they only conform this rule to the statutory changes enacted by S.B. 154 (2022), with no fiscal impact to non-small businesses beyond those identified in the fiscal note available at <https://le.utah.gov/~2022/bills/static/SB0154.html>.

**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**):

These proposed amendments will affect the 69 licensed Naturopathic Physicians in Utah, the health care providers who collaborate with Naturopathic Physicians, and the staff employed by or supervised by Naturopathic Physicians. However, the amendments are not expected to result in a fiscal impact to these persons beyond those identified in the fiscal note for S.B. 154 (2022), as the amendments only conform this rule to and implement the statutory changes enacted by S.B. 154 (2022).

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

As described above, no compliance costs are expected for any affected persons.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0



<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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 fiscal analysis.

The Division of Professional Licensing (Division) proposes amendments to Rule R156-71, the Naturopathic Physician Practice Act Rule. Changes have been made to conform to S.B. 154 (2022). Among the changes, Section R156-71-202 is deleted due to no longer needing a naturopathic physician formulary. Section R156-71-203 is created to list approve drug categories. Also, the Division has made formatting changes throughout this rule to conform this rule to the Administrative Rules' Rulewriting Manual in accordance with Executive Orders No. 2021-1 and 2021-12.

Small Businesses (less than 50 employees): The Division does not foresee any foreseeable impact on small businesses since these amendments are made to align to S.B. 154 (2022) and to make this rule comport to the Utah Rulewriting Manual. There are no substantial changes but merely conforming to statutory requirements and executive orders.

Non-Small Businesses (50 or more employees): These amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses. These costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

**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 58-71-101	Subsection	Subsection
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	58-1-106(1)(a)	58-1-202(1)(a)
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**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:** 09/14/2022

**B) A public hearing (optional) will be held:**

<b>On:</b>	<b>At:</b>	<b>At:</b>
08/18/2022	9:30 AM	See information in Box 4 above

**9. This rule change MAY become effective on:** 09/21/2022

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**

<b>Agency head or designee and title:</b>	Mark B. Steinagel, Division Director	<b>Date:</b>	07/26/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Repeal and Reenact

<b>Rule or Section Number:</b>	<b>R414-14A</b>	<b>Filing ID:</b>	<b>54768</b>
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**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143102	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@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:**

R414-14A. Hospice Care

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

The purpose of this change is to update and clarify current Medicaid policy for hospice care services.

**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):**

All requirements of the repealed rule are reenacted in the proposed rule. In contrast to the repealed rule, this new rule streamlines hospice care policies by restructuring sections of the rule and removing operational details that belong in the hospice care provider manual.

**Fiscal Information**

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

**A) State budget:**

There is no impact to the state budget as this change simply updates and clarifies current requirements for the hospice care program.

**B) Local governments:**

There is no impact on local governments because they neither fund nor determine eligibility for the hospice care program.

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

There is no impact on small businesses as this change simply updates and clarifies current requirements for the hospice care program.

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

There is no impact on non-small businesses as this change simply updates and clarifies current requirements for the hospice care program.

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

There is no impact on Medicaid providers and Medicaid members as this change simply updates and clarifies current requirements for the hospice care program.

**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 as this change simply updates and clarifies current requirements for the hospice care program.

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

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

**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 S. 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 26-1-5	Section 26-18-3	
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**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.)

<b>A) Comments will be accepted until:</b>	09/14/2022
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<b>9. This rule change MAY become effective on:</b>	09/21/2022
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	07/26/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Repeal

<b>Rule or Section Number:</b>	<b>R651-608</b>	<b>Filing ID:</b>	<b>54773</b>
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**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146001	
<b>City, state and zip:</b>	Salt Lake City, UT 84114	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R651-608. Events of Special Uses

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

The permitting rules have been spread throughout the parks rules and needed updates to reflect current processes. These changes will make the combined rules accurate with current day processes, as well as increase public and agency efficiency when looking for specific subjects relating to the parks permitting process.

**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 commercial use and special use permitting rules have been brought together under Rule R651-635, as well as uses within the parks that require permits have been combined into this rule. The proposed rule amendment combines Rules R651-635 and R651-608 and therefore, eliminates Rule R651-608 in its entirety. (EDITOR'S NOTE: The proposed amendment to Rule R651-635 is under ID 54772 in this issue, August 15, 2022, of the Bulletin.)

**Fiscal Information**

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

**A) State budget:**

The proposed rule amendment will have no budgetary impact to the state for administrative processing or enforcement of this rule. There is no reasonable estimation of cost to businesses of any type.

**B) Local governments:**

The proposed rule amendment will have no budgetary impact to the local governments for administrative processing or enforcement of this rule. There is no reasonable estimation of cost to businesses of any type.

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

The proposed rule amendment will have no budgetary impact to small businesses for administrative processing or enforcement of this rule. There is no reasonable estimation of cost to businesses of any type.

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

The proposed rule amendment will have no budgetary impact to non-small businesses for administrative processing or enforcement of this rule. There is no reasonable estimation of cost to businesses of any type.

**E) Persons other than small businesses, non-small businesses, state, or local government entities** ("person" means any individual, partnership, corporation,

NOTICES OF PROPOSED RULES

association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed rule amendment will have no budgetary impact to persons other than small businesses, non-small businesses, state or local government entities for administrative processing or enforcement of this rule. There is no reasonable estimation of cost to businesses of any type.

**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 associated costs for affected persons as outlined in this proposed rule for administrative processing or enforcement of this rule. There is no reasonable estimation of cost to businesses of any type.

**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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

**Citation Information**

**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 79-4-501

**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:** 09/14/2022

**9. This rule change MAY become effective on:** 09/21/2022

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**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	06/21/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R651-635</b>	<b>Filing ID:</b>	<b>54772</b>
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**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146001	
<b>City, state and zip:</b>	Salt Lake City, UT 84114	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R651-635. Commercial Use of Division Managed Park Areas
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The permitting rules have been spread throughout the parks rules and needed updates to reflect current processes. These changes will make the combined rules accurate with current day processes, as well as increase public and agency efficiency when looking for specific subjects relating to the parks permitting process.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The commercial use and special use permitting rules have been brought together under this one rule (R651-635), as well as uses within the parks that require permits have been combined into this rule. The proposed rule amendment combines Rules R651-635 and R651-608 and incorporates Sections R651-620-4, R651-620-6, R651-609-1, R651-606-1, R651-603-3, and Rule R651-622. (EDITOR'S NOTE: The proposed repeal of Rule R651-608 is under ID 54773 in this issue, August 15, 2022, of the Bulletin.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There are no cost changes that will occur with the combination of these rules. The current fees and intent of this rule is not changed.
<b>B) Local governments:</b>
This proposed rule amendment does not affect local government in any way as the fees or intent of this rule does not change.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This proposed rule amendment does not affect small business in any way as the fees or intent of this rule does not change.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
This proposed rule amendment does not affect non-small business in any way as the fees or intent of this rule does not change.

<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>			
This proposed rule amendment does not affect persons in any way as the fees or intent of this rule does not change.			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
This proposed rule amendment does not change compliance cost for affected persons, because it does not create any changes to affected persons.			
<b>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.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			



NOTICES OF PROPOSED RULES

The Executive Director of the Department of Natural Resources, Brian Steed, 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:**

Subsection 79-2-402(4)	Subsection 79-2-402(5)	Section 79-4-304
Subsection 79-2-402(6)	Subsection 79-2-402(7)	Subsection 79-2-402(8)

**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:** 09/14/2022

**9. This rule change MAY become effective on:** 09/21/2022

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**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	06/21/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R986-700-771</b>	<b>Filing ID:</b> <b>54779</b>

**Agency Information**

<b>1. Department:</b>	Workforce Services		
<b>Agency:</b>	Employment Development		
<b>Building:</b>	Olene Walker Building		
<b>Street address:</b>	140 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 45244		
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	

Amanda B. McPeck	801-526-9653	ampeck@utah.gov
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**Please address questions regarding information on this notice to the agency.**

**General Information**

**2. Rule or section catchline:**

R986-700-771. Grants for Child Care Start-up Costs

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

In the 2022 General Session, the Legislature enacted H.B. 15, Child Care Amendments, which directed the Department of Workforce Services (Department) to establish a grant program for child care start-up costs.

**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):**

Enacts new Section R786-700-771, governing the program to provide grants for child care start-up costs. The section defines terms, outlines the grant application process, and establishes an appeal process.

**Fiscal Information**

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

**A) State budget:**

This amendment is not expected to have any fiscal impact on state government revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 15 (2022).

**B) Local governments:**

This amendment is not expected to have any fiscal impact on local government revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 15 (2022).

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

Any fiscal impact would have been addressed in the fiscal note of H.B. 15 (2022). The Department further notes that most, if not all, child care providers are small businesses who may be eligible to receive the start-up grants established by this amendment. The Department anticipates that up to \$5,000,000 will be awarded in grants. At this time, it is not possible to determine how many providers will be eligible for the grants, how many will apply, or how much grant money will be awarded to each child care provider.

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

Any fiscal impact would have been addressed in the fiscal note of H.B. 15 (2022). The Department further notes that child care providers that are non-small businesses may be eligible to receive the start-up grants established by this amendment. The Department anticipates that up to \$5,000,000 will be awarded in grants. At this time, it is not possible to determine how many providers will be eligible for the grants, how many will apply, or how much grant money will be awarded to each child care provider. Since most providers are small businesses, the fiscal benefit is reflected in the small businesses above.

**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 amendment requires no action or compliance by any persons.

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

This amendment is not expected to cause any compliance costs for affected persons because it 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

As reflected in the fiscal note of H.B. 15 (2022), this grant program will provide a fiscal benefit to eligible grantees and expand the availability of child care. In addition, businesses will receive an indirect benefit because increased child care availability promotes greater employee availability and reliability. 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-3-212	Section 35A-3-203	Section 35A-3-310
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**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:** 09/14/2022

**9. This rule change MAY become effective on:** 10/01/2022

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**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	08/01/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Repeal

<b>Rule or Section Number:</b>	<b>R986-800</b>	<b>Filing ID:</b>	<b>54778</b>
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**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R986-800. Displaced Homemaker Program
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is no longer necessary. This rule was originally enacted pursuant to former Section 35A-3-114, which authorized the Department of Workforce Services (Department) to make rules to implement the Displaced Homemaker Program. Section 35A-3-114 was repealed effective 07/01/2012 by S.B.31, enacted by the 2007 General Session and by H.B.139, enacted by the 2021 General Session, so there is no longer authority for this rule.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
This filing repeals Rule R986-800 in its entirety. Displaced homemakers may be eligible for assistance through other programs administered by the Department.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule repeal will not have any fiscal impact on state revenues or expenditures. The repeal requires no action or expenditure by state employees or resources. The Department's provision of assistance to displaced homemakers through other programs will not change with the repeal of this rule.

<b>B) Local governments:</b>			
This rule repeal will not have any fiscal impact on local governments' revenues or expenditures. The repeal requires no action or expenditure by local governments.			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
There are no aggregate anticipated costs or savings to small businesses. The repeal of this rule requires no action or expenditure by small businesses.			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
There are no aggregate anticipated costs or savings to non-small businesses. The repeal of this rule requires no action or expenditure by non-small businesses.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>			
There are no aggregate anticipated costs or savings to persons other than small businesses. The repeal of this rule requires no action or expenditure by any person.			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
This rule repeal is not expected to cause any compliance costs for affected persons because it does not create any new administrative fees.			
<b>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.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>



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

**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-3-114

**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:** 09/14/2022

**9. This rule change MAY become effective on:** 09/21/2022

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**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	07/29/2022
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# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

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

<b>Rule Number:</b>	R156-37f	<b>Filing ID:</b> 54001
<b>Effective Date:</b>	07/19/2022	

### Agency Information

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Professional Licensing	
<b>Building:</b>	Heber M Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jeffrey Henrie	801-530-6628	jahenrie@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

### General Information

<b>2. Rule catchline:</b>	R156-37f. Controlled Substance Database Act Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	

Title 58, Chapter 37f, provides for the creation, purpose, and existence of a Controlled Substance Database. Subsection 58-1-106(1) provides that the Division of Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Section 58-37f-301 provides that the Division shall make rules with respect to the Controlled Substance Database. This rule was enacted to clarify the provisions of Title 58, Chapter 37f.

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

Since this rule was last reviewed in December 2017, this rule has been amended three times; however, the Division has received no written comments with respect to this rule.

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

This rule is necessary as it provides information and clarification of requirements relating to the Controlled Substance Database. Therefore, this rule should be continued.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Mark B. Steinagel, Division Director	<b>Date:</b>	07/18/2022
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## FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

<b>Rule Number:</b>	R382-2	<b>Filing ID:</b> 54588
<b>Effective Date:</b>	07/26/2022	

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Children's Health Insurance Program	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143101	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801 538-6641	cdevashrayee@utah.gov
Jonah Shaw	385 310-2389	jshaw@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R382-2. Electronic Personal Medical Records for the Children's Health Insurance Program
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26-40-103 sets forth member rights and requirements in the electronic exchange of information under the Children's Health Insurance Program (CHIP). In addition, 42 CFR 457.348 requires CHIP to implement a secure, electronic interface with other medical assistance programs to make eligibility determinations.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department of Health and Human Services (Department) did not receive any written comments regarding this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The Department has determined that this rule is necessary because it implements the requirement to enroll a CHIP member in an electronic health information exchange and specifies the member's right to opt out. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	07/24/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R414-8</b>	<b>Filing ID:</b>	<b>50952</b>
<b>Effective Date:</b>	<b>07/26/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Financing, Coverage and Reimbursement Policy	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143101	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801 538-6641	cdevashrayee@utah.gov
Jonah Shaw	385 310-2389	jshaw@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R414-8. Electronic Personal Medical Records for the Medicaid Program
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26-18-3 sets forth member rights and requirements in the electronic exchange of information under the Medicaid program. In addition, 42 CFR 435.1200 requires Medicaid to implement a secure, electronic interface with other medical assistance programs to make eligibility determinations.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>

The Department of Health and Human Services (Department) did not receive any written comments regarding this rule.

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

The Department has determined that this rule is necessary because it implements the requirement to enroll a Medicaid member in an electronic health information exchange and specifies the member's right to opt out. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	07/24/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R657-12</b>	<b>Filing ID:</b>	<b>52555</b>
<b>Effective Date:</b>	<b>07/18/2022</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	Wildlife Resources		
<b>Room number:</b>	Suite 2110		
<b>Building:</b>	DNR – Salt Lake Complex		
<b>Street address:</b>	1594 W North Temple		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Mailing address:</b>	PO Box 146301		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Staci Coons	801-450-3093	stacicoons@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule catchline:</b>
R657-12. Hunting and Fishing Accommodations for People With Disabilities
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>

Under Sections 23-14-18, 23-14-19, 23-19-36, 23-20-12, and 63G-3-201, the Wildlife Board is authorized and required to provide the standards and procedures for a person with disabilities to hunt from a vehicle; obtain a reduce rate fishing license; participate in companion hunting; obtain season extensions; and use a crossbow or draw-lock or additional sights on a weapon. This rule provides those standards and procedures.

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

The Division of Wildlife Resources (Division) has not received any written comments regarding this rule. Any comments received in opposition to this rule are resolved using existing policies and procedures or the issue is placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the process for taking public input. The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes, and the administrative record for this rule at the Division.

**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 purpose of this rule is to allow the Division to set the standards and procedures for a person with disabilities to receive additional accommodations. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J Shirley, Division Director	<b>Date:</b>	07/18/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R746-101</b>	<b>Filing ID:</b>	<b>51948</b>
<b>Effective Date:</b>	<b>07/22/2022</b>		

**Agency Information**

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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Michael Hammer	801-530-6729	michaelhammer@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R746-101. Statement of Rule for the Filing and Disposition of Petitions for Declaratory Rulings
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Administrative Procedures Act (APA) entitles any person to file a request for agency action with an agency seeking a declaratory order that determines the applicability of a statute, rule, or order within the primary jurisdiction of the agency, Section 63G-4-503. The APA further requires each agency to issue rules that facilitate the filing, adjudication, and resolution of such requests, Subsection 63G-4-503(2). The APA makes clear the process for adjudicating a request for declaratory order is to be governed by each agency's rules as opposed to procedures detailed in the APA, Subsection 63-4-102(5).

("A declaratory proceeding ... is not governed by this chapter, except as explicitly provided ....").
Rule R746-101 is the rule the Public Service Commission issued to comply with its statutory requirement to accept, adjudicate, and resolve requests for declaratory orders.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Public Service Commission has received no written comments from any interested person supporting or opposing this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The Public Service Commission is statutorily obliged to continue this rule pursuant to Subsection 54-4-503(2). Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Thad LeVar, PSC Chair	<b>Date:</b>	07/22/2022
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**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		
<b>Rule Number:</b>	<b>R277-108</b>	<b>Filing ID: 53412</b>
<b>New Date:</b>	<b>Deadline</b>	<b>01/11/2023</b>

### Agency Information

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

### General Information

<b>2. Rule catchline:</b>
R277-108. Annual Assurance of Compliance by Local School Boards
<b>3. Reason for requesting the extension:</b>
The five-year review for this rule is currently due on 09/13/2022. The Utah State Board of Education (USBE) will not be able to present this rule for review and approval for the next two months. An extension is therefore needed in order to have adequate time to prepare and then file possible amendments in the near future that may be approved by the Board, before this rule is due to expire.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	07/21/2022
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**End of the Notices of Five-Year Review Extensions Section**





## NOTICES OF RULE EFFECTIVE DATES

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

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

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

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### Agriculture and Food

#### 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

#### Marketing and Development

No. 54637 (Repeal) R65-12: Utah Small Grains and Oilseeds Marketing Order  
Published: 06/15/2022  
Effective: 08/01/2022

#### Plant Industry

No. 54596 (Amendment) R68-4: Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products  
Published: 06/01/2022  
Effective: 08/01/2022

No. 54609 (Amendment) R68-23: Utah Firewood Quarantine  
Published: 06/01/2022  
Effective: 08/01/2022

#### Regulatory Services

No. 54640 (Amendment) R70-201: Compliance Procedures  
Published: 06/15/2022  
Effective: 08/01/2022

No. 54646 (Amendment) R70-310: Grade A Pasteurized Milk  
Published: 06/15/2022  
Effective: 08/01/2022

No. 54676 (Amendment) R70-320: Minimum Standards for Milk for Manufacturing Purposes, its Production and Processing  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54677 (Amendment) R70-410: Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes  
Published: 07/01/2022  
Effective: 08/08/2022

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

### 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

NOTICES OF RULE EFFECTIVE DATES

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

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

Children's Health Insurance Program  
 No. 54589 (Amendment) R382-3: Managed Care  
 Organization Incentives to Appropriately Use Emergency  
 Room Services in the Children's Health Insurance Program  
 Published: 5/15/2022  
 Effective: 07/26/2022

Insurance

Administration  
 No. 54692 (Repeal and Reenact) R590-93: Replacement  
 of Life Insurance and Annuities  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54693 (Amendment) R590-162: Actuarial Opinion and  
 Memorandum Rule  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54694 (Amendment) R590-178: Securities Custody  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54695 (Amendment) R590-207: Health Producer  
 Commissions for Small Employer Groups  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54611 (Amendment) R590-215: Permissible Arbitration  
 Provisions for Individual and Group Health Insurance  
 Published: 06/01/2022  
 Effective: 07/27/2022

No. 54696 (Amendment) R590-247: Universal Health  
 Insurance Application Rule  
 Published: 07/01/2022  
 Effective: 08/08/2022

Natural Resources

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

Wildlife Resources  
 No. 54689 (Amendment) R657-54: Season Dates, Bag and  
 Possession Limits, and Areas Open  
 Published: 07/01/2022  
 Effective: 08/08/2022

Public Service Commission

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

School and Institutional Trust Lands

Administration  
 No. 54687 (Amendment) R850-3: Applicant Qualifications,  
 Application Forms, and Application Processing  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54686 (Amendment) R850-5: Payments, Royalties,  
 Audits, and Reinstatements  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54685 (Repeal) R850-27: Geothermal Steam  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54683 (Repeal and Reenact) R850-30: Special Use  
 Leases  
 Published: 07/01/2022  
 Effective: 08/08/2022

No. 54684 (New Rule) R850-170: Renewable Energy  
 Lease Agreements  
 Published: 07/01/2022  
 Effective: 08/08/2022

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**