

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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EXECUTIVE DOCUMENTS

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

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

PROCLAMATION

WHEREAS, since the close of the 2023 General Session of the 65th Legislature of the state of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the governor may, by proclamation, convene the Senate into Extraordinary Session; and

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the state of Utah, do by this Proclamation call the Senate only of the 65th Legislature of the state of Utah into the Second Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 9th day of August 2023, at 4:00 P.M., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the state of Utah since the close of the 2023 General Session of the Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, this 8th day of August 2023.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2023-02E

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 15, 2023, 12:00 a.m., and August 01, 2023, 11:59 p.m. are included in this, the August 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 September 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 December 13, 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.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R251-703	Filing ID: 55548

Agency Information

1. Department:	Corrections	
Agency:	Administration	
Street address:	14727 Minuteman Drive	
City, state and zip:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Matt Anderson	801-556-8199	mattanderson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R251-703. Vehicle Direction Station
3. Purpose of the new rule or reason for the change:
The prison relocated to Salt Lake City from Draper. The agency internally identified that rules would need to be changed to reflect this move.
4. Summary of the new rule or change:
This rule change corrects the previous naming of the prison, South Point, to the current naming, Utah State Correctional Facility. Nonsubstantive style and formatting changes were also made to this rule to conform with the Utah Rulewriting Manual per EO No. 2021-12.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings change to the state budget, as this rule provides policy guidelines for the state facility vehicle direction stations and does not have a fiscal impact.
B) Local governments:
There is no anticipated cost or savings change to the local governments, as this rule does not apply to this group.
C) Small businesses ("small business" means a business employing 1-49 persons):

There is no anticipated cost or savings change to small businesses, as this rule does not apply to this group.

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

There is no anticipated cost or savings change to non-small businesses, as this rule does not apply to this group.

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 change to other persons, as this rule does not apply to this group.

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, as this does not apply to this group and this rule has no fiscal impact regardless.

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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Corrections, Brian Redd, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 63G-3-201	Section 64-13-14	Section 64-13-10

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	09/14/2023

9. This rule change MAY become effective on:	09/21/2023
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

Agency head or designee and title:	Brian Redd, Executive Director	Date:	07/17/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R432-101	Filing ID: 55539

Agency Information

1. Department:	Health and Human Services
Agency:	Health Care Facility Licensing
Room number:	1st Floor
Building:	Multi-Agency State Office Bldg
Street address:	195 N 1950 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state and zip:	Salt Lake City, UT 84114-4103	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R432-101. Specialty Hospital - Psychiatric
3. Purpose of the new rule or reason for the change:
The purpose of this repeal and reenactment is to make significant language and structure changes to replace outdated language with the Utah Rulewriting Manual standards. Structural changes made did not change existing content.
4. Summary of the new rule or change:
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:
This change will not impact the current process for licensure and re-licensure surveys. No change to the state budget is expected because this repeal and reenactment 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 repeal and reenactment should not impact local governments' revenues or expenditures because this amendment modifies and replaces outdated language with the Utah Rulewriting Manual standards. The Intermediate Care Facility 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):

The repeal and reenactment 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):

The repeal and reenactment 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**):

This repeal and reenactment 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?):

This rule repeal and reenactment 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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.			

Citation Information

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

Section 26B-1-202	Section 26B-2-212	
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Public Notice Information

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

A) Comments will be accepted until:	09/14/2023
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9. This rule change MAY become effective on:	09/21/2023
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

Agency head or designee and title:	Tracy Gruber, Executive Director	Date:	07/19/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R657-4	Filing ID: 55534

Agency Information

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

General Information

2. Rule or section catchline:
R657-4. Possession of Live Game Birds
3. Purpose of the new rule or reason for the change:
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (Division) rule regulating the possession and release of pen-reared gamebirds.
4. Summary of the new rule or change:
Pen-reared gamebird related rule sections are currently distributed across six Division rules and one Department of Agriculture and Food (UDAF) rule.

This recommendation is to update rules to align conflicting rule language across agencies, simplify Division rule by consolidating pen-reared gamebird provision into a single rule, shift regulation of commercial gamebirds growers to the UDAF, and update disease testing requirements to meet challenges of emerging disease.

The proposed filing will repeal and reenact Rule R657-4 from "Possession of Live Game Birds" to "Possession and Release of Pen-reared Gamebirds".

The amendments will also:

- 1) define "gamebirds";
- 2) define permitting requirements for possession and release separately;
- 3) establish UDAF as the agency regulating commercial gamebird growers;
- 4) establish the Division as the agency regulating personal use of pen-reared gamebirds and sets requirements;
- 5) establish the Division as the agency regulating release of pen-reared gamebirds and sets requirements;
- 6) establish standards for disease testing;
- 7) incorporate Section R657-20-26, Use of Pen-reared Game Birds for Meets, Trials and Training;
- 8) incorporate Rule R657-22, Commercial Hunting Areas;
- 9) incorporate Rule R657-46, Game Birds in Training and Trials; and
- 10) make technical corrections as needed.

Fiscal Information

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

A) State budget:

The amendments are administrative in nature, and establish a clear line of authority between different regulating agencies.

The Division determines that these changes can be initiated within the current workload and resources of the Division, therefore, the Division does not believe that these amendments would create a cost or savings impact to the state budget or the Division's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed rule establishes a clear line of authority between regulating agencies and local governments are not included, this filing does not create any direct cost or savings impact to local governments.

Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

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

NOTICES OF PROPOSED RULES

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in the raising of gamebirds because there are not additional requirements made with these new amendments.

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

The Division determines that this amendment will not create additional costs for those participating in the raising of gamebirds because there are not additional requirements made.

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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 23A-5-302	Section 23A-2-305	Section 23A-2-304
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Public Notice Information

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

A) Comments will be accepted until: 09/14/2023

9. This rule change MAY become effective on: 09/21/2023

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

Agency head or designee and title:	Justin Shirley, Division Director	Date:	07/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R704-4	Filing ID:	55542
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Agency Information

1. Department:	Public Safety
Agency:	Emergency Management
Room number:	Suite 2200
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W

City, state and zip:	Taylorsville, UT 84129-2128	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Janna Wilkinson	385-214-5857	jannawilkinson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
 R704-4. Response, Recovery, and Post-disaster Mitigation Grant Funding

3. Purpose of the new rule or reason for the change:
 This rule is authorized under Section 53-2a-1305, which allows the Division of Emergency Management (Division) to make rules to:
 1) designate the requirements and procedures for the governing body of an affected community to apply for a disaster response and recovery grant and conduct an official damage assessment;
 2) establish standards to determine the categories of and criteria for entities and costs that are eligible for grant fund and minimum threshold payment amounts and cost-sharing requirements; and
 3) establish standards and procedures to ensure that funds distributed in accordance with this part are distributed in a cost effective and equitable manner, are reasonably necessary for disaster response and recovery, are an appropriate and necessary use of public funds, and that all receipts and invoices are documented.

 An emergency rule was enacted on Section 5-24-23 as a result of the passage of S.B. 33 during the 2023 General Session.

 This rule filing is being submitted to establish a permanent rule as authorized under Section 53-2a-1305.
 (EDITOR'S NOTE: The 120-day (emergency) rule filing for Rule R704-4, ID 55452, is effective as of 05/16/2023 and was published in the June 15, 2023, Bulletin.)

4. Summary of the new rule or change:
 This rule filing establishes:
 1) procedures for a qualified entity to apply for grant funding from the disaster response and recover grant;
 2) the criteria for the Division to apply when determining eligibility for grant funding to be awarded to the qualifying entity;
 3) criteria for prioritization of grant funding awards to applicants, the process for awarding grant funding to applicants, including timeframe for disbursement and

percentage of eligible expenses to be awarded to applicants;
 4) the requirement for an official damage assessment to be completed in connection with an application for grant funding; and
 5) costs eligible to be submitted for consideration in connection with a grant application.

Fiscal Information

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

A) State budget:
 The Division does not anticipate a cost to the state budget as a result of the enactment of this rule. The Utah Legislature appropriated funding for FY24 in the amount of \$10,000,000 to provide grant funding for disaster recovery and post-disaster mitigation.

 This rule determines how the funding will be distributed.

B) Local governments:
 The Division does not anticipate a cost to local governments as a result of the enactment of this rule. The Utah Legislature appropriated funding for FY24 in the amount of \$10,000,000 to provide grant funding for disaster recovery and post-disaster mitigation.

 This rule determines how the funding will be distributed.

C) Small businesses ("small business" means a business employing 1-49 persons):
 The Division does not anticipate a cost to small businesses as a result of the enactment of this rule. The Utah Legislature appropriated funding for FY24 in the amount of \$10,000,000 to provide grant funding for disaster recovery and post-disaster mitigation.

 This rule determines how the funding will be distributed.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 The Division does not anticipate a cost to non-small businesses as a result of the enactment of this rule. The Utah Legislature appropriated funding for FY24 in the amount of \$10,000,000 to provide grant funding for disaster recovery and post-disaster mitigation.

 This rule determines how the funding will be distributed.

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 Division does not anticipate a cost to persons other than small businesses, state, or local government entities as a result of the enactment of this rule. The Utah

NOTICES OF PROPOSED RULES

Legislature appropriated funding for FY24 in the amount of \$10,000,000 to provide grant funding for disaster recovery and post-disaster mitigation.

This rule determines how the funding will be distributed.

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

The Division does not anticipate any compliance costs to affected persons as a result of the enactment of this rule. The Utah Legislature appropriated funding for FY24 in the amount of \$10,000,000 to provide grant funding for disaster recovery and post-disaster mitigation.

This rule determines how the funding will be distributed.

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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this 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 53-2a-102	Section 53-2a-1301	Section 53-2a-1302
Section 53-2a-1303	Section 53-2a-1304	Section 53-2a-1305

Public Notice Information

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

A) Comments will be accepted until: 09/14/2023

9. This rule change MAY become effective on: 09/21/2023

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

Agency head or designee and title:	Kris Hamlet, Director	Date:	07/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Amendment	
Rule or Section Number:	R714-560	Filing ID: 55552

Agency Information

1. Department:	Public Safety
Agency:	Highway Patrol
Building:	Calvin Rampton Complex
Street address:	4501 S 2700 W
City, state and zip:	Salt Lake City, UT 84119-5994
Mailing address:	PO Box 141100
City, state and zip:	Salt Lake City, UT 84114-1100

Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R714-560. Technology and Equipment for Officer-Involved Critical Incident Investigation
3. Purpose of the new rule or reason for the change:
Funding for this grant program was changed to non-lapsing funding as a result of the passage of S.B. 6 during the 2023 General Session. As a result, the deadline for applications to be submitted is being removed from this rule.
4. Summary of the new rule or change:
This rule change strikes the application submittal deadline of May 1, 2023.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The Division of Highway Patrol (Division) does not anticipate a cost or savings to the state budget because this rule change only removes the application submittal deadline of May 1, 2023, because the funding appropriated by the legislature has been changed to non-lapsing funding.
B) Local governments:
The Division does not anticipate a cost or savings to local governments because this rule change only removes the application submittal deadline of May 1, 2023, because the funding appropriated by the legislature has been changed to non-lapsing funding.
C) Small businesses ("small business" means a business employing 1-49 persons):
The Division does not anticipate a cost or savings to small businesses because this rule change only removes the application submittal deadline of May 1, 2023, because the funding appropriated by the legislature has been changed to non-lapsing funding.

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

The Division does not anticipate a cost or savings to the non-small businesses because this rule change only removes the application submittal deadline of May 1, 2023, because the funding appropriated by the legislature has been changed to non-lapsing funding.

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 Division does not anticipate a cost or savings to persons other than small businesses, non-small businesses, state, or local government entities because this rule change only removes the application submittal deadline of May 1, 2023, because the funding appropriated by the legislature has been changed to non-lapsing funding.

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

There are no compliance costs for affected persons because this rule change only removes the application submittal deadline of May 1, 2023, because the funding appropriated by the legislature has been changed to non-lapsing funding.

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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

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

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this 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 53-1-121		
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Public Notice Information

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

A) Comments will be accepted until:	09/14/2023
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9. This rule change MAY become effective on:	09/21/2023
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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

Agency head or designee and title:	Michael Rapich, Colonel Utah Highway Patrol	Date:	08/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R714-562	Filing ID: 55587

Agency Information

1. Department:	Public Safety
Agency:	Highway Patrol

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

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R714-562. Early Intervention System Grant Program

3. Purpose of the new rule or reason for the change:
This rule is authorized as a result of the passage of S.B. 124 during the 2023 General Session under Sections 53-14-202 and 53-14-203.

4. Summary of the new rule or change:
This rule creates a program to assist law enforcement agencies through monetary grants using one-time funding appropriated by the legislature during the 2023 General Session.

This rule establishes the Early Intervention System Grant Funding Committee to:

- 1) assist the Department of Public Safety in awarding funds to law enforcement agencies,
- 2) establish criteria for law enforcement agencies to apply for grant funding,
- 3) establish criteria for awarding grant funding to law enforcement agencies, and
- 4) set requirements to ensure accountability for funding provided to law enforcement agencies.

(EDITOR'S NOTE: The 120-day (emergency) rule filing for Rule R714-562, ID 55529, is effective as of 07/12/2023 and was published in the August 1, 2023, Bulletin.)

Fiscal Information

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

A) State budget:
The Utah Legislature appropriated \$3,000,000 to provide grant funding for law enforcement agencies for the purchase of early intervention systems as outlined in Section 53-14-203.

The Division of Highway Patrol (Division) does not anticipate a cost or savings to the state as a result of this rule because it is strictly explaining how the appropriated funds will be distributed.

B) Local governments:

The Division anticipates a cost savings from \$15,700 to \$31,700 to local governments as a result of the funds appropriated by the legislature.

Local law enforcement agencies will have the ability to apply for funding from the \$3,000,000 appropriation in order to purchase an early intervention system.

Local law enforcement agencies will submit an application for approval of grant funding awards, and once approved, will be awarded funding based on the number of officers employed by the agency.

The Division does not anticipate a cost or savings to the local governments as a result of this rule because it is strictly explaining how the appropriated funds will be distributed.

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

The Division is not aware of any small businesses that would satisfy the minimum standards for an early intervention system.

There may be small businesses that are able to provide this service, as would be identified through an RFP.

Under the grant program created in Section 53-14-203, a business that is able to provide a system that meets minimum standards established in the administrative rule will have a potential to sell early intervention systems to law enforcement agencies in the amount of up to \$3,000,000 in grant funding appropriated by the legislature.

The Division does not anticipate a cost or savings to the small businesses as a result of this rule because it is strictly explaining how the appropriated funds will be distributed.

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

The Division is aware of one non-small business that currently has a system available that will meet the minimum standards established by this rule, as authorized under Section 53-14-202, for a law enforcement agency to comply with statutory requirements and receive grant funding as outlined under Section 53-14-203.

There may be other businesses that are able to provide this service, as would be identified through an RFP.

Under the grant program created in Section 53-14-203, a business that is able to provide a system that meets minimum standards established in the administrative rule will have a potential to sell early intervention systems to law enforcement agencies in the amount of up to \$3,000,000 in grant funding appropriated by the legislature.

The Division does not anticipate a cost or savings to the non-small businesses as a result of this rule because it is strictly explaining how the appropriated funds will be distributed.

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

There are no anticipated costs or savings for persons other than small businesses, state, or local government entities because this rule only identifies the process for a law enforcement entity to apply for grant funding appropriated by the legislature for the purchase of an early intervention system.

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

There are no compliance costs for affected persons because this rule only identifies the process for a law enforcement entity to apply for grant funding appropriated by the legislature for the purchase of an early intervention system.

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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026

NOTICES OF PROPOSED RULES

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this 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 53-14-202 | Section 53-14-203

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 09/14/2023

9. This rule change MAY become effective on: 09/21/2023
 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

Agency head or designee and title:	Michael Rapich, Colonel Utah Highway Patrol	Date:	08/01/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R895-4	Filing ID: 55541

Agency Information

1. Department:	Government Operations	
Agency:	Technology Services	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Stephanie Weteling	801-599-7870	stephanie@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R895-4. Sub-Domain Naming Conventions for Executive Branch Agencies
3. Purpose of the new rule or reason for the change:
Changes are needed to be in compliance with domain requirements for government websites in Section 63D-2-105 of the Information Technology Act.
4. Summary of the new rule or change:
The change in this proposed rule updates definitions and requires executive branch agency websites to comply with Section 63D-2-105.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget as this rule updates definitions and clarifies references to Section 63D-2-105.
B) Local governments:
This rule change will not have a fiscal impact on local governments. This rule only affects state executive branch agencies.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change will not have a fiscal impact on small businesses. This rule only affects state executive branch agencies.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule change will not have a fiscal impact on non-small businesses. This rule only affects state executive branch agencies.

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

This rule change will not have a fiscal impact on other persons. This rule only affects state executive branch agencies.

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

There are no compliance costs for affected persons because the changes are already required in statute.

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	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Government Operations, Marvin Dodge, 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 63D-2-105	Section 63A-16-205	Section 63G-3-201
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Public Notice Information

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

A) Comments will be accepted until: 09/14/2023

9. This rule change MAY become effective on: 09/21/2023

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

Agency head or designee and title:	Marvin Dodge, Executive Director	Date:	07/19/2023
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End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-9	Filing ID: 50965
Effective Date:	07/19/2023	

Agency Information

1. Department:	Health and Human Services	
Agency:	Health Care Financing, Coverage and Reimbursement Policy	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 143102	
City, state and zip:	Salt Lake City, UT 84114-3102	
Contact persons:		
Name:	Phone:	Email:
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 persons listed above.		

General Information

2. Rule catchline:	R414-9. Federally Qualified Health Centers and Rural Health Clinics
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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 26B-3-108 requires the Department of Health and Human Services (Department) to implement the Medicaid program through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.

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 did not receive any written comments regarding this rule.

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

The Department has determined that this rule is necessary because it implements payment methodologies for federally qualified health centers and rural health clinics. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date: 07/19/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R436-16	Filing ID: 54323
Effective Date:	07/19/2023	

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Health Data, Vital Records and Statistics	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141012	
City, state and zip:	Salt Lake City, UT 84114-1012	
Contact persons:		
Name:	Phone:	Email:
Linda S. Winger	801-538-6262	lindaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R436-16. Violation of Rules
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Sections 26B-1-221 through 26B-1-226 set forth the penalties for violations of public health laws and rules. Subsection 63G-3-201(5)(a) requires rules to enumerate any penalty authorized by statute that may result from their violation.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Following the five-year review of this rule, it has been determined that the rule is no longer necessary and the provisions of the rule will be incorporated into the respective Title R436 rules. This five-year review is being processed to ensure the Department Health and Human Services has adequate time to repeal the rule in its entirety. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/19/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-250	Filing ID: 55091
Effective Date:	08/01/2023	

Agency Information

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

General Information

2. Rule catchline:
R590-250. Professional Employer Organization License Procedure and Assurance Organization Designation
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-40-103 authorizes the insurance commissioner to make rules to prescribe requirements for a professional employer organization (PEO).
Section 31A-40-302 authorizes the insurance commissioner to determine by rule the procedure for PEO licensing and renewal.
Section 31A-40-303 requires the insurance commissioner to designate an assurance organization by rule.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.

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

This rule provides information regarding PEOs, which are a unique group in statute.

This rule provides forms and instructions for the licensure of PEOs, as well as the steps necessary for a company to become a designated assurance organization; as long as the law allows PEOs to be qualified by an assurance organization, this rule will be necessary.

Unlike other licensees of the Department, PEOs have no other guidance contained within the Insurance Code. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	08/01/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-251	Filing ID:	54944
Effective Date:	08/01/2023		

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room number:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R590-251. Preneed Life Insurance Minimum Standards to Determine Reserve Liabilities and Nonforfeiture Values

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-17-402 authorizes the insurance commissioner to write rules to specify the liabilities required to be reported by an insurer in a financial statement provided to the Insurance Department (Department), as well as the method for valuing the liabilities listed in the statement.

Section 31A-22-408 authorizes the insurance commissioner to adopt rules to interpret, describe, and clarify the application of the nonforfeiture law to a life insurance form that the insurance commissioner considers necessary.

This rule establishes minimum mortality standards for reserves and nonforfeiture reserves.

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

The Department has received no written comments 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 must remain in force because it helps protect the public interest on preneed policies by increasing reserves to an appropriate level, promoting a responsible competitive environment by ensuring all insurers act responsibly, creating equitable value for consumers by increasing cash values, and promoting the reliability, solvency, and financial solidarity of insurance institutions by increasing the reserve requirement on preneed policies. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	08/01/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R652-123	Filing ID:	51704
Effective Date:	07/17/2023		

Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room number:	352	
Building:	DNR	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO BOX 145703	
City, state and zip:	Salt Lake City, UT 84114-5703	
Contact persons:		
Name:	Phone:	Email:
Brianne Emery	385-239-0791	brianneemery@utah.gov
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R652-123. Wildland Fire Suppression Cost Recovery Procedure
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
As provided in Section 65A-3-4, Liability for causing wildland fires, this rule identifies the procedure to collect suppression costs for wildland fire suppression, included those suspected to be ignited by human activity, identifies eligible recovery costs, and outlines the appeals and/or settlements procedure.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule identifies the procedure to collect suppression costs for wildland fire suppression, included those suspected to be ignited by human activity, identifies eligible recovery costs, and outlines the appeals and/or settlements procedure. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jamie Barnes, Director/State Forester	Date:	07/17/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R710-13	Filing ID:	51917
Effective Date:	07/31/2023		

Agency Information

1. Department:	Public Safety	
Agency:	Fire Marshal	
Building:	Conference Center at Miller Campus	
Street address:	410 W 9800 S, Suite 372	
City, state and zip:	Sandy, UT 84070	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Ted Black	801-256-2390	tblack@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R710-13. Reduced Cigarette Ignition Propensity and Firefighter Protection Act
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Section 53-7-407, which allows the state fire marshal to make rules and regulations necessary to effectuate the purposes of Title 53, Part 7, Utah Fire Prevention and Safety Act.
The Utah State Tax Commission in the regular course of conducting inspections of wholesale dealers, agents, and retail dealers, as authorized under Title 59, Chapter 14, Cigarette and Tobacco Tax and Licensing Act, may inspect cigarettes to determine if the cigarettes are marked as required by Section 53-7-405. If the cigarettes are not marked as required, the State Tax Commission shall notify the state fire marshal. This rule establishes the process by which the fire marshal may address the removal of a cigarette from the market in these instances.

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

There have been no written comments received during and since the last five-year review of this rule.

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

This rule is authorized under Section 53-7-407, and is necessary to outline the legal process for the Fire Marshal's Office to remove a cigarette from the market. This rule ensures the rights of the cigarette company and outlines a process for the Fire Marshal's Office if a cigarette does not meet safety requirements. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Ted Black, State Fire Marshal	Date:	07/31/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R895-7	Filing ID:	53730
Effective Date:	07/27/2023		

Agency Information

1. Department:	Government Operations	
Agency:	Technology Services	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Stephanie Weteling	801-599-7870	stephanie@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:

R895-7. Acceptable Use of Information Technology Resources

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

This rule is issued by the Chief Information Officer under the authority of Section 63A-16-205 of the Technology Governance Act, and in accordance with Section 63G-3-201 of the Utah Rulemaking Act.

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

No written comments were received during and since the last five-year review of this rule from interested parties supporting or opposing this rule.

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

Information technology resources are provided to state employees to assist in the efficient day to day operations of state agencies. This rule is necessary to ensure employees understand the appropriate use of state information technology resources. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Marvin Dodge, Executive Director	Date:	07/19/2023
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR EXPIRATIONS

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

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

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

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

NOTICE OF EXPIRED RULE		
Rule Number:	R622-1	Filing ID: 51519
Effective Date:	08/10/2023	

Agency Information

1. Department:	Lieutenant Governor	
Agency:	Administration	
Street address:	350 N State St, Suite 220	
City, state, and zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

General Information

2. Title of rule (catchline):
R622-1. Adjudicative Proceedings
3. Summary:
The five-year review and notice of continuation was not filed for this rule by the deadline. This rule has expired and will be removed from the Utah Administrative Code.

End of the Notices of Notices of Five Year Expirations Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Conservation Commission

No. 55441 (Amendment) R64-4: Agricultural Water
Optimization Program
Published: 06/15/2023
Effective: 07/31/2023

Plant Industry

No. 55439 (Amendment) R68-25: Industrial Hemp
Program- Cannabinoid Product Processors
Published: 06/15/2023
Effective: 07/31/2023

No. 55345 (Amendment) R68-29: Quality Assurance
Testing on Cannabis
Published: 05/15/2023
Effective: 08/01/2023

No. 55345 (Change in Proposed Rule) R68-29: Quality
Assurance Testing on Cannabis
Published: 07/01/2023
Effective: 08/01/2023

No. 55442 (New Rule) R68-39: Industrial Hemp Producer
Registration
Published: 06/15/2023
Effective: 08/01/2023

Regulatory Services

No. 55403 (Amendment) R70-330: Raw Milk for Retail
Published: 06/01/2023
Effective: 08/01/2023

Commerce

Real Estate

No. 55495 (Amendment) R162-2c: Utah Residential
Mortgage Practices and Licensing Rules
Published: 07/01/2023
Effective: 08/08/2023

Education

Administration

No. 55486 (Amendment) R277-110: Educator Salary
Adjustment
Published: 07/01/2023
Effective: 08/08/2023

No. 55487 (Amendment) R277-496: K-3 Reading Software
Licenses
Published: 07/01/2023
Effective: 08/08/2023

No. 55488 (Amendment) R277-497: School Accountability
System
Published: 07/01/2023
Effective: 08/08/2023

No. 55489 (Amendment) R277-607: Absenteeism and
Truancy Prevention
Published: 07/01/2023
Effective: 08/08/2023

No. 55490 (Amendment) R277-613: LEA Policies and
Training Regarding Bullying, cyber-bullying, Hazing,
Retaliation, and Abusive Conduct
Published: 07/01/2023
Effective: 08/08/2023

No. 55491 (Repeal) R277-619: Student Leadership Skills
Development
Published: 07/01/2023
Effective: 08/08/2023

No. 55492 (Amendment) R277-726: Statewide Online
Education Program
Published: 07/01/2023
Effective: 08/08/2023

NOTICES OF RULE EFFECTIVE DATES

Governor

Economic Opportunity

No. 55412 (Amendment) R357-22: Rural Employment

Expansion Program

Published: 06/01/2023

Effective: 07/18/2023

Health and Human Services

Population Health, Environmental Health

No. 55428 (Amendment) R392-102: Food Truck Sanitation

Published: 06/01/2023

Effective: 07/17/2023

Health Care Financing, Coverage and Reimbursement Policy

No. 55386 (Amendment) R414-14: Home Health Services

Published: 05/15/2023

Effective: 07/26/2023

No. 55357 (Amendment) R414-32: Hospital Record-

keeping Policy

Published: 05/15/2023

Effective: 07/26/2023

Health Care Facility Licensing

No. 55309 (Amendment) R432-2: General Licensing

Provisions

Published: 05/15/2023

Effective: 07/26/2023

No. 55347 (Amendment) R432-11: Orthopedic Hospital
Construction

Published: 05/15/2023

Effective: 07/26/2023

No. 55437 (Amendment) R432-102: Specialty Hospital -
Chemical Dependency/Substance Abuse

Published: 06/15/2023

Effective: 07/28/2023

Human Services Program Licensing

No. 55380 (Amendment) R501-11: Social Detoxification
Programs

Published: 05/15/2023

Effective: 08/02/2023

No. 55431 (Repeal and Reenact) R501-13: Adult Day Care

Published: 06/01/2023

Effective: 07/19/2023

No. 55383 (Amendment) R501-18: Recovery Residence
Services

Published: 05/15/2023

Effective: 08/02/2023

Insurance

Administration

No. 55451 (Amendment) R590-222: Life Settlements

Published: 06/15/2023

Effective: 07/25/2023

No. 55452 (Amendment) R590-249: Secondary Medical
Condition Exclusion

Published: 06/15/2023

Effective: 07/25/2023

No. 55453 (Repeal and Reenact) R590-274: Submission
and Required Disclosures of Public Adjuster Contracts

Published: 06/15/2023

Effective: 07/25/2023

Natural Resources

Wildlife Resources

No. 55462 (Repeal) R657-3: Collection, Importation,
Transportation, and Possession of Animals

Published: 07/01/2023

Effective: 08/10/2023

No. 55463 (New Rule) R657-3a: Collection, Importation,
Transportation, and Possession of Animals

Published: 07/01/2023

Effective: 08/10/2023

No. 55464 (New Rule) R657-3b: Certification of
Registration – Birds and Mammals

Published: 07/01/2023

Effective: 08/10/2023

No. 55465 (New Rule) R657-3c: Certification of
Registration – Fish, Mollusks, and Crustaceans

Published: 07/01/2023

Effective: 08/10/2023

No. 55467 (Amendment) R657-5: Taking Big Game

Published: 07/01/2023

Effective: 08/10/2023

No. 55468 (Amendment) R657-6: Taking Upland Game

Published: 07/01/2023

Effective: 08/10/2023

No. 55469 (Amendment) R657-9: Taking Waterfowl, Snipe
and Coot

Published: 07/01/2023

Effective: 08/10/2023

No. 55470 (Amendment) R657-10: Taking Cougar

Published: 07/01/2023

Effective: 08/10/2023

No. 55471 (Amendment) R657-11: Taking Furbearers and
Trapping

Published: 07/01/2023

Effective: 08/10/2023

No. 55472 (Amendment) R657-13: Taking Fish and
Crayfish

Published: 07/01/2023

Effective: 08/10/2023

No. 55473 (Amendment) R657-14: Commercial Harvesting of Protected Aquatic Wildlife
Published: 07/01/2023
Effective: 08/10/2023

No. 55476 (Amendment) R657-33: Taking Bear
Published: 07/01/2023
Effective: 08/10/2023

No. 55477 (Amendment) R657-37: Cooperative Wildlife Management Units for Big Game or Turkey
Published: 07/01/2023
Effective: 08/10/2023

No. 55478 (Amendment) R657-42: Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents
Published: 07/01/2023
Effective: 08/10/2023

No. 55480 (Amendment) R657-54: Taking Wild Turkey
Published: 07/01/2023
Effective: 08/10/2023

No. 55481 (Amendment) R657-59: Private Fish Ponds, Short Term Fishing Events, Private Fish Stocking, and Institutional Aquaculture
Published: 07/01/2023
Effective: 08/10/2023

No. 55482 (Amendment) R657-62: Drawing Application Procedures
Published: 07/01/2023
Effective: 08/10/2023

No. 55483 (Amendment) R657-67: Utah Hunter Mentoring Program
Published: 07/01/2023
Effective: 08/10/2023

No. 55484 (Amendment) R657-69: Turkey Depredation
Published: 07/01/2023
Effective: 08/10/2023

End of the Notices of Rule Effective Dates Section

