

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed April 15, 2023, 12:00 a.m. through May 01, 2023, 11:59 p.m.

Number 2023-10  
May 15, 2023

Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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Utah state digest.

Semimonthly.

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

KFU440.A73S7

348.792'025--DDC

85-643197

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## 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 April 15, 2023, 12:00 a.m., and May 01, 2023, 11:59 p.m. are included in this, the May 15, 2023, issue of the *Utah State Digest*.

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least June 14, 2023. 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 September 12, 2023, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

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

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New		
Rule or Section Number:	R58-28	Filing ID: 55375

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Animal Industry	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Amanda Price	801-386-4189	amandaprice@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R58-28. Veterinarian Education Loan Repayment Program
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
H.B. 184, Veterinarian Education Loan Repayment Program, passed during the 2023 General Session, creates a program under which the Department of Agriculture and Food (Department) can work with qualified veterinarians to register intent and then after five years of service, repay a portion of their educational loan balances. The bill gives the Department authority in Subsection 4-2-902(5) to write rules to administer the program.
<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 new rule sets the guidelines for the Department's newly created Veterinarian Education Loan repayment program, including definitions, the process under which veterinarians register intent to participate in the program, and the process under which the Department will make payments of up to \$100,000 towards educational loan

balances following five years of qualified veterinary service, consistent with the requirements set forth in statute.

**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 will be minimal costs to the Department due to the staff costs of drafting this rule, creating application forms, and collecting applications starting on July 1, 2023. The Department estimates these costs will be approximately \$10,000 per year and can be absorbed with current resources.
<b>B) Local governments:</b>
Local governments will not be impacted because they are not veterinarians and will not administer the loan repayment program.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
There should be no impact on small businesses for the first five years of the program. Loan payments will not be made until 2028.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
There should be no impact on non-small businesses for the first five years of the program. Loan payments will not be made until 2028.
<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>
Other persons will not be impacted by this rule because they are not eligible for the program or involved in the management of the program.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no compliance costs for affected persons.
<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>



Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
State Government	\$10,000	\$10,000	\$10,000
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>\$10,000</b>	<b>\$10,000</b>	<b>\$10,000</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>\$(10,000)</b>	<b>\$(10,000)</b>	<b>\$(10,000)</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Department of Agriculture and Food, Craig W Buttars, 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 4-2-902		

**Public Notice Information**

<b>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>	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	Craig W Buttars, Commissioner	<b>Date:</b>	04/28/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R65-11</b>	<b>Filing ID:</b> <b>55342</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Marketing and Development	
<b>Building:</b>	TSOB South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state, and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO BOX 146500	
<b>City, state, and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-425-5222	Amberbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Caroline Hargraves	801-982-2353	Carolinehargraves@Utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R65-11. Utah Sheep Marketing Order
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Per the Attorney General's office, this rule needs to be updated to provide clarity and consistency regarding the Sheep Marketing Board's (Board) role and responsibilities and the appropriate level of the Department of Agriculture and Food involvement. This rule also needs formatting

and other nonsubstantive changes to make the text 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):

Nonsubstantive changes have been made throughout the text to make it more consistent with the Utah Rulewriting Manual requirements. A requirement related to auditing Board records and specific procedures to be followed if the marketing order is terminated has been added, and additional clarifications related to the role and authority of the commissioner and the Department on the Board have been added.

**Fiscal Information**

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

**A) State budget:**

There will be no impact on the state budget. The additional responsibilities placed on the Board will be paid by the assessments currently paid by the sheep industry producers.

**B) Local governments:**

There will be no impact on local governments because they are not sheep producers and do not pay the dues for the Board.

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

Small businesses will not be impacted by the assessments sheep producers pay.

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

There will be no impact on non-small businesses because sheep producers' assessments remain the same.

**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 will be no impact on other persons because they are not sheep producers or participate in the sheep marketing board.

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

Compliance costs for affected persons will not change because the assessments paid by sheep producers to the marketing Board will not change.

**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 the 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>
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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>
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<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Commissioner of the Department of Agriculture and Food, Craig W Buttars, 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:**

Subsection 4-2-103(1)(e)	Subsection 4-2-103(3)(b)(ii) (B)	
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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>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	Craig W Buttars, Commissioner	<b>Date:</b>	04/17/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R68-8</b>	<b>Filing ID:</b> 55315

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Building:</b>	TSOB South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state, and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO BOX 146500	
<b>City, state, and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kelly Pehrson	801-982-2200	kwpehrson@Utah.gov
Amber Brown	385-245-5222	ambermbrown@Utah.gov
Robert Hougaard	801-538-7180	rhougaard@Utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R68-8. Utah Seed Law
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>

This rule needs to be updated to reflect current industry practices and reorganized so it can be referenced easily. The Department of Agriculture and Food (Department) is adopting definitions from the Association of American Seed Control Officials (AASCO) and the Association of Official Seed Analysts (AOSA). The updated text will provide clarity and align 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):

The revised rule adds a section for unlawful acts not included in the original rule. The Department is adopting definitions from AASCO and AOSA and providing updated information in the noxious weed list and the seed table. Additionally, text that is already in the statute is removed. Finally, changes are made to make the rule text more consistent with the requirements of the Utah Rulewriting Manual and provide clarity through the reorganizing so that it can be easily referenced.

**Fiscal Information**

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

**A) State budget:**

The state's budget is not impacted because the program's procedures are not changing, and changes are to clarify and reorganize the text.

**B) Local governments:**

The program's administration is not changing and will not affect the local governments.

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

The administration of the program is not changing and will not affect small businesses.

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

The administration of the program is not changing and will not affect non-small businesses.

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

The administration of the program is not changing and will not affect other persons.

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

Compliance costs are not changing because the text provides clarity and alignment with the Utah Rulewriting Manual.

**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 the 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 Commissioner of the Department of Agriculture and Food, Craig W Butters, 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 4-2-103	Section 4-16-103	Section 4-17-103
Subsection 4-16-202(1)(c)		

**Incorporations by Reference Information**

**7. Incorporations by Reference:**

**A) This rule adds, updates, or removes the following title of materials incorporated by references:**

<b>Official Title of Materials Incorporated (from title page)</b>	Association of American Seed Control Officials, Official Definitions
<b>Publisher</b>	Association of American Seed Control Officials
<b>Issue Date</b>	March 1, 2023
<b>Issue or Version</b>	March 2023 version

**B) This rule adds, updates, or removes the following title of materials incorporated by references:**

<b>Official Title of Materials Incorporated (from title page)</b>	Association of American Seed Control Officials, Policy Statements
<b>Publisher</b>	Association of American Seed Control Officials
<b>Issue Date</b>	March 1, 2023
<b>Issue or Version</b>	March 2023

**C) This rule adds, updates, or removes the following title of materials incorporated by references:**

<b>Official Title of Materials Incorporated (from title page)</b>	The Federal Seed Act
<b>Publisher</b>	United States Department of Agriculture, Marketing and Regulatory Programs Agricultural Marketing Service Livestock and Seed Program Seed Regulatory and Testing Branch
<b>Issue Date</b>	March 1940
<b>Issue or Version</b>	April 1998 version

**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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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>	Craig W Buttars, Commissioner	<b>Date:</b>	04/05/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R68-28</b>	<b>Filing ID:</b> <b>55343</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Building:</b>	TSOB South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Cody James	385-515-1485	codyjames@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R68-28. Cannabis Processing
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to add clarifications to this rule related to definitions and labeling requirements. Additionally, changes are needed to make this rule consistent with the statute following changes passed during the 2023 General Session in S.B. 91.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the</b>

substantive differences between the repealed rule and the reenacted rule):

Changes have been made to the definition section to clarify existing definitions and add a definition for artificially derived cannabinoid, consistent with statutory changes.

In Section R68-28-4, language has been added to add record keeping requirements for vaporizer cartridge heavy metal testing, also now required in statute following the passage of S.B. 91 (2023).

In Section R68-28-7, language has been added addressing the ability of cannabis processors to purchase cannabinoid isolate from industrial hemp processors. This will replace the purchase of industrial hemp waste that is no longer allowed statutorily.

Clarifying inventory information requirements are added to Section R68-28-8 and agent clarifications are added to Section R68-28-9 to address the statutory change of agent cards being issued to individuals rather than cannabis production establishments.

Finally in Section R68-28-13, clarifications are added regarding labeling requirements based on the Department of Agriculture and Food's (Department) needs to manage the program. Additionally, warning requirements are added consistent with statutory changes.

**Fiscal Information**

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

**A) State budget:**  
There will be some saved costs to the Department because the Department no longer will be approving hemp waste transfers; however, there will be increased costs for inspecting cannabinoid isolate records. Overall, there should be no fiscal impact to the Department with these changes.

**B) Local governments:**  
Local governments will not be impacted because they do not participate as or regulate medical cannabis processors.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
Small businesses will experience a fiscal cost related to adhering to new labeling requirements. The Department estimates this will be approximately \$3,000 per processor, or a total of \$45,000 split evenly between small and non-small businesses or \$22,500 each in FY 2024 only.

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



NOTICES OF PROPOSED RULES

Small businesses will experience a fiscal cost related to adhering to new labeling requirements. The Department estimates this will be approximately \$3,000 per processor, or a total of \$45,000 split evenly between small and non-small businesses or \$22,500 each in FY 2024 only.

**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**):

Other persons will not be impacted by the changes because they are not medical cannabis licensees and do not regulate medical cannabis processing.

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

Compliance costs for affected persons will not change aside from the increased cost for labeling of approximately \$3,000 per cannabis processor.

**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	\$22,500	\$0
Non-Small Businesses	\$0	\$22,500	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$45,000</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>\$(45,000)</b>	<b>\$0</b>

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

The Commissioner of the Department of Agriculture and Food, Craig W Butters, 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:**

Subsection		
4-41a-103(5)		

**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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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>	Craig W Butters, Commissioner	<b>Date:</b>	04/18/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R68-29</b>	<b>Filing ID:</b> <b>55345</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food
<b>Agency:</b>	Plant Industry
<b>Street address:</b>	4315 S 2700 W, TSOB South Bldg, Floor 2
<b>City, state and zip:</b>	Taylorville, UT 84129-2128
<b>Mailing address:</b>	PO Box 146500

<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Cody James	385-515-1485	codyjames@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R68-29. Quality Assurance Testing on Cannabis
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to make this rule consistent with statute following the passage of S.B. 91 during the 2023 General Session. These changes involve replacing synthetic and derivative cannabinoid references with artificially derived cannabinoid throughout, as well as removing references to use of industrial hemp waste and replacing with cannabinoid isolate.
<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 R68-29-2 is updated to add a definition for cannabinoid isolate and artificially derived cannabinoid and delete definitions for synthetic and derived cannabinoids as that wording is consistent with current statute.
Additionally, language is updated throughout this rule to remove references to synthetic or derived cannabinoids and replace them with artificially derived cannabinoid.
In Section R68-29-3, guidelines related to testing of industrial hemp waste are removed and replaced with testing requirements for cannabinoid isolate.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no impact on the state budget. The changes related to industrial hemp waste will have a positive fiscal impact to the Department of Agriculture and Food

(Department), however, there will also be additional similar cost related to inspecting cannabinoid isolate.

<b>B) Local governments:</b>
Local governments do not perform medical cannabis testing or regulate testing so they will not be impacted by the rule changes.

<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
There will be no impact on small businesses because the changes make clarifications to make this rule consistent with current law. The changes related to hemp waste codify current Department practice.

<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
There will be no impact on non-small businesses because the changes make clarifications to make this rule consistent with current law. The changes related to hemp waste codify current Department practice.

<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 <b>agency</b>):</b>
Other persons will not be impacted by the changes because they are not licensed medical cannabis establishments.

<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
Compliance costs will not change because compliance requirements are being clarified rather than changed. Fees charged by the Department will not change.

**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

NOTICES OF PROPOSED RULES

<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 Commissioner of the Utah Department of Agriculture and Food, Craig W Butters, 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:**

Subsection 4-41a-701(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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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>	Craig W Butters, Commissioner	<b>Date:</b>	04/07/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R68-30</b>	<b>Filing ID:</b> 55344

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Street address:</b>	4315 S 2700 W, TSOB South Bldg, Floor 2	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Cody James	385-515-1485	codyjames@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R68-30. Independent Cannabis Testing Laboratory
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to make this rule consistent with the current statute following the passage of S.B. 91 during the 2023 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>
In Section R68-30-7, clarifications have been made to the language regarding laboratory agents based on statutory changes that tie agent registration to individuals rather than cannabis production establishments.

**Fiscal Information**

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



<b>A) State budget:</b>			
The changes clarify existing requirements and will not impact the state budget.			
<b>B) Local governments:</b>			
Local governments will not be impacted because they do not operate as laboratories or regulate laboratories in the state.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
There will be no impact to small businesses because the requirements of the program will not change. Agent requirements are just clarified.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
There will be no impact to non-small businesses because the requirements of the program will not change. Agent requirements are just clarified.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):			
There will be no impact to other persons because the requirements of the program will not change. Agent requirements are just clarified.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
Compliance requirements to operate as a laboratory and fees charged by the Department of Agriculture and Food will not change with these rule changes.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>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>			
The Commissioner of the Department of Agriculture and Food, Craig W Buttars, 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>		
Subsection		
4-41a-103(5)		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	Craig W Buttars, Commissioner	<b>Date:</b>	04/18/2023
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R317-4	Filing ID: 55391

**Agency Information**

<b>1. Department:</b>	Environmental Quality	
<b>Agency:</b>	Water Quality	
<b>Room number:</b>	DEQ, Third Floor	
<b>Building:</b>	Multi Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144870	
<b>City, state and zip:</b>	Salt Lake City, Utah 84114-4870	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Beers	385-501-9580	rbeers@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R317-4. Onsite Wastewater Systems
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of the amendment is to incorporate up-to-date industry equipment, standards, and practices not previously addressed.
<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 adds requirements that allow membrane bioreactor alternative onsite wastewater systems. It would also add definitions and sections for design, installation, construction, operation, and maintenance of membrane bioreactor alternative onsite wastewater systems. This rule is also revised for added compliance with the Utah Rulewriting Manual.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amended rule does not require construction or installation of any onsite wastewater system. Installation

or construction of any onsite wastewater system at any state facilities is optional. Costs to the state would be subject to local health department rules, ordinances, and fees for permitting and initial installation costs only for facilities where any onsite wastewater system may be installed. Such costs are inestimable, but vary by the size of the onsite wastewater system to be installed and the installation equipment selected for use. Ongoing maintenance costs are anticipated to be an insignificant addition to typical onsite system maintenance costs.

A benefit to the state may be realized through improved groundwater quality due to increased use of alternative onsite wastewater technology. Such savings will vary by the volume of water treated by the alternative onsite system.

**B) Local governments:**

Costs are inestimable as all local health departments are required to have alternative onsite wastewater system programs. Local health departments can choose to approve or disallow any new alternative onsite wastewater system technology.

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

Costs to small businesses are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only for businesses that choose to install onsite wastewater systems. Such costs are inestimable, but will vary by the size and type of the onsite wastewater systems to be installed. Ongoing maintenance costs for new technology included in the amended rule are not anticipated to be significantly different in comparison to ongoing maintenance costs for other alternative onsite wastewater systems.

Savings to small businesses may be realized through the increased use of treated wastewater used for subsurface landscape irrigation. This could result in reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by alternative onsite wastewater systems.

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

Costs to non-small businesses are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only for entities that choose to install onsite wastewater systems. Such costs are inestimable, but will vary by the size and type of the onsite wastewater systems to be installed. Ongoing maintenance costs for new technology included in the amended rule are not anticipated to be significantly different in comparison to ongoing maintenance costs for other alternative onsite wastewater systems.

Savings to non-small businesses may be realized through the increased use of treated wastewater used for

subsurface landscape irrigation. This could result in reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by alternative onsite wastewater systems.

**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**):

Costs for residential property owners are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only when they choose to install onsite wastewater systems. Such costs are inestimable, but will vary by the size and type of the onsite wastewater systems to be installed. Ongoing maintenance costs for new technology included in the amended rule are not anticipated to be significantly different in comparison to ongoing maintenance costs for other alternative onsite wastewater systems.

Savings to residential property owners may be realized through the increased use of treated wastewater used for subsurface landscape irrigation. This could result in reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by alternative onsite wastewater systems.

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

Costs for business or residential property owners are subject to local health department rules, ordinances, and fees for permitting and initial installation costs only when they choose to install onsite wastewater systems. Such costs are inestimable, but will vary by the size and type of the onsite wastewater systems to be installed. Ongoing maintenance costs for new technology included in the amended rule are not anticipated to be significantly different in comparison to ongoing maintenance costs for other alternative onsite wastewater systems.

Savings to business, or residential property owners may be realized through the increased use of treated wastewater used for subsurface landscape irrigation. This could result in reduced charges for landscape watering by local utilities. Such savings will vary by the volume of water treated by alternative onsite wastewater systems.

**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 Environmental Quality, Kimberly D Shelley, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Title 19, Chapter 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>	06/15/2023
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<b>9. This rule change MAY become effective on:</b>	06/29/2023
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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>	John K. Mackey, Division Director	<b>Date:</b>	05/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R384-415</b>	<b>Filing ID:</b> <b>55390</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Disease Control and Prevention, Health Promotion	
<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 142106	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2106	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Braden Ainsworth	801-538-6187	tobaccorulescomments@utah.gov
McKenna Christensen	801-538-6260	tobaccorulescomments@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R384-415. Requirements to Sell Electronic Cigarette Products
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The proposed rule amendment to Rule R384-415 revises the rule to align with decisions made by the Food and Drug Administration (FDA) through the Premarket Tobacco Product Application (PMTA) application and approval process.
While reviewing PMTA applications, FDA considers (per Section 910(c)(4) of the Federal Food, Drug, and Cosmetic (FD&C) Act): the risks and benefits to potential users and nonusers of the proposed product; the impact on quit attempts or product switching of current tobacco users if the proposed product became available; the impact on the likelihood of current tobacco nonusers to begin using tobacco products if the proposed product

became available; and the details of how the proposed product is manufactured, processed, and packed.

The PMTA application requires scientific data that demonstrates a product is appropriate for the protection of public health, as well as an environmental assessment.

The PMTA application and approval process is rigorous, including meetings between the applicant and FDA and multiple rounds of review to ensure the product falls under the Center for Tobacco Products jurisdiction, determine whether the application contains sufficient information to continue the process, and evaluate the scientific information and data in the application along with recommendations from the Tobacco Product Scientific Advisory Committee (in cases where an application was referred to that Committee for assessment).

The FDA requires a showing that permitting the marketing of a new tobacco product would have a net benefit to public health based upon the risks and benefits to the population as a whole, which includes youth, young adults, and other vulnerable populations. In determining whether permitting would result in a net public health benefit, the FDA weighs the potential negative public health impacts (e.g. harm from initiation and use among nonusers, particularly youth) against the potential positive public health impacts (e.g. benefit from adult users of more harmful tobacco products completely switching). If the review process results in a marketing granted order letter, then the applicant is responsible for postmarket compliance requirements, including establishing and maintaining records and making reports. The FDA uses those reports to determine whether the product can continue to be sold or if the marketing granted order should be withdrawn or temporarily suspended.

Due to the extensive measures that the FDA goes through to review these products, the Department of Health and Human Services (Department) wishes to better align Utah practices with FDA decisions, as FDA's process is more robust than what is feasible for the Department to undertake.

This proposed rule amendment also includes nonsubstantive changes that reflect recodification of statutes from Title 26 into Title 26B and nonsubstantive grammatical changes.

**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 proposed rule amendment to Rule R384-415 revises the rule to permit the sale of non-manufacturer sealed electronic cigarette products and manufacturer sealed electronic cigarette products of any nicotine concentration which have received a PMTA approval from the FDA or permission to sell during the pendency of an appeal if permitted by the FDA or court order.

In addition, this amendment revises this rule to prohibit the sale of electronic cigarette products that have received a PMTA denial from the FDA.

Furthermore, the sale of all other manufacturer sealed electronic cigarette products that have a pending PMTA application with the FDA are limited to 5% by weight per container and do not exceed a 59mg/mL concentration of nicotine and the sale of non-manufacturer sealed electronic cigarette substances that have a pending PMTA application are limited to 360 mg nicotine per container and do not exceed a 24mg/mL concentration of nicotine.

Furthermore, this amendment revises this rule to prohibit the sale of electronic cigarette products that have received a PMTA denial from the FDA.

The proposed rule amendment also includes nonsubstantive changes that reflect recodification of statutes from Title 26 into Title 26B and nonsubstantive grammatical changes.

**Fiscal Information**

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

**A) State budget:**

Enactment of this proposed rule amendment is expected to have no fiscal impact to the state budget. The FDA PMTA approved electronic cigarette products have the potential to benefit adult smokers who are not pregnant if used as a complete substitute for regular cigarettes and other smoked tobacco products, by offering lower toxicant exposure than combustible cigarettes.

According to the U.S. Centers for Disease Control, combustible cigarettes contain over 7,000 chemicals, of which hundreds are considered to be toxic, and 70 are known to cause cancer. The long term health effects of electronic cigarette use are not yet known. It is known that electronic cigarettes contain ultrafine particles, heavy metals, cancer-causing chemicals, and volatile and organic compounds, though at lesser amounts than combustible cigarettes, which have the potential to lead to adverse health effects. Electronic cigarettes also contain nicotine at varying levels, with some products containing amounts greater than combustible cigarettes. (In 2022, the FDA issued PMTA approvals for several electronic products, with nicotine concentrations ranging from 1.5%-6%).

While the health care costs currently and ongoing related to the use of electronic cigarettes are unknown and inestimable, the FDA has determined that approved electronic cigarette products, when considering potential benefits and harms, provide a net public health benefit. In addition, if consumers increase participation in cessation programs in response to the proposed change, state funding already allocated to cessation programs is sufficient to provide significant additional support.

In addition, allowing the FDA PMTA granted products on the market in Utah could increase the revenue to the Electronic Cigarette Substance and Nicotine Product Restricted Account, Section 59-14-807, which funds state cessation and prevention programs, as well as state enforcement activities and local health department enforcement and grant programs.

**B) Local governments:**

Enactment of this proposed rule amendment is not expected to have any fiscal impact on the local governments, as local health departments will continue to conduct retail observations and investigations in accordance with respective state tobacco control laws, state administrative rules, and local health department regulations using existing allocated resources to enforce the amended rule.

The FDA publishes a list that identifies products where a PMTA application was submitted to the FDA, allowing Utah's enforcement agencies the ability to research products with approved, pending, or denied PMTA applications.

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

The proposed rule amendment is not expected to have any direct fiscal cost to small businesses that employ fewer than 50 employees and choose to sell manufacturer sealed electronic cigarette products. The proposed rule amendment is not expected to have any direct fiscal cost to small businesses that primarily rely on the sale of tobacco products (retail tobacco specialty businesses) and operate under the North American Industry Classification System (NAICS) codes of 453991 and 424940.

The proposed rule amendment is not expected to have any direct fiscal cost to other small businesses that sell manufacturer sealed electronic cigarette products among other products they choose to sell (including (445120) convenience stores, (447110) gas stations with convenience stores, (445110) supermarkets and other grocery stores, (452319) general merchandise and discount stores, (447190) other gasoline stations, (453991) tobacco stores, (424940) tobacco product merchant wholesalers, (453220) gift, novelty, and souvenir stores, (721110) hotels, (813410) civic and social organizations). It is very likely small businesses will see a positive direct fiscal impact by selling electronic cigarette products which have received premarket authorization from the FDA for sale under 21 U.S.C. 387j(c)(1)(A)(i), 21 U.S.C. 387j(a)(2)(A)(i), or 21 U.S.C. 387j(a)(2)(A)(ii).

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

The proposed rule amendment is not expected to have any direct fiscal cost to non-small businesses that employ more than 50 employees and choose to sell manufacturer sealed electronic cigarette products. The proposed rule



amendment is not expected to have any direct fiscal cost to non-small businesses that sell manufacturer sealed electronic cigarette products among other products they choose to sell (including (445120) convenience stores, (447110) gas stations with convenience stores, (445110) supermarkets and other grocery stores, (452319) general merchandise and discount stores, (447190) other gasoline stations, and (453220) gift, novelty, and souvenir stores).

It is very likely non-small businesses will see a positive direct fiscal impact by selling electronic cigarette products which have received premarket authorization from the FDA for sale under 21 U.S.C. 387j(c)(1)(A)(i), 21 U.S.C. 387j(a)(2)(A)(i), or 21 U.S.C. 387j(a)(2)(A)(ii).

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

The proposed rule amendment to Rule R384-415 may result in an indirect cost or indirect benefit to persons. In Utah as of 2021, approximately 160,000 adults and 21,000 youth (13-17 years old) are current electronic cigarette users. The indirect costs or indirect benefits to consumers are unknown and inestimable, as consumers may choose to vape electronic cigarettes approved through the FDA PMTA process with a higher nicotine concentration as a result of enactment of this proposed rule amendment, while other consumers may partially or completely switch from combustible tobacco to electronic cigarettes.

There are inestimable costs to Utahns who use electronic cigarettes, particularly to youth as nicotine use during adolescence interferes with brain development, affects attention and learning, and increases susceptibility to nicotine dependence and addiction to other substances.

Likewise, the indirect benefits to persons employed at tobacco retail businesses are unknown and inestimable, who may be employed at either small businesses or non-small businesses which could be impacted as indicated in boxes 5C. and 5D as a result of enactment of this proposed rule amendment.

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

The rule amendment to Rule R384-415 is not expected to have any compliance 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.)

<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 Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-7-505

**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:** 06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	05/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R414-14</b>	<b>Filing ID:</b> <b>55386</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 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
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R414-14. Home Health Services
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this change is to implement liability requirements for home health agencies in accordance with Section 26B-3-116.
<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 amendment includes new provisions of liability coverage for home health agency services. It also makes other technical changes.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>			
<b>A) State budget:</b>			
The Department of Health and Human Services will see neither costs nor revenue as there is no direct impact on payments and services.			
<b>B) Local governments:</b>			
Local governments will see neither costs nor revenue as they neither fund nor provide home health services under the Medicaid program.			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
Small businesses will see neither costs nor revenue as there is no direct impact on payments and services.			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
Non-small businesses will see neither costs nor revenue as there is no direct impact on payments and services.			
<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>			
Other persons or entities will see neither costs nor revenue as there is no direct impact on payments and services.			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
There are no compliance costs as there is no direct impact on payments and services.			
<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

NOTICES OF PROPOSED RULES

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 Health and Human Services, Tracy S. Gruber, has reviewed and approved this fiscal analysis.

Businesses will see neither costs nor revenue as this change does not directly affect payments and services.

**Citation Information**

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

Section 26B-1-213	Section 26B-3-108
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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:** 06/14/2023

**9. This rule change MAY become effective on:** 06/21/2023

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>	05/01/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R414-32</b>	<b>Filing ID:</b> <b>55357</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 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
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R414-32. Hospital Record-keeping Policy
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this change is to make clarifications and to reformat this text to be in accordance with standards set forth in 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>
This amendment renumbers the text, restructures sections, and restructures sentences for better clarity. It also updates Medicaid terms and specifies provider roles in terms of hospital recordkeeping policy.

**Fiscal Information**

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



<b>A) State budget:</b>			
There is no impact to the state budget as this amendment clarifies the rule text and ongoing policy.			
<b>B) Local governments:</b>			
There is no impact to local governments as they neither fund nor provide services under the Medicaid program.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
There is no impact to small businesses as this amendment clarifies the rule text and ongoing policy.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
There is no impact to non-small businesses as this amendment clarifies the rule text and ongoing policy.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):			
There is no impact to other persons as this amendment clarifies the rule text and ongoing policy.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no compliance costs as this amendment clarifies the rule text and ongoing policy.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>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 Health and Human Services, Tracy S. Gruber, has reviewed and approved this regulatory impact analysis.

Neither businesses, governments, nor other entities will see a fiscal impact as this amendment clarifies the rule text and ongoing policy.

**Citation Information**

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

Section 26B-1-213		
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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>	06/14/2023
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**9. This rule change MAY become effective on:**

06/21/2023  
 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>	03/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R414-504	Filing ID: 55381

**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**

<b>2. Rule or section catchline:</b>
R414-504. Nursing Facility Payments
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this change is to require nursing facilities to submit to the Department of Health and Human Services (Department) an optional state assessment (OSA) report for residents, to remove the sole community provider program, to remove the urban and non-urban cost differential which did not have any impact on rate-setting outcomes, and to make other technical changes.
<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 amendment requires nursing facilities to submit to the Department an OSA report, to ensure the Department receives data pertaining to resource utilization groups to calculate upper payment limit (UPL) payments. It also removes the sole community provider program, removes the urban and non-urban cost differential, updates entity names with the department merger and makes other technical changes.

**Fiscal Information**

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

**A) State budget:**

There may be some administrative costs associated with submitting OSA data; however, there is no data to estimate what those costs might be.

**B) Local governments:**

There may be some administrative costs associated with submitting OSA data; however, there is no data to estimate what those costs might be.

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

There may be some administrative costs associated with submitting OSA data; however, there is no data to estimate what those costs might be.

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

There may be some administrative costs associated with submitting OSA data; however, there is no data to estimate what those costs might be.

**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 may be some administrative costs associated with submitting OSA data; however, there is no data to estimate what those costs might be.

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

There may be some administrative costs associated with submitting OSA data; however, there is no data to estimate what those costs might be.

**Regulatory Impact Table**

Fiscal Cost	FY2024	FY2025	FY2026
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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Health and Human Services, Tracy S. Gruber, has reviewed and approved this fiscal analysis.			
Businesses may see administrative costs, but there is no data to estimate what those costs might be.			

**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 26B-1-213	Title 26B, Chapter 3	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	05/01/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R426-8</b>	<b>Filing ID:</b> <b>55385</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Family Health and Preparedness, Emergency Medical Services	
<b>Room number:</b>	2438	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, Utah 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Guy Dansie	801-560-1544	gdansie@utah.gov
Dean Penovich	801-913-2621	dpenovich@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R426-8. Emergency Medical Services Ground Ambulance Rates and Charges
<b>3. Reason for this change (Why is the agency submitting this filing?):</b>
The purpose of the change is to reflect fiscal data into a new ground ambulance base rate and mileage rate.
Additionally, citations authorizing this rule have been updated following the recodification of the Department of Health and Human Services' (Department) code in the 2023 General Session. The recodification of the Department of Health and Human Services' code is due to S.B. 38 through S.B. 41; this recodification consolidates the Department's statutes that existed in Titles 26 and 62A, this follows the consolidation of the Department of Health and the Department of Human Services that was effective 07/01/2022.
<b>4. Summary of this change (What does this filing do?):</b>
Section 26-8a-403, recodified as Section 26B-4-152, mandates the Department to set ground ambulance rates. This is performed annually and made effective on the first day of the new fiscal year, July 1.

The rates set in Subsections R426-8-200(6)(a) through (e) have undergone a 9% increase. Additionally, the mileage amount in Subsection R426-8-200(8) is decreased from ten to two miles, for a surcharge of \$1.50 if an ambulance is required to travel on unpaved roads.

**Fiscal Information**

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

**A) State budget:**

No anticipated costs or savings to the state budget. The amendments do not affect costs or revenues since the state does not provide ground ambulance services.

**B) Local government:**

80 local governments including counties, cities, towns, and special service districts provide ground ambulance services based licensed issued by the Department.

Anticipated revenues for local governments that provide ground ambulance services will have a net increase of 2% based on a gross rate increase of 9% for base rates and mileage rates. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans Administration, non-payments, negotiated payments, and private insurance payments. Mileage rates are included as part of the 9% increase to compensate for increased market vehicle costs. Financial data is obtained directly from all ground ambulance providers.

Local government operated ground ambulance patient transports total is estimated at \$95,884 based on the previous reported calendar year.

Increased rates will require additional costs for local governments to the State EMS Medicaid fund of an additional estimate of \$4 per transport.  $95,884 \text{ (total estimated transports)} \times \$4 \text{ (EMS Medicaid assessment rate increase)} = \$383,536 \text{ (estimated local government costs)}$ .

Gross revenues for local governments are estimated from past annual fiscal reports and billing data. Gross revenues estimate from patient transports is \$155,811,500.  $\$155,811,500 \times 2\% \text{ (net effect of 9\% raise in rate)} = \$3,116,230 \text{ increase benefits estimate}$ .

Net revenues for local governments are calculated as follows:  $\$3,116,230 \text{ (gross revenue increase estimate)} - \$383,536 \text{ (Medicaid assessment increase)} = \$2,732,694 \text{ (net revenue or benefit for local governments)}$ .

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

One small business operates an ambulance service in Utah based on licenses issued by the Department.

Anticipated revenues for small businesses that provide ground ambulance services will have a net increase of 2% based on a gross rate increase of 9%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans, non-payments, negotiated payments, and private insurance payments. Mileage rates are included as part of the 5% increase to compensate increased market vehicle costs.

Financial data is obtained directly from all ground ambulance providers. Small business operated ground ambulance patient transports total is estimated at 431 based on the previous reported calendar year.

Increased rates will require additional costs for small businesses to the State EMS Medicaid fund of an additional estimate of \$4 per transport.  $431 \text{ (total estimated transports)} \times \$4 \text{ (EMS Medicaid assessment rate increase)} = \$1,724 \text{ (estimated small business costs)}$ .

Gross revenues for small businesses are estimated from past annual fiscal reports and billing data. Gross revenues estimate from patient transported is \$757,250.  $\$757,250 \times 2\% \text{ (net effect of 9\% rise in rate)} = \$15,145 \text{ increase benefit estimate}$ .

Net revenues for small businesses are calculated as follows:  $\$15,145 \text{ (gross revenue increase estimate)} - \$1,724 \text{ (Medicaid assessment increase)} = \$13,421 \text{ (net revenue or benefit for small businesses)}$ .

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

There are 9 non-small businesses including 1 for profit and 8 non-profits that provide ground ambulance services based licensed issued by the Department.

Anticipated revenues for non-small businesses that provide ground ambulance services will have a net increase of 2% based on a gross rate increase of 9%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans, non-payments, negotiated payments, and private insurance payments. Mileage rates are included as part of the 9% increase to compensate for increased market vehicle costs.

Financial data is obtained directly from all ground ambulance providers. Non-small business operated ground ambulance patient transports total is estimated at 62,067 based on the previous reported calendar year.

Increased rates will require additional costs for non-small businesses to the State EMS Medicaid fund of an additional estimate of \$4 per transport. 62,067 (total estimated transports) x \$4 (EMS Medicaid assessment rate increase) = \$248,268 (estimated non-small business costs).

Gross revenues for non-small businesses are estimated from past annual fiscal reports and billing data. Gross revenue estimate from patient transports is \$100,858,875. \$100,858,875 x 2% (net effect of 5% raise in rate) = \$2,017,178 increase benefit estimate.

Net revenues for non-small businesses are calculated as follows: \$2,017,178 (gross revenue increase estimate) - \$248,268 (Medicaid assessment increase) = \$1,768,910 (net revenue or benefit for non-small businesses).

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

Costs will increase proportionately due to ground ambulance base rates and mileage rates increases. Federal payments, private insurance payments, and individuals will be required to pay the increased costs estimated at \$4,514,746.

**F) Compliance costs for affected persons:**

Compliance costs remain unchanged.

**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	\$4,514,746	\$4,514,746	\$4,514,746
<b>Total Fiscal Cost</b>	<b>\$4,514,746</b>	<b>\$4,514,746</b>	<b>\$4,514,746</b>
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$2,732,694	\$2,732,694	\$2,732,694

Small Businesses	\$13,142	\$13,142	\$13,142
Non-Small Businesses	\$1,768,910	\$1,768,910	\$1,768,910
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$4,514,746</b>	<b>\$4,514,746</b>	<b>\$4,514,746</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 Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-4-152	Section 26B-4-102	
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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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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>	05/01/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R432-1</b>	<b>Filing ID:</b>	<b>55348</b>
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**Agency Information**

<b>1. Department:</b>	Health and Human Services
<b>Agency:</b>	Health Care Facility Licensing
<b>Room number:</b>	1st Floor



<b>Building:</b>	Multi-Agency State Office Bldg	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO BOX 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R432-1. General Health Facility Rules
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This amendment addresses outdated language, terms and citations, and aligns with the requirements of the Utah Rulewriting Manual.  Additionally, this rule updates outdated citations following the recodification of the Department of Health and Human Services' (Department) statute.
<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 amendment addresses outdated language, terms and citations, and aligns with the requirements of the Utah Rulewriting Manual.  Substantive changes are due to the removal of incorporations by reference that the OU has determined are better managed as recommended standards in the plans review process of Rule R432-4 that applies to all facility construction.  Citations are updated in accordance with S.B. 38 of the 2023 General Session.

**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>
State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys.  No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. There are no significant substantive changes being made regarding the fiscal impacts of this rule.
<b>B) Local governments:</b>
Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.  The General Health Facilities are regulated by the state and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.  There are no significant substantive changes being made regarding the fiscal impacts of this rule.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.  There are no significant substantive changes being made regarding the fiscal impacts of this rule.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.  There are no significant substantive changes being made regarding the fiscal impacts of this rule.
<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>
After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no significant substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no significant substantive changes being made regarding the fiscal impacts of this rule.

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

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<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 Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-2-202

**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:** 06/14/2023

**9. This rule change MAY become effective on:** 06/21/2023

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 Gruber, Executive Director	<b>Date:</b>	04/25/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	R432-2	<b>Filing ID:</b> 55309

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Facility Licensing	
<b>Room number:</b>	1st Floor	
<b>Building:</b>	Multi-Agency State Office Bldg.	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R432-2. General Licensing Provisions
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
<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 revisions include more specific language consistent with the Utah Rulewriting Manual.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys.
No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
There are no substantive changes being made regarding the fiscal impacts of this rule.
<b>B) Local governments:</b>
Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
The Specialty Hospital Construction Standards are regulated by the Department of Health and Human Services and not local governments. There will be no change in local business licensing or any other items with which local government is involved.
There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

<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>			
The Executive Director of the Department of Health and Human Services, Tracy Gruber, 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 26B-2-202		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023
<b>9. This rule change MAY become effective on:</b>	06/21/2023
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 Gruber, Executive Director	<b>Date:</b>	03/31/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Rule or Section Number:</b>	<b>R432-8</b>	<b>Filing ID:</b>	<b>55382</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Facility Licensing	
<b>Room number:</b>	1st Floor	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R432-8. Specialty Hospital - Chemical Dependency/Substance Abuse Construction
<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
<b>4. Summary of the new rule or change</b> (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The revisions include more specific language consistent with industry standards and the Utah Rulewriting Manual.
The substantive change is due to the removal of incorporations that the Division of Health Care Licensing (Division) has determined are better represented in agency policy as recommended standards for the plans review processes and a new title to align with accepted industry terminology.

**Fiscal Information**

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

**A) State budget:**

State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys.

No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

**B) Local governments:**

Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

The Substance Use Disorder Specialty Hospital Construction standards are regulated by the Department of Health and Human Services and not local governments.

There will be no change in local business licensing or any other item(s) with which local government is involved.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

**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 Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-2-202

**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:** 06/14/2023

**9. This rule change MAY become effective on:** 06/21/2023

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 Gruber, Executive Director	<b>Date:</b>	05/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R432-11</b>	<b>Filing ID:</b> <b>55347</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Facility Licensing	
<b>Room number:</b>	1st Floor	
<b>Building:</b>	Multi-Agency State Office Bldg	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 144103	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R432-11. Orthopedic Hospital Construction
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>

The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.

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

The proposed amendment includes more clarifying language consistent with the Utah Rulewriting Manual.

It also updates citations in accordance with the 2023 recodification of the Department of Health and Human Services' (Department) statute.

**Fiscal Information**

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

**A) State budget:**

State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys.

No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department plans review process of Rule R432-4.

**B) Local governments:**

Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

The Orthopedic Hospital Construction Standards are regulated by the Department and not local governments.

There will be no change in local business licensing or any other item(s) with which local government is involved.

Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department plans review process of Rule R432-4.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department plans review process of Rule R432-4.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department plans review process of Rule R432-4.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department plans review process of Rule R432-4.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department plans review process of Rule R432-4.

**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 Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-2-202		
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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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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>	04/21/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R432-100</b>	<b>Filing ID:</b>	<b>55350</b>
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**Agency Information**

<b>1. Department:</b>	Health and Human Services		
<b>Agency:</b>	Health Care Facility Licensing		
<b>Room number:</b>	1st Floor		
<b>Building:</b>	Multi-Agency State Office Bldg.		
<b>Street address:</b>	195 N 1950 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Mailing address:</b>	PO Box 144103		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Janice Weinman	385-321-5586	jweinman@utah.gov	
Kristi Grimes	385-214-9187	kristigrimes@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R432-100. General Hospital Standards
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
<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 revisions include more specific language consistent with the Utah Rulewriting Manual.

**Fiscal Information**

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

**A) State budget:**

State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys.

No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

**B) Local governments:**

Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

The General Hospital Standards are regulated by the Department of Health and Human Services and not local governments.

There will be no change in local business licensing or any other item(s) with which local government is involved.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

**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**):

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no substantive changes being made regarding the fiscal impacts of this rule.

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

**Regulatory Impact Table**

Fiscal Cost	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<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>
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<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

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

**Citation Information**

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

Section 26B-2-219		
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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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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>	04/25/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** New

<b>Rule or Section Number:</b>	<b>R432-108</b>	<b>Filing ID:</b>	<b>55349</b>
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**Agency Information**

<b>1. Department:</b>	Health and Human Services
<b>Agency:</b>	Health Facility Licensing
<b>Room number:</b>	1st Floor
<b>Building:</b>	Multi-Agency State Office Bldg.
<b>Street address:</b>	195 N 1950 W
<b>City, state and zip:</b>	Salt Lake City, UT 84116
<b>Mailing address:</b>	PO Box 144103

<b>City, state and zip:</b>	Salt Lake City, UT 84114-4103	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R432-108. Rural Emergency Hospital
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this proposal is to create rules for a new provider type of Rural Emergency Hospital.
<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 proposed rule creates a license type to meet federal requirements set forth in 42 CFR 485.500.
It mirrors its existing counterpart Rule R432-106, Critical Access Hospital, but has been updated to the Utah Rulewriting Manual compliance.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
State government process was thoroughly reviewed. This rule will not impact the current process for licensure and re-licensure surveys.
No change to the state budget is expected because this rule is for currently licensed providers, not new providers. No additional surveys will be required.
<b>B) Local governments:</b>
Local government city business licensing requirements were considered. The Rural Emergency Hospital Standards are regulated by the Department of Health and Human Services and not local governments.
There will be no change in local business licensing or any other item(s) with which local government is involved.

This rule is for currently licensed providers, not new providers.																
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):																
After conducting a thorough analysis, it was determined that this rule will not impact small businesses.																
This rule is for currently licensed providers and no new expenditures will be required.																
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):																
After conducting a thorough analysis, it was determined that this rule should not impact non-small businesses.																
This rule is for currently licensed providers and no new expenditures will be required.																
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):																
After conducting a thorough analysis, it was determined that this rule should not impact persons other than small businesses, non-small businesses, state, or local government entities.																
This rule is for currently licensed providers and no new expenditures will be required.																
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):																
After conducting a thorough analysis, it was determined that this rule will not impact affected persons.																
This rule is for currently licensed providers and no new expenditures will be required.																
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																
<b>Regulatory Impact Table</b>																
<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> </tbody> </table>	Fiscal Cost	FY2023	FY2024	FY2025	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	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													

NOTICES OF PROPOSED RULES

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 Health and Human Services, Tracy Gruber, 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 26B-2-202		

**Public Notice Information**

<b>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>	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	04/25/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R432-700</b>	<b>Filing ID:</b> <b>55351</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Facility Licensing	
<b>Room number:</b>	1st Floor	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R432-700. Home Health Agency Rule
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual.
Additionally, there was a change from 63 days to 60 days for the federal requirement impacting Subsections R432-700-24(5) and (6), R432-700-25(7), and the change points to the statute requiring the change.
<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 revisions include more specific language consistent with the Utah Rulewriting Manual.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
State government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys.



No change to the state budget is expected because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to state government as a result of this rule filing.

**B) Local governments:**

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for local governments because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to local governments as a result of this rule filing.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to small businesses as a result of this rule filing.

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to non-small businesses as a result of this rule filing.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no fiscal costs or savings to affected persons as a result of this rule filing.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to

compliance costs for affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

There are no added compliance costs for compliance with this rule.

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

<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 Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-2-202		
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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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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 Gruber, Executive Director	<b>Date:</b>	04/24/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R477-1</b>	<b>Filing ID:</b>	<b>55359</b>
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**Agency Information**

<b>1. Department:</b>	Government Operations		
<b>Agency:</b>	Human Resource Management		
<b>Room number:</b>	2100		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128		
<b>Mailing address:</b>	PO Box 141531		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Bryan Embley	801-618-6720	bkembley@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R477-1. Definitions

<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
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H.B. 67, passed in the 2023 General Session, altered the definition of veteran so the agency is altering the definition in rules to match the statute.

**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 amendment ties the definition of veteran directly to the statutory definition.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-17-106	Section 63A-17-301	Section 63A-17-306
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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:** 06/14/2023

**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R477-2</b>	<b>Filing ID:</b>	<b>55372</b>
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**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R477-2. Administration

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

The Division of Human Resource Management (DHRM) found a need for a clarifying change and several minor changes to match procedures in Rule R477-15.

(EDITOR'S NOTE: The proposed amendment to Rule R477-15 is under ID 55370 in this issue, May 15, 2023, of the Bulletin.)

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

This amendment revises language to ensure consistency between two rule provisions which touch the same process and to standardize the language referring to the DHRM Director.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other

persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 52-3-1	Section 63G-5-201	Title 63G, Chapter 7
Section 63A-17-106	Section 63A-17-306	Section 63A-17-307

**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:** 06/14/2023

**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R477-4</b>	<b>Filing ID:</b>	<b>55362</b>
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**Agency Information**

<b>1. Department:</b>	Government Operations		
<b>Agency:</b>	Human Resource Management		
<b>Room number:</b>	2100		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128		
<b>Mailing address:</b>	PO Box 141531		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Bryan Embley	801-618-6720	bkembley@utah.gov	

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

**General Information**

**2. Rule or section catchline:**  
R477-4. Filling Positions

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

The Division of Human Resource Management (DHRM) found a need for organizational adjustments to enhance clarity, makes final implementation of H.B. 104, passed in the 2022 General Session, and standardizes references to the DHRM Director.

**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 amendment reorganizes rule provisions for clarity, strikes provisions relating to longevity to implement H.B. 104(2002), and adds a statutory citation for confidentiality of recruitment records.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch

NOTICES OF PROPOSED RULES

of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-17-106	Section 67-20-8	
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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>	06/14/2023
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**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R477-5-2</b>	<b>Filing ID:</b> <b>55363</b>

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R477-5-2. Probationary Period
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>



The Division of Human Resource Management (DHRM) found a need to clarify a provision by removing a non-exhaustive list and correct a passive voice provision.

**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 amendment revises language to clarify provisions and correct style errors.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-17-106	Subsection 63A-17-305(5)(b)	
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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

NOTICES OF PROPOSED RULES

agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	07/01/2023
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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R477-6</b>	<b>Filing ID:</b> <b>55364</b>

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R477-6. Compensation
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The Division of Human Resource Management (DHRM) found a need for changes to implement H.B. 104, passed in the 2022 General Session, address outdated provisions, correct spelling errors, and standardize language.

<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>
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These amendments finish implementation of H.B. 104 (2022) regarding pay for performance and the elimination of longevity, revises language to clarify applicability of rule provisions, adjusts noncash incentive limits to be governed by finance policy, corrects spelling errors, and standardizes references to the DHRM Director.

**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>
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These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

<b>B) Local governments:</b>
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These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
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These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
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These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

<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>
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These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
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There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-16-105	Section 63A-17-106	Subsection 63A-17-302(4)
Section 63A-17-307	Section 63A-17-803	

**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:** 06/14/2023

**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R477-7</b>	<b>Filing ID:</b> 55365

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R477-7. Leave

**3. Purpose of the new rule or reason for the change** (Why is the agency submitting this filing?):  
 The Division of Human Resource Management (DHRM) found a need to clarify and correct errors regarding the use of sick and bereavement leave, the conditions for payout of leave balances, and the procedures for using leave to supplement pay under Workers Compensation.

**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 amendment reorganizes for clarity and to correct errors.

**Fiscal Information**

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

**A) State budget:**  
 These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**  
 These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
 These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
 These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 34-43-103	Section 39-3-1	Section 63G-1-301
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Section 63A-17-106	Section 63A-17-504	Section 63A-17-505
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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:** 06/14/2023

**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R477-8</b>	<b>Filing ID:</b>	<b>55366</b>
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**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R477-8. Working Conditions

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

The Division of Human Resource Management (DHRM) found a need for citation updates, adjustments to alleviate the need for frequent exceptions, and language revisions for consistency and clarity.

**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 amendment updates citations and revises language for clarity and consistency.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch

NOTICES OF PROPOSED RULES

of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 34A-2-114	Section 63A-17-106	Section 63A-17-602
Section 20A-3-103		

**Public Notice Information**

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

**A) Comments will be accepted until:** 06/14/2023

**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R477-10</b>	<b>Filing ID:</b> 55367

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
R477-10. Employee Development

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



The Division of Human Resource Management (DHRM) found an opportunity to more clearly state the requirements for employee performance evaluation.

**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 amendment revises language to better clarify the performance evaluation process and standardizes references to the DHRM Director.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-17-106		
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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

NOTICES OF PROPOSED RULES

agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	07/01/2023
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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R477-12</b>	<b>Filing ID:</b> <b>55368</b>

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R477-12. Separations
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The Division of Human Resource Management (DHRM) found a need to clarify a provision relating to resignations.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the</b>

substantive differences between the repealed rule and the reenacted rule):
This amendment clarifies that the resignation procedure applies to all employees and standardizes references to the DHRM Director.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
<b>B) Local governments:</b>
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.
<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 <b>agency</b>):</b>
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.
<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>

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>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Deputy Director of the Department of Government Operations, Christopher Hughes, has reviewed and approved this fiscal 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 63A-17-106	Section 63A-17-306	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	07/01/2023
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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R477-13</b>	<b>Filing ID:</b> <b>55369</b>

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R477-13. Volunteer Programs
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The Division of Human Resource Management (DHRM) found a need to implement H.B. 11, passed in the 2023 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>
This amendment revises language to be consistent with revisions to the Volunteer Government Workers Act.

**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-17-106	Section 67-20-3	Section 67-20-4
Section 67-20-8		

**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:** 06/14/2023

**9. This rule change MAY become effective on:** 07/01/2023

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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R477-15</b>	<b>Filing ID:</b>	<b>55370</b>
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**Agency Information**

<b>1. Department:</b>	Government Operations		
<b>Agency:</b>	Human Resource Management		
<b>Room number:</b>	2100		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128		
<b>Mailing address:</b>	PO Box 141531		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Bryan Embley	801-618-6720	bkembley@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R477-15. Workplace Harassment Prevention
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The Division of Human Resource Management (DHRM) found a need to revise language to make similar processes consistent across rules.
<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 amendment revises language for consistency, corrects rules styling errors, and standardizes references to the DHRM Director.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
<b>B) Local governments:</b>
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.
<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>
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.
<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>

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>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Deputy Director of the Department of Government Operations, Christopher Hughes, has reviewed and approved this fiscal 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 63A-17-106	Section 63A-17-306	Section 63G-2-305
E.O. No. 2019-1		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	07/01/2023
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>	John Barrand, Division Director	<b>Date:</b>	04/27/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Rule or Section Number:</b>	<b>R477-16-3</b>	<b>Filing ID:</b>	<b>55371</b>

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Human Resource Management	
<b>Room number:</b>	2100	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 141531	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1531	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bryan Embley	801-618-6720	bkembley@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R477-16-3. Investigative Procedure
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The Division of Human Resource Management (DHRM) found a need to revise language to make similar processes consistent across rules.
<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 amendment revises language for consistency, corrects rules styling errors, and standardizes references to the DHRM Director.



**Fiscal Information**

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

**A) State budget:**

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

**B) Local governments:**

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

**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 amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

**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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

**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>
<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 Deputy Director of the Department of Government Operations, Christopher Hughes, 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 63A-17-106	Section 67-26-101	
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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>	06/14/2023
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**9. This rule change MAY become effective on:**

07/01/2023  
 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>	John Barrand, Division Director	<b>Date:</b>	04/23/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	R501-11	<b>Filing ID:</b> 55380

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Human Services Program Licensing	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R501-11. Social Detoxification Programs
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
<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 revisions include more specific language and formatting consistent with the Utah Rulewriting Manual.
Additionally, it removes outdated citations and removes duplicative content that is now reflected in Rule R501-1 General Provisions for Human Services Program licensing. This rule is being submitted for manual compliance only and is currently being discussed with multiple stakeholders to address the gaps between medical and social detoxification services as governed by the Department of Health and Human Services

(Department).

This hybrid approach to allowing medical detox in a social detox setting is a compromise reached between OSUMH, stakeholders, and the Department until more discussions can produce a more comprehensive social/medical detox continuum under the Office of Licensing.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The state government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure, now that there is one office for health and human services licensure.
No change to the state budget is expected because this amendment modifies and replaces outdated language and citations, most of the stricken content is now located in Rule R501-1.
<b>B) Local governments:</b>
Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.
The Social Detoxification Programs are regulated by the Department and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved. There are no fiscal impacts to local governments resulting from the nonsubstantive changes in this rule content.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Small businesses impacted will be insignificant, as the new rule content was amended to address duplicative content across all rule categories. Rule R501-1 is the streamlined and updated version of the stricken content of this rule as it applies to all license categories. Substantive changes offer licensees an option to provide an additional level of care, do not require it.
There are no fiscal impacts to small businesses resulting from the nonsubstantive changes in this rule content.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
Non-Small businesses impacted will be insignificant, as the new rule content was amended to address duplicative content across all rule categories. Rule R501-1 is the streamlined and updated version of the stricken content of this rule as it applies to all license categories. Substantive changes offer licensees an option to provide an additional

level of care, do not require it.

There are no fiscal impacts to non-small businesses resulting from the substantive or non-substantive changes in this rule content.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to any affected persons because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards.

The nonsubstantive changes being made clarify and outline existing industry standards and requirements for the protection of clients in social detoxification programs.

The substantive changes allow licensees the option to serve medical clients in social settings and bill Medicaid for the service.

There will be no fiscal impacts on any affected persons as a result of this rule.

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

This rule amendment does not introduce any processes that will incur a cost 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
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 Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-2-104		
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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:** 06/14/2023

**9. This rule change MAY become effective on:** 06/21/2023

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>	05/01/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R501-18</b>	<b>Filing ID:</b> <b>55383</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Human Services Program Licensing	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@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 or section catchline:</b>
R501-18. Recovery Residence Services
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this amendment is to modify and replace outdated language with the Utah Rulewriting Manual standards.
<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 revisions include more specific language and formatting consistent with the Utah Rulewriting Manual.
Additionally, it removes outdated citations and aligns with current industry standards.
One substantive change addressing medical cannabis was added at the request of our sister agency, the Office of Substance Use and Mental Health, wording was approved by the directors of OSUMH and the Center for Medical Cannabis.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The state government process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure.
No change to the state budget is expected because this amendment modifies and replaces outdated language and

citations, most of the stricken content is now located in Rule R501-1.

**B) Local governments:**

Local government city business licensing requirements were considered.

This proposed rule amendment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. Recovery residence programs are regulated by the Department of Health and Human Services (Department) and not local governments.

There will be no change in local business licensing or any other item(s) with which local government is involved.

There are no fiscal impacts to local government resulting from the substantive or nonsubstantive changes in this rule content.

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

Small businesses impacted will be insignificant, as the new rule content was amended to address duplicative content across all rule categories.

Rule R501-1 is the streamlined and updated version of the stricken content of this rule as it applies to all license categories.

There are no fiscal impacts to small businesses resulting from the substantive or nonsubstantive changes in this rule content.

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

Non-small businesses impacted will be insignificant, as the new rule content was amended to address duplicative content across all rule categories.

Rule R501-1 is the streamlined and updated version of the stricken content of this rule as it applies to all license categories.

There are no fiscal impacts to non-small businesses resulting from the substantive or nonsubstantive changes in this rule content.

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to any affected persons because this amendment modifies

and replaces outdated language with the Utah Rulewriting Manual standards.

The substantive and nonsubstantive changes being made clarify and outline existing industry standards and requirements for the protection of clients in recovery residence programs.

There will be no fiscal impacts on any affected persons as a result of this rule.

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

This rule amendment does not introduce any new processes that will incur a cost 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.)

<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 Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 26B-2-104	Section 26B-2-117	
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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:** 06/14/2023

**9. This rule change MAY become effective on:** 06/21/2023

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 Gruber, Executive Director	<b>Date:</b>	05/01/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R590-237</b>	<b>Filing ID:</b> <b>55387</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129
<b>Mailing address:</b>	PO Box 146901
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901



<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R590-237. Access to Health Care Providers in Rural Counties
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards.
Other changes make the language of the rule more clear, remove two facilities that no longer meet the definition of "independent hospital," and remove the Penalties (the old R590-237-9) section because penalties are already provided for in statute.
The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

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

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

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

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

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

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

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

**G) 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>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Department of Insurance, Jonathan T. Pike, 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 31A-2-201	Section 31A-45-501	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	06/14/2023

<b>9. This rule change MAY become effective on:</b>	06/21/2023
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>	Steve Gooch, Public Information Officer	<b>Date:</b>	05/01/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R590-262</b>	<b>Filing ID:</b> <b>55389</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W

<b>City, state and zip:</b>	Taylorville, UT 84129
<b>Mailing address:</b>	PO Box 146901
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901
<b>Contact persons:</b>	
<b>Name:</b>	<b>Phone:</b> <b>Email:</b>
Steve Gooch	801-957-9322 sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>	

**General Information**

<b>2. Rule or section catchline:</b>
R590-262. Health Data Authority Health Insurance Claims Reporting
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):</b>
The majority of the changes are being done to fix style issues to bring this rule text more in line with the Utah Rulewriting Manual standards.
Other changes make the language of this rule more clear, remove the Penalties (the old R590-262-16) and Enforcement Date (the old R590-262-17) sections, and update the Severability (the new R590-262-16) section to use the Department's current language.
The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature, and will not change how the Department functions.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature, and will not affect local governments.

NOTICES OF PROPOSED RULES

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

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

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

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

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

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

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

**G) 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 Commissioner of the Department of Insurance, Jonathan T. Pike, 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 31A-2-201	Section 31A-22-614.5	
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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.)

**A) Comments will be accepted until:** 06/14/2023

**9. This rule change MAY become effective on:** 06/21/2023

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>	Steve Gooch, Public Information Officer	<b>Date:</b>	05/01/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R920-50-3</b>	<b>Filing ID:</b>	<b>55374</b>
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**Agency Information**

<b>1. Department:</b>	Transportation
<b>Agency:</b>	Operations, Traffic and Safety
<b>Room no.:</b>	Administrative Suite, 1st Floor
<b>Building:</b>	Calvin Rampton

<b>Street address:</b>	4501 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 148455	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-8455	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Leif Elder	801-580-8296	lelder@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule or section catchline:</b>
R920-50-3. Governing Standards
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The Department of Transportation (Department) proposes changing this rule to adopt the most recent standard and safety requirements for arial tramways, arial lifts, surface lifts, tows, and conveyors.
<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 proposed change to the governing standards replaces ANSI B77.1 (2017) with ANSI B77.1 (2022).
The updated standard, ANSI B77.1 (2022) primarily applies to the design of ski lifts that operators install in the future. However, there are changes that apply to existing ski lifts and these changes primarily clarify existing requirements.
There are new standards for aerial lift work carriers that apply to all aerial lifts. Please contact the Department for a complete list of the changes to the general standards.

**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>
The Passenger Ropeway Safety Committee reimburses the state for its operations costs from fees it collects for its services.
The proposed change does not change the way the committee's funding mechanism works. Therefore, the proposed change will not affect the state's budget.
<b>B) Local governments:</b>
This proposed change could affect the budget of a local government that operates a passenger ropeway.
The latest governing standard this proposed change incorporates, ANSI B77.1 (2022), includes changes that can affect existing ropeways. If one of the new standards requires an operator of an existing ropeway to modify the ropeway, the operator may incur costs. However, any such costs are speculative and impossible to estimate.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Skiing facilities are the firms most likely to be ropeway operators. The NAICS Code for Skiing facilities is 713920.
The Department of Workforce Services FirmFind database includes 18 firms in Utah with the NAICS Code 713920, five of those firms have fewer than 50 employees.
Therefore, this proposed change could affect the budgets of five small businesses that operate a passenger ropeway. The latest governing standard this proposed incorporates, ANSI B77.1 (2022), includes changes that can affect existing ropeways.
If one of the new standards requires an operator of an existing ropeway to modify the ropeway, the operator may incur costs. However, any such costs are speculative and impossible to estimate.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
The Department of Workforce Services FirmFind database includes 13 firms in Utah with the NAICS Code 713920 that have more than 50 employees.
Therefore, this proposed change could affect the budgets of 13 non-small businesses that might operate a passenger ropeway. The latest governing standard this proposed change incorporates, ANSI B77.1 (2022), includes changes that can affect existing ropeways.
If one of the new standards requires an operator of an existing ropeway to modify the ropeway, the operator may incur costs. However, any such costs are speculative and impossible to estimate.

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

The Department cannot find any persons other than small businesses, non-small businesses, state, or local government entities that operate passenger ropeways.

Therefore, it is not likely this proposed change will have a fiscal impact on such persons.

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

It is not possible to accurately estimate the possible cost this proposed change might have on affected persons because any such costs are speculative.

**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 Transportation, Carlos M Braceras, PE, 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 72-11-210		
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

**A) This rule adds, updates, or removes the following title of materials incorporated by references:**

<b>Official Title of Materials Incorporated (from title page)</b>	Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyers – Safety Requirements - ANSI B77.1-2022
<b>Publisher</b>	American National Standard (ANSI)
<b>Issue Date</b>	May 5, 2022

**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>	06/14/2023
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**9. This rule change MAY become effective on:**

06/21/2023
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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>	Carlos M Braceras, PE, Executive Director	<b>Date:</b>	04/28/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R986-700</b>	<b>Filing ID:</b> <b>55373</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
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R986-700. Child Care Assistance
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The purpose of this filing is to adopt changes to comply with the requirements of Subsection 35A-3-209(3) and 45 C.F.R. 98.21 and make technical, conforming, and stylistic changes in accordance 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>
This amendment adopts changes which make this rule consistent with Subsection 35A-3-209(3) and 45 C.F.R. 98.21. The eligibility period for child care subsidies is no less than 12 months. A child must attend childcare for at least 8 hours in each month to be eligible for assistance. A provider must report changes within 10 days and report attendance to the Department of Workforce Services (Department) electronically.

**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 change is not expected to have any fiscal impact on state revenues or expenditures. There are no additional state employees or resources needed to oversee this rule change.
These rule changes will not increase the Department's workload and can be carried out with its existing budget. These rule changes do not increase or decrease the amount of childcare subsidies available.

<b>B) Local governments:</b>
These rule changes are not expected to have any fiscal impact on local governments' revenues or expenditures because the program does not rely on local governments for funding, administration, or enforcement.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Since most childcare providers are small businesses, this amendment impacts them by making minor adjustments to the requirements to participate in childcare subsidies.
The requirements include payment based on attendance rather than enrollment, and reporting attendance to the Department using an electronic system.
The Department does not anticipate that the changes will reduce or increase the number of families eligible for a subsidy.
The Department anticipates no fiscal cost to small businesses because the Department has made an electronic attendance system available to providers at no cost.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
This rule change is not expected to have an impact to non-small businesses other than those which are child care providers.
This amendment may impact child care providers by making minor adjustments to the requirements to participate in child care subsidies. The requirements include payment based on attendance rather than enrollment, and reporting attendance to the Department using an electronic system.
The Department does not anticipate that the changes will reduce or increase the number of families eligible for a subsidy.
The Department anticipates no fiscal cost to small businesses because the Department has made an electronic attendance system available to providers at no cost.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
The rule change is not expected to have a fiscal impact on other persons.
The change requires that children actually attend childcare to be eligible for a subsidy and requires an eligibility period of no less than 12 months. Previously, eligibility was

NOTICES OF PROPOSED RULES

based on enrollment in childcare instead of actual attendance.

The Department does not anticipate that the changes will reduce or increase the number of families eligible for a subsidy.

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

There are no compliance costs for affected persons. The amount of available childcare subsidies is not changed by this rule change and the Department has made an electronic attendance system available to providers at no cost.

**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 Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 35A-3-203	Section 35A-3-209	Section 35A-3-310
Section 35A-3-312	45 C.F.R. 98.21	

**Public Notice Information**

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

**A) Comments will be accepted until:** 06/15/2023

**9. This rule change MAY become effective on:** 07/01/223

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>	04/27/2023
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**End of the Notices of Proposed Rules Section**



## NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends June 14, 2023.

From the end of the 30-day waiting period through September 12, 2023, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

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

NOTICE OF CHANGE IN PROPOSED RULE		
<b>Rule or Section Number:</b>	<b>R590-102</b>	<b>Filing ID: 55180</b>
<b>Date of Previous Publication:</b>	<b>01/15/2023</b>	

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R590-102. Insurance Department Fee Payment Rule
<b>3. Reason for this change</b> (Why is the agency submitting this filing?):
This rule is being updated to add two fees that were approved by the legislature under S.B. 8, State Agency Fees and Internal Service Fund Rate Authorization and Appropriations, passed during the 2023 General Session, and a reference to the same bill in the session laws.
It is important to note that while this rule will result in a decrease in state revenue, it also provides another path for a dormant captive or dormant captive cell to stay in Utah. Without this rule, a dormant captive or dormant captive cell would have to choose either to pay the full renewal fee or to cease operations in Utah. The fees are a win-win, in that it allows the state to still collect some revenue while allowing dormant captives to stay in Utah for a lower cost.
<b>4. Summary of this change</b> (What does this filing do?):
The change adds a dormancy certificate renewal fee to Sections R590-102-8 and R590-102-9.

It also adds a line in Section R590-102-1 to reference Chapter 487, Laws of Utah 2023, which is where the fees are codified in statute.  
 (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the January 15, 2023, issue of the Utah State Bulletin, on page 44. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule will result in a decrease in state revenue; however, the amount of the aggregate cost is difficult to say because the number of captives and captive cells in the state may vary from year to year.
In 2023, there are 11 dormant captives in Utah. Multiplying those 11 dormant captives against the \$2,500 captive dormancy certificate renewal fee will result in \$27,500 in aggregate fees. However, those captives would have paid the full \$7,250 captive renewal fee (\$79,750 in aggregate) without this separate dormancy renewal fee. The result is a \$52,250 decrease in state revenue in 2023.
In 2023, there are 0 dormant captive cells in Utah. Multiplying those 0 dormant captive cells against the \$500 captive cell dormancy certificate renewal fee will result in \$0 in aggregate fees. However, a hypothetical dormant captive cell would have paid the full \$1,000 captive cell renewal fee without this separate dormancy renewal fee.
Adding the aggregate revenue decreases of \$52,250 and \$0 results in a total state revenue decrease of \$52,250 in 2023.
For the Regulatory Impact Summary Table in 5G below, the Department of Insurance (Department) has liberally estimated an increase of 1 dormant captive and 1 dormant captive cell annually.
<b>B) Local government:</b>
There is no anticipated cost or savings to local government. These fees apply to captives and captive cells, and do not apply to local government in any way.

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

In Utah, all dormant captives or captive cells are small businesses, and a captive or captive cell will see a cost savings as a result of this rule. However, the aggregate savings is difficult to say because the number of captives and captive cells in the state may vary from year to year.

In 2023, there are 11 dormant captives in Utah. Multiplying those 11 dormant captives against the \$2,500 captive dormancy certificate renewal fee will result in \$27,500 in aggregate fees. However, those captives would have paid the full \$7,250 captive renewal fee (\$79,750 in aggregate) without this separate dormancy renewal fee. The result is a \$52,250 savings for captives in 2023.

In 2023, there are 0 dormant captive cells in Utah. Multiplying those 0 dormant captive cells against the \$500 captive cell dormancy certificate renewal fee will result in \$0 in aggregate fees. However, a hypothetical dormant captive cell would have paid the full \$1,000 captive cell renewal fee without this separate dormancy renewal fee.

Adding the aggregate savings of \$52,250 and \$0 results in a total savings of \$52,250 for captives in 2023.

For the Regulatory Impact Summary Table in 5G below, the Department has liberally estimated an increase of 1 dormant captive and 1 dormant captive cell annually.

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

There is no anticipated cost or savings to non-small businesses. All dormant captives and captive cells in Utah are small businesses.

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

There is no anticipated cost or savings to any other persons. These fees apply to captives and captive cells, and do not apply to any other persons in any way.

**F) Compliance costs for affected persons:**

Affected persons will pay a different amount depending on the license type they are renewing. A dormant captive will pay \$2,500 annually and a captive cell will pay \$500 annually as a result of this rule.

However, it is important to note that the purpose of these dormancy certificate renewal fees is a cost-saving measure for captives and captive cells that are dormant in Utah.

Complying with this rule will result in \$4,750 annual savings for a dormant captive and \$500 annual savings for a dormant captive cell.

**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	\$52,250	\$57,500	\$62,750
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>\$52,250</b>	<b>\$57,500</b>	<b>\$62,750</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	\$52,250	\$57,500	\$62,750
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$52,250</b>	<b>\$57,500</b>	<b>\$62,750</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 Commissioner of the Department of Insurance, Jonathan T. Pike, 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 31A-2-201	Section 31A-3-103	
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NOTICES OF CHANGES IN PROPOSED RULES

**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>	06/14/2023
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<b>9. This rule change MAY become effective on:</b>	06/21/2023
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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.
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**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	05/01/2023
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**End of the Notices of Changes in Proposed Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at [adminrules.utah.gov](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>	R68-9	<b>Filing ID:</b> 54541
<b>Effective Date:</b>	04/25/2023	

### Agency Information

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Building:</b>	TSOB South Bldg., Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state, and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO BOX 146500	
<b>City, state, and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kelly Pehrson	801-982-2200	kwpehrson@Utah.gov
Amber Brown	385-245-5222	ambermbrown@Utah.gov
Robert Hougaard	801-538-7180	rhougaard@Utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

### General Information

<b>2. Rule catchline:</b>	R68-9. Utah Noxious Weed Act
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### 3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Section 4-17-115 authorizes the rulemaking authority to administer cooperative agreements for areas threatened by invasive species.

Under Section 4-17-103, the Department of Agriculture and Food (Department) compiles and publishes a statewide list of noxious weeds annually.

Also, in Section 4-7-104, the State Weed Committee must review the noxious weed program and oversee county weed control boards while providing a state list of noxious weeds.

### 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:

Public comments received were concerns about specific species that organizations such as USU, DNR, counties, NAISMA, and private organizations expressed about the species being on the list. The Department is reviewing the requests for adding specific species to the list, requests for the review of specific species, and requests that some species be part of the re-classification process. DNR has submitted most of the requests.

The Department is reviewing the public comments and has included the State Weed Committee, created under Section 4-17-104, in the continued review of the published statewide list in 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:

Sections 4-17-103 and 4-17-115 require this rule to continue so the Department can provide an annually published list of noxious weeds and the administration of

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Section 4-17-115 and give grants from the Invasive Species Mitigation Account. Therefore, this rule should be continued.

The Department is currently reviewing the public comments referencing the specific species and collaborating with the interested parties and the Utah State Weed Committee.

The Department has not received any comments addressing the opposition to this rule. Instead, they have received comments about an invasive species and whether it should continue as part of this rule. The Department will continue to meet with the Utah State Weed Committee to review the list and the classifications of the species found in this rule.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W Buttars, Commissioner	<b>Date:</b>	04/25/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R590-219</b>	<b>Filing ID:</b>	<b>55100</b>
<b>Effective Date:</b>	<b>05/01/2023</b>		

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R590-219. Credit Scoring

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

Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.

Section 31A-22-320 authorizes the insurance commissioner to write rules to regulate the use of credit information. This rule sets the minimum standards for property and casualty insurers doing private passenger automobile business in Utah that use credit history or an insurance score as part of their underwriting criteria or rating plans.

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

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

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

This rule is necessary for regulating the way in which automobile insurance companies use an insured's credit score. One of the main reasons for the law and this rule is to disallow insurers from using a credit score as the sole reason to cancel an insured's policy. The law and this rule require the presence of risk-related factors before increasing an insured's premium or canceling their policy. Since the creation of the law and this rule, the Department has received fewer and fewer complaints related to misuse of credit scores. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	05/01/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R590-222</b>	<b>Filing ID:</b>	<b>52506</b>
<b>Effective Date:</b>	<b>05/01/2023</b>		

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 2300
<b>Building:</b>	Taylorsville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorsville, UT 84129



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

**General Information**

<b>2. Rule catchline:</b>
R590-222. Life Settlements
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 31A-2-201(3) authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.  Section 31A-36-119 authorizes the insurance commissioner to adopt rules regarding life settlements.  This rule implements procedures for the licensure of life settlement providers and producers, producers' annual reports, disclosures, advertising, reporting of fraud, prohibited practices, standards for life settlement payments, and procedures to request the verification of coverage.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department of Insurance has received no written comments regarding this rule during the past five years.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule provides the requirements and explanations regarding the business of life settlements, including licensing, annual reports, payments, disclosures, reasonable payments, verification of coverage, advertising, fraud reporting, prohibited practices, and form filing. All are necessary for proper regulation of this product in the marketplace and to protect the consumer. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	05/01/2023
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	<b>R590-223</b>	<b>Filing ID: 51407</b>
<b>Effective Date:</b>	<b>05/01/2023</b>	

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 2300	
<b>Building:</b>	Taylorville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b> <b>Email:</b>	
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R590-223. Rule to Recognize the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 31A-2-201(3) authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.  Subsection 31A-17-402(1) authorizes the insurance commissioner to adopt rules specifying the liabilities to be reported by an insurer in an annual statement, as well as the methods of valuing those liabilities.  Subsection 31A-22-408(11) authorizes the insurance commissioner to adopt rules interpreting, describing, and clarifying the application of the nonforfeiture law.  Subsection 31A-22-408(6) allows the use of the tables adopted by the insurance commissioner by rule. This rule recognizes, permits, and prescribes the use of the 2001 Commissioners Standard Ordinary (CSO) Mortality Table in accordance with Sections 31A-17-504, 31A-22-408, and R590-198-5.

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

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

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

This rule is part of statutory accounting requirements. It prescribes a mortality table to be used for the valuation and nonforfeiture of life insurance. It establishes reserving standards consistent with that recommended by the NAIC Accounting Practices and Procedures Manual. Repealing this rule would adversely impact insurance companies and consumers. If this rule were to be withdrawn, it will make life insurance less affordable. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	05/01/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R590-276</b>	<b>Filing ID:</b>	<b>55048</b>
<b>Effective Date:</b>	<b>04/20/2023</b>		

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

**2. Rule catchline:**

R590-276. Record Retention for Foreign Insurers, Alien Insurers, Commercially Domiciled Insurers, Foreign Title Insurers, and Foreign Fraternal

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

Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.

Sections 31A-14-205.5 and 31A-23a-412 authorize the insurance commissioner to write rules to set the duration for a foreign insurer, alien insurer, commercially domiciled insurer, foreign title insurer, or foreign fraternal to maintain books and records after a transaction.

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

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

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

This rule is necessary because it sets rules regarding the length of time an insurer must keep books and records after a transaction. The retention of these records is critical to the department's regulatory functions, especially in case of an issue with an insurer. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	04/20/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R642-100</b>	<b>Filing ID:</b>	<b>51555</b>
<b>Effective Date:</b>	<b>04/27/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Oil, Gas and Mining; Administration
<b>Building:</b>	Department of Natural Resources
<b>Street address:</b>	1594 W North Temple, Suite 1210
<b>City, state and zip:</b>	Salt Lake City, UT 84116

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R642-100. Records of the Division and Board of Oil, Gas and Mining
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R642-100 is necessary as it explains the responsibility and authority of keeping records, what information is needed when any person is requested records, and other applicable information regarding records requests, including fees, classifications, and responses to such requests. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	<b>R642-200</b>	<b>Filing ID: 51562</b>
<b>Effective Date:</b>	<b>04/27/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Oil, Gas and Mining; Administration
<b>Building:</b>	Department of Natural Resources
<b>Street address:</b>	1594 W North Temple, Suite 1210

<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R642-200. Applicability
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R642-200 is necessary as it states that only records controlled by the division may be governed by Title R642. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	<b>R645-101</b>	<b>Filing ID: 51572</b>
<b>Effective Date:</b>	<b>04/27/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Oil, Gas and Mining; Coal
<b>Building:</b>	Department of Natural Resources
<b>Street address:</b>	1594 W North Temple, Suite 1210
<b>City, state and zip:</b>	Salt Lake City, UT 84116

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R645-101. Restrictions on State Employees
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-101 is necessary as it explains the responsibilities of the director and division employees.
It also prevents anyone who performs any function, duty, or financial interest in any coal mine from working as an inspector for the Division, and directs all employees to file financial reports.
This rule also prohibits any gifts and gratuities from being accepted from a coal company.
Finally, this rule explains the procedures for resolving any prohibited interests. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	R645-102	<b>Filing ID:</b> 51569
<b>Effective Date:</b>	04/27/2023	

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	Oil, Gas and Mining; Coal
<b>Building:</b>	Department of Natural Resources
<b>Street address:</b>	1594 W North Temple, Suite 1210
<b>City, state and zip:</b>	Salt Lake City, UT 84116

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R645-102. Exemption for Coal Extraction Incident to Government-Financed Highway or Other Construction
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-102 is necessary as it establishes the procedures for determining coal mining and reclamation operation exemptions and if a site is exempt, it explains the information that must be stored on site. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	R645-104	<b>Filing ID:</b> 51574
<b>Effective Date:</b>	04/27/2023	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W. North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-104. Protection of Employees
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-104 is necessary as it establishes protections to Division employees, such as stating that someone cannot discriminate against or cause an employee to be fired because they did the requirements of their job. It also explains procedures for filing an application for review, if necessary, and the following investigation and conference. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R645-401</b>	<b>Filing ID: 51584</b>
<b>Effective Date:</b>	<b>04/27/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-401. Inspection and Enforcement: Civil Penalties
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-401 is necessary as it explains information on civil penalties, when a civil penalty will be assessed, the point system for civil penalties, and procedures for an informal or formal conference to review the violation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R647-1</b>	<b>Filing ID: 54196</b>
<b>Effective Date:</b>	<b>04/27/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R647-1. Minerals Regulatory 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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-1 is necessary as an introduction to the Minerals Regulatory Program and sets up required forms and definitions used throughout Title R647. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R647-2</b>	<b>Filing ID:</b> 55154
<b>Effective Date:</b>	04/27/2023	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
Please address questions regarding information on this notice to the agency.		

**General Information**

<b>2. Rule catchline:</b>
R647-2. Exploration
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-2 is necessary as it explains the paperwork and requirements that need to be met before any mining exploration can occur.
Rule R647-2 also explains best reclamation practices and what happens when reclamation does not take place. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R647-3</b>	<b>Filing ID:</b> 53046
<b>Effective Date:</b>	04/27/2023	



**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R647-3. Small Mining Operations
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary as it explains the paperwork and requirements that need to be met before any small mining operations can occur. This includes instruction on operation plans and practices, requirements for hole plugging and reclamation, and the process for failure to reclaim or suspension of operations. Therefore, this rule should be continued.

**General Information**

<b>2. Rule catchline:</b>
R647-4. Large Mining Operations
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-4 is necessary as it explains the paperwork and requirements that need to be met before any large mining operations can occur. This includes instruction on operation plans and practices, impact assessments, requirements for hole plugging and reclamation, and the process for failure to reclaim or suspension of operations. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R647-4</b>	<b>Filing ID:</b>	<b>53047</b>
<b>Effective Date:</b>	<b>04/27/2023</b>		

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

<b>Rule Number:</b>	<b>R647-5</b>	<b>Filing ID:</b>	<b>52352</b>
<b>Effective Date:</b>	<b>04/27/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R647-5. Administrative Procedures
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-5 is necessary as it explains the formal and informal administrative procedures and when adjudicative proceedings commence. It explains when an informal proceeding may convert to a formal proceeding and that all administrative remedies must be exhausted before seeking judicial review. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R647-6</b>	<b>Filing ID:</b>	<b>51588</b>
<b>Effective Date:</b>	<b>04/27/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R647-6. Inspection and Enforcement: Division Authority and Procedures
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-6 is necessary as it explains the enforcement authority of the Minerals Regulatory Program and the provisions of state enforcement, including cessation orders, notices of violation, and how to remedy them. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R647-7</b>	<b>Filing ID:</b>	<b>51590</b>
<b>Effective Date:</b>	<b>04/27/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R647-7. Inspection and Enforcement: Civil Penalties
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-7 is necessary as it explains information on civil penalties, when a civil penalty will be assessed, the point system for civil penalties, and procedures for an informal or formal conference to review the violation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R647-8</b>	<b>Filing ID:</b> 51591
<b>Effective Date:</b>	<b>04/27/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Non-Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R647-8. Inspection and Enforcement: Individual Civil Penalties
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R647-8 is necessary as it explains when an individual civil penalty will be assessed against a corporate director, officer, or agent of an operator. This rule explains individual civil penalty amounts, the procedures for assessment, and payment of the penalty. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R649-6</b>	<b>Filing ID:</b> 51599
<b>Effective Date:</b>	<b>04/27/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	Oil, Gas and Mining; Oil and Gas	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple, Suite 1210	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R649-6. Gas Processing and Waste Crude Oil Treatment
<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 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R649-6 is necessary as it requires applications to be submitted before any waste crude oil treatment facility begins construction and the required monthly forms for any gas processing plants. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Baza, Director	<b>Date:</b>	04/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R651-103</b>	<b>Filing ID: 55084</b>
<b>Effective Date:</b>	<b>04/17/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-103. Electronic Meetings
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 52-4-207(1) authorizes a public body to convene or conduct an electronic meeting provided written procedures are established for such meetings. This rule establishes procedures for conducting Board meetings by electronic means.
Subsection 52-4-207(2)(a) provides a board may only hold electronic meetings if it adopts a rule regarding electronic meetings.
Subsection 79-4-304(2)(a) provides the parks board with rule making authority to (I) govern the use of the state park system; (II) protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (III) provide for public safety and preserve the peace within state parks.
(b) to accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (I) close or partially close state parks; or (II) establish use or access restrictions within state parks.
<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 Division of State Parks has not received any written comments on this rule since the last five-year review.

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

This rule is passed pursuant to the identified code section. This rule is necessary to provide procedures as required by Section 52-4-207 for the parks board to hold electronic meetings. Board members are located throughout the state to provide proper representation of all districts. Electronic meetings allow for optimal board member participation during difficult travel conditions or schedules. Electronic meetings also allow for optimal public participation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-601</b>	<b>Filing ID:</b>	<b>55088</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-601. Definitions as Used in These Rules
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304(2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to

provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for governing of the state park system.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule is necessary because definitions are required in order to provide clear meaning of the terms used in the rules. The definitions provide clarity to rules governing the use of the park system, rules that protect park resources, and rules that provide for public safety within parks. Without them, it leaves all subsequent Division rules up to interpretation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-602</b>	<b>Filing ID:</b>	<b>51639</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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**

**2. Rule catchline:**

R651-602. Aircraft and Powerless Flight

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

Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides public safety within state parks.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for public safety and preserve the peace within state parks. This rule is needed to minimize dangerous situations on a body of water within state parks that experience high boat congestion.

State Parks identified bodies of water that are large enough to accommodate a water landing. Aircraft landing within parks approved by special use permit allow for maximized public safety. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-603</b>	<b>Filing ID:</b> 54707
<b>Effective Date:</b>	<b>04/17/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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**

**2. Rule catchline:**

R651-603. Animals

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

Subsection 79-4-304(2)(a) provides the parks board with rulemaking authority to (i) govern the use of the state park system; (ii) protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides protection of the state parks and natural resources from misuse or damage, as well as public safety.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.



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

This rule furthers the Division's statutory obligation to provide for resource protection and public safety within state parks. This rule is needed to provide visitors the required acceptable behavior within the state parks which help to keep the parks orderly, safe, and sanitary. The Division has found that damage to facilities, damage to natural resources including watersheds and wildlife, and injuries to the public occur when these rules are not followed. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-604</b>	<b>Filing ID:</b>	<b>54911</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 catchline:</b>
R651-604. Operation or Use of Audio Devices
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to

provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule preserves the peace within state parks.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to preserve the peace within state parks. This rule is needed to prevent unreasonable noise disturbance of visitors from other visitors. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-606</b>	<b>Filing ID:</b>	<b>54734</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>	
R651-606. Camping, Overnight Facilities, and Park Lodging	
<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>	
<p>Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.</p> <p>(b)To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.</p> <p>This rule governs the use of the state park system, protects state parks and their natural and cultural resources, and provides for public safety and preserves the peace with the state parks.</p>	
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.	
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	
This rule furthers the Division's statutory obligation to provide protection for resource and cultural resources, provide public safety and preserve the peace within state parks. This rule is needed to provide limits on facility use in order to prevent a residence situation and potential resource damage. This rule also provides limits to help facilitate operations of campgrounds and expectations of the visitors. Therefore, this rule should be continued.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-607</b>	<b>Filing ID:</b>	<b>51647</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>	
R651-607. Disorderly Conduct	
<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>	
<p>Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.</p> <p>(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.</p> <p>This rule provides for public safety and preserving the peace within state parks.</p>	
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.	
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	
This rule furthers the Division's statutory obligation to provide for public safety and preserve the peace within state parks. This rule is necessary to help keep people safe by restricting certain activities within a park that create	

a dangerous situation or otherwise needing to be restricted. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-610</b>	<b>Filing ID:</b>	<b>51655</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-610. Expulsion
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for public safety and preserves the peace within state parks. It will also assist in protecting

natural and cultural resources if the person being expelled was causing damage to these resources.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide protection for natural and cultural resources, and provide for public safety and preserve the peace within state parks. This rule is necessary to remove individuals from state parks that have demonstrated egregious behavior while in the park to ensure the behavior discontinues for at least 48 hours. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-613</b>	<b>Filing ID:</b>	<b>51657</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-613. Fires

<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.	
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.	
This rule provides for protection of state parks and the natural and cultural resources within from damage.	
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.	
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	
This rule furthers the Division's statutory obligation to provide for public safety, as well as protection of natural and cultural resources within state parks. This rule is necessary in order to minimize unintentional wildfires that could damage facilities, property, lands, and injure or kill people. Fires can be very destructive, devastating, and expensive to fight. Therefore, this rule should be continued.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-614</b>	<b>Filing ID:</b>	<b>52413</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	State Parks
<b>Street address:</b>	1594 W North Temple, Suite 116
<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 84114-6001	
<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 catchline:</b>
R651-614. Fishing, Hunting and Trapping
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for protection of wildlife resources and also for providing public safety.
<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>
Palisade State Park has received complaints about allowing waterfowl hunting in the park from bird watchers and hikers, but no official complaints about big game archery hunting in the park.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule furthers the Division of State Parks' statutory obligation to provide for public safety and protecting natural resources within state parks. This rule is necessary to provide for public safety while hunting within state parks.
Some parks have very narrow boundaries or public facilities spread throughout the park that would create a potential hazard to the public for certain methods of hunting. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-615</b>	<b>Filing ID:</b>	<b>51654</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	State Parks		
<b>Street address:</b>	1594 W North Temple, Suite 116		
<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 84114-6001		
<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 catchline:</b>
R651-615. Motor Vehicle Use
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides protection the natural resources in state parks and also provides public safety.
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for public safety and protection of natural resources within state parks. This rule is necessary to protect resource and facility damage that can be caused by vehicles driving where ever their operators want to. It also provides for public safety by keeping ingress and egress roads open for access and emergencies. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-616</b>	<b>Filing ID:</b>	<b>51653</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	State Parks		
<b>Street address:</b>	1594 W North Temple, Suite 116		
<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 84114-6001		
<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 catchline:</b>
R651-616. Organized Sports
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state



park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for public safety and preserving the peace within state parks. It also provides for resource protection.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for public safety and preserve the peace, as well as protection of natural resources within state parks. This rule is necessary so that one group doesn't take over an entire picnic area or campground, which is not conducive for organized sports. This would create an environment where other guests could not picnic or camp in an area for that use. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-618</b>	<b>Filing ID:</b>	<b>51674</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	State Parks
<b>Street address:</b>	1594 W North Temple, Suite 116
<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 84114-6001

<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 catchline:</b>
R651-618. Picnicking

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

Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for resource protection.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for resource protection within state parks. This rule is necessary to establish restrictions on picnicking in buildings or sensitive areas such as cultural sites. Food in buildings can lead to damage and infestations. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R651-619	Filing ID: 55085
Effective Date:	04/17/2023	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<b>City, state and zip:</b>	Salt Lake City, Utah 84116	
<b>Mailing address:</b>	PO Box 146001	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6001	
<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 catchline:</b>
R651-619. Possession of Alcoholic Beverages or Controlled Substances
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for public safety and preserving the peace.
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.

<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule furthers the Division's statutory obligation to provide for public safety and preserve the peace within state parks. This rule is necessary to govern alcohol and drugs within state park buildings. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R651-620	Filing ID: 54918
Effective Date:	04/17/2023	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-620. Protection of Resources Park System Property
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for protection of natural and cultural resources within state parks.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for protection of natural and cultural resources within state parks. This rule is necessary to provide of natural and cultural resources within state parks. Without it, people may be able to cause severe damage to facilities or create unsafe situations for park guests. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-621</b>	<b>Filing ID:</b>	<b>51661</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	State Parks		
<b>Street address:</b>	1594 W North Temple, Suite 116		
<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 84114-6001		
<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**

**2. Rule catchline:**

R651-621. Reports of Injury or Damage

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

Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule helps preserve the peace within state parks and also protection for natural and cultural resources.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for public safety and preserve the peace, as well as protection for natural and cultural resources within state parks. This rule is necessary to document occurrences within the state parks. Documenting assists with any legal matters and also assist in instigating positive change within the state parks. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-624</b>	<b>Filing ID:</b>	<b>51664</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-624. Sanitation
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for resource protection within state parks.
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule furthers the Division's statutory obligation to provide for resource protection within state parks. This rule is necessary to keep our parks clean, healthy, and safe for the public to visit and use. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-625</b>	<b>Filing ID:</b>	<b>51665</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-625. Shirts and Shoes
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for preserving the peace within state parks.
<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>

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

The Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for preserving the peace within state parks. This rule is necessary to create a pleasant and learning environment for those visiting our state park facilities where interpretive displays or a professional working environment is present. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-626</b>	<b>Filing ID:</b>	<b>51666</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-626. Skating, Skateboards and Motorized Transportation Devices
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>

Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for resource protection and preserving the peace within state parks.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for resource protection and preserving the peace within state parks. This rule is necessary to provide governance of acceptable activities within state parks. Some parks have endangered or threatened species that can't have devices in their habitat. Other locations may create user conflicts or could be dangerous with vehicular traffic or other uses. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-627</b>	<b>Filing ID:</b>	<b>51669</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	State Parks
<b>Street address:</b>	1594 W North Temple, Suite 116
<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 84114-6001	
<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 catchline:</b>
R651-627. Swimming
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for public safety.
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule furthers the Division's statutory obligation to provide for public safety within state parks. This rule is necessary to address situations where swimming is not safe to do so. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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<b>FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION</b>		
<b>Rule Number:</b>	<b>R651-628</b>	<b>Filing ID: 51667</b>
<b>Effective Date:</b>	<b>04/17/2023</b>	

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-628. Trails and Walks
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.
(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.
This rule provides for resource protection.
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.



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

This rule furthers the Division's statutory obligation to provide for resource protection within state parks. This rule is necessary to address acceptable trail use to help minimize issues, conflicts, and resource damage. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-629</b>	<b>Filing ID:</b>	<b>55086</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	State Parks		
<b>Street address:</b>	1594 W North Temple, Suite 116		
<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 84114-6001		
<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 catchline:</b>	R651-629. Unattended Property		
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.		

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for preserving the peace within state parks.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to preserve the peace within state parks. This rule is necessary so staff may remove items left by guests and a system for storing and claiming items. This way, the park can continue to operate, rather than allowing items to block a facility from other guests. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-630</b>	<b>Filing ID:</b>	<b>51668</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources		
<b>Agency:</b>	State Parks		
<b>Street address:</b>	1594 W North Temple, Suite 116		
<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 84114-6001		
<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 catchline:</b>		
R651-630. Unsupervised Children		
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>		
<p>Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.</p> <p>(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.</p> <p>This rule provides for public safety and protection of natural and cultural resources.</p>		
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.		
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>		
This rule furthers the Division's statutory obligation to provide for public safety and protection of natural and cultural resources within state parks. This rule is necessary for children to be supervised while in state parks. Unsupervised children can get into trouble or need assistance while visiting state parks. Therefore, this rule should be continued.		

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-631</b>	<b>Filing ID:</b>	<b>51670</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources
<b>Agency:</b>	State Parks

<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>		
R651-631. Winter Sports		
<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>		
<p>Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.</p> <p>(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.</p> <p>This rule provides protection of natural and cultural resources, as well as public safety.</p>		
<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 Division of State Parks (Division) has not received any written comments on this rule since the last five-year review.		
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>		
This rule furthers the Division's statutory obligation to provide for public safety and protection of natural and cultural resources within state parks. This rule is necessary to address acceptable use and to help minimize issues, conflicts, and resource damage.		
Winter activities in certain locations may be very dangerous and create a public safety risk to the people		

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

doing the activity and/or other visitors. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-632</b>	<b>Filing ID:</b>	<b>55087</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-632. Enforcement
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 53-13-103(1)(b)(viii) provides that Division law enforcement officers are sworn and certified peace officers and Subsection 53-13-103(2) provides sworn law enforcement officers have statewide full-spectrum peace officer authority, including the authority to enforce Utah laws and Division rules.
Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule allows for law enforcement to protect state parks and provide for public safety and preserve the peace.

**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 State Parks has not received any written comments on this rule since the last five-year review.

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

Rule R651-632 is necessary to enforce other rules and provide natural resource protection that the agency has been mandated to facilitate and protect. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-633</b>	<b>Filing ID:</b>	<b>54729</b>
<b>Effective Date:</b>	<b>04/17/2023</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources	
<b>Agency:</b>	State Parks	
<b>Street address:</b>	1594 W North Temple, Suite 116	
<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 84114-6001	
<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 catchline:</b>
R651-633. Special Closures or Restrictions

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

Subsection 79-4-304 (2)(a) provides the parks board with rule making authority to (i) governing the use of the state park system; (ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and (iii) to provide for public safety and preserve the peace within state parks.

(b) To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that: (i) close or partially close state parks; or (ii) establish use or access restrictions within state parks.

This rule provides for public safety and protection of natural and cultural resources within state parks.

**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 State Parks (Division) has not received any written comments on this rule since the last five-year review.

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

This rule furthers the Division's statutory obligation to provide for public safety and protection of natural and cultural resources within state parks. This rule is necessary to address areas where there are special restrictions due to various natural and cultural resource concerns or for public safety. Others present a safety hazard if not followed.

One area mentioned in this rule has an endangered beetle that lives there. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jeff Rasmussen, Director	<b>Date:</b>	04/13/2023
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**End of the Five-Year Notices of Review and Statements of Continuation Section**



## NOTICES OF LEGISLATIVE NONREAUTHORIZATION

Section 63G-3-502 provides that "every agency rule that is in effect on February 28 of any calendar year expires on May 1 of that year unless it has been reauthorized by the Legislature." To do this, the Legislature's Administrative Rules Review and General Oversight Committee prepares omnibus legislation each year. As part of this legislation, the Legislature may elect not to reauthorize a rule or a part of a rule down to the complete paragraph level. When this occurs, the Office of Administrative Rules files a **NOTICE OF LEGISLATIVE NONREAUTHORIZATION** to document the Legislature's action and removes the rule or part of a rule from the *Utah Administrative Code*. The filings below show what the Legislature has elected not to reauthorize.

Legislative nonreauthorization of administrative rules is governed by Section 63G-3-502.

NOTICE OF LEGISLATIVE NON-REAUTHORIZATION		
<b>Rule or Section Number:</b>	<b>R156-60</b>	<b>Filing No. 55377</b>

### 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, zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy Lancaster (Office of Administrative Rules)	801- 957- 7102	rulesonline@utah.gov

### General Information

<b>2. Rule or section catchline:</b>	
R156-60. Mental Health Professional Practice Act Rule	
<b>3. House or Senate Bill:</b>	
H.B. 127, Reauthorization of Administrative Rules, was passed in the 2023 General Session. This included the non-reauthorization of Subsections R156-60-102(3) and R156-60-502(2).	
<b>4. Action required by the bill:</b>	
Subsections R156-60-102(3) and R156-60-502(2) are removed from this rule.	
<b>5. Effective Date</b>	05/01/2023

NOTICE OF LEGISLATIVE NON-REAUTHORIZATION		
<b>Rule or Section Number:</b>	<b>R156-61</b>	<b>Filing No. 55378</b>

### 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, zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state, zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy Lancaster (Office of Administrative Rules)	801- 957- 7102	rulesonline@utah.gov

### General Information

<b>2. Rule or section catchline:</b>	
R156-61. Psychologist Licensing Act Rule	
<b>3. House or Senate Bill:</b>	
H.B. 127, Reauthorization of Administrative Rules, was passed in the 2023 General Session. This included the non-reauthorization of Subsections R156-61-102(3) and R156-60-502(23).	
<b>4. Action required by the bill:</b>	
Subsections R156-61-102(3) and R156-61-502(23) are removed from this rule.	
<b>5. Effective Date</b>	05/01/2023

**End of the Notices of Legislative Nonreauthorization 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. 55241 (Amendment) R58-1: Admission, Identification, and Inspection of Livestock, Poultry, and Other Animals  
Published: 03/01/2023  
Effective: 04/13/2023

No. 55231 (Amendment) R311-206: Petroleum Storage Tanks: Certificate of Compliance and Financial Assurance Mechanisms  
Published: 03/01/2023  
Effective: 04/14/2023

No. 55254 (Amendment) R58-22: Equine Infectious Anemia (EIA)  
Published: 03/15/2023  
Effective: 04/21/2023

Waste Management and Radiation Control, Radiation  
No. 55240 (Amendment) R313-16-230: Registration of Radiation Machines  
Published: 03/01/2023  
Effective: 04/17/2023

#### Plant Industry

No. 55257 (Amendment) R68-29: Quality Assurance Testing on Cannabis  
Published: 03/15/2023  
Effective: 04/21/2023

### Health and Human Services

Population Health, Environmental Health  
No. 55242 (Repeal and Reenact) R392-100: Food Service Sanitation  
Published: 03/01/2023  
Effective: 04/25/2023

No. 55258 (Amendment) R68-37: Industrial Hemp Cannabinoid Product Testing  
Published: 03/15/2023  
Effective: 04/21/2023

No. 55237 (Repeal and Reenact) R392-510: Utah Indoor Clean Air Act  
Published: 03/01/2023  
Effective: 04/25/2023

No. 55259 (New Rule) R68-38: Cannabis Licensing Process  
Published: 03/15/2023  
Effective: 04/21/2023

Health Care Financing, Coverage and Reimbursement Policy  
No. 55021 (Amendment) R414-520: Admission Criteria for Medically Complex Children's Waiver  
Published: 11/15/2022  
Effective: 05/05/2023

### Environmental Quality

#### Environmental Response and Remediation

No. 55229 (Amendment) R311-200: Petroleum Storage Tanks: Definitions  
Published: 03/01/2023  
Effective: 04/14/2023

No. 55021 (Change in Proposed Rule) R414-520: Admission Criteria for Medically Complex Children's Waiver  
Published: 03/15/2023  
Effective: 05/05/2023

No. 55230 (Amendment) R311-202: Federal Underground Storage Tank Regulations  
Published: 03/01/2023  
Effective: 04/14/2023

## NOTICES OF RULE EFFECTIVE DATES

### Health Care Facility Licensing

No. 55197 (Amendment) R432-9: Specialty Hospital - Rehabilitation Construction Rule  
Published: 03/01/2023  
Effective: 05/05/2023

No. 55192 (Amendment) R432-14: Birthing Center Construction Rule  
Published: 03/01/2023  
Effective: 05/05/2023

No. 55269 (Amendment) R432-16: Hospice Inpatient Facility Construction  
Published: 03/15/2023  
Effective: 05/05/2023

No. 55268 (Repeal) R432-30: Adjudicative Procedure  
Published: 03/15/2023  
Effective: 05/05/2023

No. 55251 (Amendment) R432-40: Long-Term Care Facility Immunizations  
Published: 03/01/2023  
Effective: 05/05/2023

No. 55270 (Amendment) R432-105: Specialty Hospital - Orthopedics  
Published: 04/01/2023  
Effective: 05/09/2023

No. 55267 (Amendment) R432-106: Specialty Hospital - Critical Access  
Published: 03/15/2023  
Effective: 05/05/2023

No. 55271 (Amendment) R432-300: Small Health Care Facility - Type N  
Published: 04/01/2023  
Effective: 05/09/2023

No. 55265 (Amendment) R432-750: Hospice Rule  
Published: 03/15/2023  
Effective: 05/05/2023

### Insurance

#### Administration

No. 55262 (Repeal and Reenact) R590-226: Submitting Life Insurance Filings  
Published: 03/15/2023  
Effective: 04/21/2023

No. 55263 (Repeal and Reenact) R590-227: Submitting Annuity Filings  
Published: 03/15/2023  
Effective: 04/21/2023

No. 55264 (Repeal and Reenact) R590-228: Submitting Credit Life and Credit Accident and Health Insurance Filings  
Published: 03/15/2023  
Effective: 04/21/2023

No. 55275 (Amendment) R590-261: Health Benefit Plan Adverse Benefit Determinations  
Published: 04/01/2023  
Effective: 05/09/2023

No. 55276 (Amendment) R590-268: Small Employer Stop-Loss Insurance  
Published: 04/01/2023  
Effective: 05/09/2023

No. 55277 (Amendment) R590-275: Qualified Health Plan Alternate Enrollment  
Published: 04/01/2023  
Effective: 05/09/2023

No. 55278 (Amendment) R590-284: Corporate Governance Annual Disclosure Rule  
Published: 04/01/2023  
Effective: 05/09/2023

### Natural Resources

#### Outdoor Recreation

No. 55260 (New Rule) R650-407: Off-Highway Vehicle Advisory Council  
Published: 03/15/2023  
Effective: 04/28/2023

#### State Parks

No. 55253 (Repeal) R651-407: Off-Highway Vehicle Advisory Council  
Published: 03/15/2023  
Effective: 05/05/2023

No. 55261 (Amendment) R651-635: Commercial, Privileged, and Special Uses of Division Manage Park Areas  
Published: 03/15/2023  
Effective: 04/25/2023

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