

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT

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Sunnie Burningham, Managing Editor

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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 Third Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 13th day of September 2023, at 4:30 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 12th day of September 2023.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2023-03E

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 August 16, 2023, 12:00 a.m., and September 01, 2023, 11:59 p.m. are included in this, the September 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 October 16, 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 January 15, 2024, 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:	R68-9	Filing ID: 55707

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB, South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state, and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 146500	
City, state, and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R68-9. Utah Noxious Weed Act
3. Purpose of the new rule or reason for the change:
During the 2023 General Session, S.B. 43 passed which updated requirements for publishing the state's general notice of Utah Noxious Weeds.
4. Summary of the new rule or change:
The edits in this rule combine sections to reduce redundancy and align with the Rulewriting Manual for Utah. Per S.B. 43 (2023), public notice requirements for the Weed Control Board are changed and classified as a class A notice.
The updates in this rule reflect the class A notice changes and reference Section 63G-30-102 for county-specific requirements for the general public notice.

Fiscal Information

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

A) State budget:			
Pursuant to S.B. 43 (2023), the county Weed Control Board is responsible for posting the Utah Noxious Weed list specific for each county, not the state, so the state budget is not impacted.			
B) Local governments:			
Per S.B. 43 (2023), the general notice is required to be posted by the county weed control board and is now classified as a Class A Notice.			
Any fiscal impact was accounted for in the fiscal note of S.B. 43 (2023).			
C) Small businesses ("small business" means a business employing 1-49 persons):			
A small business is not involved with posting or publishing a public notice; there would not be any impact with this change.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
A non-small business is not involved with posting or publishing a public notice; there would not be any impact with this change.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):			
This change would not impact other persons because they are not involved with posting or publishing a public notice.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
Estimating the costs for an organization to post or publish its public notice on its website is challenging because a current employee's responsibilities can absorb it.			
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	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 Agriculture and Food, Craig 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 4-2-103(1)(i)	Subsection 4-17-115(3)	Section 4-17-103

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:	10/16/2023
9. This rule change MAY become effective on:	10/23/2023
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:	Craig Butters, Commissioner	Date:	08/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R68-28	Filing ID:	55669

Agency Information

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

General Information

2. Rule or section catchline:
R68-28. Cannabis Processing
3. Purpose of the new rule or reason for the change:
The Department of Agriculture and Food (Department) needs to make changes to clarify the labeling requirements for the cannabis fact panel.
4. Summary of the new rule or change:
In Section R68-28-2, a definition is added for "advertised cannabinoid."
In addition, clarifying language has been added to Section R68-28-14 that requires that for products intended to be ingested, the amount of total THC and any advertised cannabinoids be included on the cannabis fact panel, listed in milligrams per serving.

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. These changes clarify labeling requirements and will not increase costs to the Department for enforcement or bring in additional funds to the state.

B) Local governments:

This rule change will not have an impact on local governments because they do not administer or participate in the industrial hemp program.

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

This rule change will not have an impact on small businesses. Labeling requirements have been clarified but the cost to label products should remain the same.

The Department provides flexibility in rolling out new labeling requirements to minimize the fiscal impact on businesses.

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

This rule change will not have an impact on non-small businesses. Labeling requirements have been clarified but the cost to label products should remain the same.

The Department provides flexibility in rolling out new labeling requirements to minimize the fiscal impact on businesses.

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

This rule change will not have an impact on other persons businesses. Labeling requirements have been clarified but the cost to label products should remain the same.

The Department provides flexibility in rolling out new labeling requirements to minimize the fiscal impact.

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

Compliance costs will not change because the Department is just clarifying labeling requirements.

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 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 4-41a-701(3)	Subsection 4-2-103(1)(i)	
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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:	10/16/2023
--	------------

9. This rule change MAY become effective on:	10/23/2023
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:	Craig W Buttars, Commissioner	Date:	08/18/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R380-300	Filing ID: 55664

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Daphne Lynch	385-239-5317	dlynch@ytah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R380-300. Employee Background Checks
3. Purpose of the new rule or reason for the change:
This rule is replacing the repealed Human Services Rule R495-885 for Human Services employees and updates the current Rule R380-300 version that is currently in effect for all Department of Health and Human Services (DHHS) employee background clearances.
4. Summary of the new rule or change:
This repeal and reenact updates citations, titles, and language to address employee clearances due to departmental consolidation.

Significant amounts of content are removed, as the Division of Administration (Health) determined they are better managed in departmental policy than in administrative rules and adds Department of Corrections employees who will be subject to this rule effective 07/01/2023.

Fiscal Information

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

A) State budget:

There are no changes to state budget as a result of this rule change because the fiscal arrangements set forth in the 2022 General Session will remain unchanged with this filing.

B) Local governments:

Local government city business licensing requirements were considered.

This proposed rule change will not impact local governments' revenues or expenditures because this change applies only to DHHS employee clearances.

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

This proposed rule change will not impact small businesses' revenues or expenditures because this change applies only to DHHS employee background checks.

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

This proposed rule change will not impact non-small businesses' revenues or expenditures because this change applies only to DHHS employee clearances.

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

This proposed rule change will not impact any other entity's revenues or expenditures because this change applies only to DHHS employee clearances.

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 costs to affected persons, as the Department does not charge employee applicants any background check fees.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there

NOTICES OF PROPOSED RULES

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-1-211		
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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:	10/16/2023
--	------------

9. This rule change MAY become effective on:	10/23/2023
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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:	Tracy S Gruber, Executive Director	Date:	08/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R381-40	Filing ID: 55690

Agency Information

1. Department:	Health and Human Services	
Agency:	Child Care Center Licensing	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Simon Bolivar	801-803-4618	sbolivar@utah.gov

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

General Information

2. Rule or section catchline:
R381-40. Commercial Preschool Programs

3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to update language, clarify processes, and update citations following the consolidation and recodification of the Department of Health and Human Services' (DHHS) statute in 2023 General Session.

Additionally, this amendment incorporates changes based on the input and approval of the Child Care Licensing Committee.

4. Summary of the new rule or change:

The amendment adds clarifying language compliant with the Rulewriting Manual for Utah.

Additionally, this aligns terminology and processes with current enforcement standards.

It also updates citations following the recodification and consolidation of the DHHS's statute.

Substantive changes include new language to comply with S.B. 123 retitling Childcare Licensing Committee to Childcare Provider Licensing Committee (Committee).

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 Rulewriting Manual for Utah standards.

Substantive changes add clarification with no fiscal impact to enforcement or state government.

B) Local governments:

The Committee does not expect any costs or savings to the local governments caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Committee does not expect any costs or savings caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Committee does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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 Committee does not expect any costs or savings to other persons caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process.

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-2-402		

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:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/09/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R381-70	Filing ID: 55691

Agency Information

1. Department:	Health and Human Services	
Agency:	Child Care Center Licensing	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Simon Bolivar	801-803-4618	sbolivar@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R381-70. Out of School Time Child Care Programs
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to update language, clarify processes, and update citations following the consolidation and recodification of the Department of Health and Human Services' (DHHS) statute in 2023 General Session. Additionally, this amendment incorporates changes based on the input and approval of the Child Care Licensing Committee.
4. Summary of the new rule or change:
The amendment adds clarifying language compliant with the Rulewriting Manual for Utah. Additionally, this aligns terminology and processes with current enforcement standards. It also updates citations following the recodification and consolidation of the DHHS statute. Substantive changes include new language to comply with S.B. 123 retitling Childcare Licensing Committee to Childcare Provider Licensing Committee (Committee).

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 Rulewriting Manual for Utah standards. Substantive changes add clarification with no fiscal impact to enforcement or state government.
B) Local governments:
The Committee does not expect any costs or savings to the local governments caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.
C) Small businesses ("small business" means a business employing 1-49 persons):
The Committee does not expect any costs or savings caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

The Committee does not expect any costs or savings to non-small businesses caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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 Committee does not expect any costs or savings to other persons caused by the proposed rule amendments because they are mostly changes that will facilitate and clarify the current process.

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

There will be no costs generated by the proposed rule changes because they are mostly changes that will facilitate and clarify the current process.

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-2-402		
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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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Tracy S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R383-1	Filing ID:	55700
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Agency Information

1. Department:	Health and Human Services
Agency:	Center for Medical Cannabis
Building:	Multi-Agency State Office Building (MASOB)
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address: PO Box 144340		
City, state and zip: Salt Lake City, UT 84114-4340		
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-1. Definitions
3. Purpose of the new rule or reason for the change:
<p>This proposed rule filing inserts and edits definitions pertaining to Title R383. The Office of Administrative Rules recommended that all definitions from Title R383 be moved to this rule. This move will help the reader locate all definitions applicable to medical cannabis rules in one rule instead of having to find them in various rules.</p> <p>References to Title 26, Chapter 61a, are also changed due to its recodification under S.B. 40, which passed during the 2023 General Session.</p>
4. Summary of the new rule or change:
<p>Rule R383-1 is restructured to include definitions from other rules. These added definitions are cannabis waste, educational event, educational material, fundamentals of medical cannabis coursework, general medical cannabis coursework, institutional review board, law enforcement personnel, mail, medical cannabis law coursework, presiding officer, safeguard, state agency employee, recreational disposition, and substantive evidence.</p> <p>The statute citation in Section R383-1-1 is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.</p> <p>A summary of definitions removed from other Title R383 subsections in this subsection appears in the summaries of the proposed rule changes for those filings.</p> <p>Public hearing information: There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.</p> <p>Please click the link to join the webinar: https://utah.gov.zoom.us/j/88410663769</p>

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed rule does not impact the state budget as it does not incur a financial impact because it moves definitions from other rules to this one and edits statutes due to re-coding.
B) Local governments:
This proposed rule does not impact the local governments as they will not incur a financial impact because it moves definitions from other rules to this one and edits statutes due to re-coding.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed rule does not impact small businesses as it does not incur a financial impact from the relocation of definitions from other rules and edits statutes due to re-coding.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed rule will not impact non-small businesses as it does not incur a financial impact from the relocation of definitions from other rules and edits statutes due to re-coding.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This proposed rule does not impact persons other than small businesses, non-small businesses, or state, or local government entities, as it does not incur a financial impact from the relocation of definitions from other rules and edits statutes due to re-coding.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
This proposed rule does not result in compliance costs because it only relocates definitions from other rules and edits statutes due to re-coding.
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:		
Subsection 26B-4-202(1)		

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:	10/16/2023	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R383-2	Filing ID: 55717

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-2. Electronic Verification System and Inventory Control System

<p>3. Purpose of the new rule or reason for the change:</p> <p>This proposed rule change aims to reformat the definitions section as it moves to Rule R383-1. References to statutes must be updated as Title 26, Chapter 61a, was re-coded during the 2023 General Session.</p>
<p>4. Summary of the new rule or change:</p> <p>The statute citation in Subsection R383-2-1(1) is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.</p> <p>Statute reference is changed in Section R383-2-1 to its new statute reference.</p> <p>Section R383-2-2 is deleted as these definitions are being moved to Rule R383-1.</p> <p>There are small grammar updates throughout the amendment.</p> <p>Subsection R383-2-4(3) is being removed because it is unnecessary per Subsection 63G-2-201(5)(b). This statute already covers GRAMA and the emergency release of private records.</p> <p>(EDITOR'S NOTE: The proposed amendment to Rule R383-1 is under ID 55700 in this issue, September 15, 2023, of the Bulletin.)</p> <p>Public hearing information: There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.</p> <p>Please click the link to join the webinar: https://utah-gov.zoom.us/j/88410663769</p>

Fiscal Information

<p>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</p>
<p>A) State budget:</p> <p>This amendment will not impact the state budget as it will not incur a financial impact because this proposed rule moves definitions and updates statute references.</p>
<p>B) Local governments:</p> <p>This amendment will not impact the local governments as they will not incur a financial impact because this proposed rule moves definitions and updates statute references.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p>

<p>This amendment will not impact small businesses as they will not incur a financial impact from the relocation of definitions and updated statute references.</p>																																												
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>This amendment will not impact non-small businesses as it will not incur a financial impact from the relocation of definitions and updated statute references.</p>																																												
<p>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):</p> <p>This amendment will not impact persons other than small businesses, non-small businesses, or state, or local government entities, as it will not incur a financial impact from the relocation of definitions from other rules and updated statute references.</p>																																												
<p>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>This amendment will not result in compliance costs because this proposed rule relocates definitions from other rules and updates statute references.</p>																																												
<p>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.)</p>																																												
<table border="1"> <thead> <tr> <th colspan="4">Regulatory Impact Table</th> </tr> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <th>Fiscal Benefits</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> <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> </tbody> </table>	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
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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:

Subsection 26B-4-202(1)	Subsection 26B-1-202(1)	
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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: 10/16/2023

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

Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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:	09/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R383-4	Filing ID: 55714

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-4. Qualified Medical Providers

3. Purpose of the new rule or reason for the change:

The purpose of this proposed amendment is to delete the definitions section, as all medical cannabis-related definitions are being moved to Rule R383-1.

This proposed rule replaces Title 26, Chapter 61a, references with Title 26B, Chapter 4. This update was prompted by the passing of S.B. 40 and the recodification of the Utah Health Code and Utah Human Services Code.

4. Summary of the new rule or change:

The statute citation in Subsection R383-4-1(1) is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.

Section R383-4-2 is deleted as these definitions are moved to Rule R383-1.

References to old statutory language are updated throughout. Rule sections are renumbered to reflect the deletion of Section R383-4-2.

(EDITOR'S NOTE: The proposed amendment to Rule R383-1 is under ID 55700 in this issue, September 15, 2023, of the Bulletin.)

Public hearing information:

There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

Please click the link to join the webinar: <https://utah-gov.zoom.us/j/88410663769>

Fiscal Information

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

A) State budget:

This proposed amendment does not impact the state budget as these changes do not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.

B) Local governments:

This proposed amendment does not impact the local governments as these changes do not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.

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

This proposed amendment does not impact small businesses as these changes do not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.

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

This proposed amendment does not impact non-small businesses as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.

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

This proposed amendment does not impact persons other than small businesses, non-small businesses, or state or local government entities. These changes do not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.

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

This proposed amendment does not result in compliance costs because these changes do not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.

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:

Subsection 26B-1-202(1)		
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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:		10/16/2023
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on:	10/23/2023
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:	08/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R383-5	Filing ID: 55694

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-5. Dosing Guidelines

3. Purpose of the new rule or reason for the change:
Subsection R383-5-2(3) is to be removed. During the 2023 General Session, S.B. 137 repealed provisions of the Utah Medical Cannabis Act that were related to the state's central patient portal medical provider.

The repeal was made at the request of the Department of Health and Human Services (DHHS) because DHHS determined that it was unnecessary to employ a state central patient portal medical provider. These provisions can subsequently be removed from Subsection R383-5-2(3).

4. Summary of the new rule or change:

The statute citation in Subsection R383-5-1(1) is updated. The DHHS Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.

Subsection R383-5-2(3) is stricken and removed in its entirety.

Public hearing information:
There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

Please click the link to join the webinar: <https://utah.gov.zoom.us/j/88410663769>

Fiscal Information

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

A) State budget:
There is no fiscal impact on the state budget as the stricken language observes S.B. 137 (2023). The removal of this language in S.B. 137 (2023) has no fiscal impact on the state budget.

B) Local governments:
There is no fiscal impact on local governments as the stricken language observes S.B. 137 (2023). The removal of this language has no fiscal impact on local governments as they will not have to adjust any fiscal regulations pertaining to this rule.

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

There is no fiscal impact on small businesses as the stricken language observes S.B. 137 (2023). The removal of this verbiage has no fiscal impact on small businesses as the stricken language does not pertain to any financial regulations.

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

There is no fiscal impact on non-small businesses as the stricken language observes S.B. 137 (2023). The removal of this verbiage has no fiscal impact on non-small businesses, as the stricken language does not pertain to any financial regulations.

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 fiscal impact on persons other than small businesses, non-small businesses, and state, or local governments, as the stricken language has no fiscal impact on non-small businesses. The stricken language does not pertain to any financial regulations.

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 striking of this language has no financial impact on medical cannabis patients or medical providers.

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:

Subsection 26B-1-202(1)		
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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: 10/16/2023

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

Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R383-6	Filing ID: 55695

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-6. Pharmacy Medical Providers
3. Purpose of the new rule or reason for the change:
The purpose of this proposed amendment is to delete the definitions section as they are being moved to Rule R383-1. This proposed rule replaces references to Title 26, Chapter 61a, with Title 26B, Chapter 4. This update was prompted by the passing of S.B. 40 and the recodification of the Utah Health Code and Utah Human Services Code.
4. Summary of the new rule or change:
The statute citation in Subsection R383-6-1(1) is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.
Section R383-6-2 is deleted as these definitions are moved to the proposed new Rule R383-1. References to old statutory language are updated throughout.
Subsection R383-6-3(9) is deleted and moved to the newly created Subsection R383-6-3(6)(b)(ii) so the renewal notice requirements are in one location.

(EDITOR'S NOTE: The proposed amendment to Rule R383-1 is under ID 55700 in this issue, September 15, 2023, of the Bulletin.)

Public hearing information:
There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

Please click the link to join the webinar: <https://utah.gov.zoom.us/j/88410663769>

Fiscal Information

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

A) State budget:

This proposed amendment will not impact the state budget as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are just renumbered.

B) Local governments:

This proposed amendment will not impact the local governments as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are just renumbered.

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

This proposed amendment will not impact small businesses as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are just renumbered.

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

This proposed amendment will not impact non-small businesses as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are just renumbered.

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

This proposed amendment will not impact persons other than small businesses, non-small businesses, or state or local government entities. These changes will not incur a financial impact from the relocation of definitions. The

updated statute references do not have any financial impact as they are just renumbered.

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

This proposed amendment will not result in compliance costs because these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are just renumbered.

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:

Subsection 26B-1-202(1)	Title 26B, Chapter 4, Part 2	
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Public Notice Information

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

A) Comments will be accepted until: 10/16/2023

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

Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R383-7	Filing ID: 55698

Agency Information

1. Department:	Health and Human Services
Agency:	Center for Medical Cannabis
Building:	Multi-Agency State Office Building (MASOB)
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144340
City, state and zip:	Salt Lake City, UT 84114-4340

Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-7. Medical Cannabis Pharmacy
3. Purpose of the new rule or reason for the change:
The purpose of this proposed amendment is to reformat the definitions section as they are being moved to Rule R383-1.
This proposed amendment also replaces references to Title 26, Chapter 61a, with Title 26B, Chapter 4. This update was prompted by the passing of S.B. 40 and the recodification of the Utah Health Code and Utah Human Services Code.
Changes to Subsection R383-7-18(6) are made because of feedback from the industry. This change will make it easier for customers to understand the amount of tetrahydrocannabinol (THC) in medical cannabis products online.
Subsection R383-7-3(8) is deleted as it conflicts with Section 26B-4-224.
4. Summary of the new rule or change:
The statute citation in Subsection R383-7-1(1) is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.
Section R383-7-2 is deleted as these definitions are moved to Rule R383-1. The definitions for advertising and targeted marketing are being deleted as these definitions were added to Section 26B-4-201 under S.B. 137 during the 2023 General Session.
Subsection R383-7-3(8) is deleted. Subsections R383-7-3(8) through R383-7-3(11) are renumbered due to the Subsection R383-7-3(8)'s deletion.
Subsection R383-7-3(9) is deleted as this language already exists in Subsection 26B-4-224(11). Sections R383-7-3 through R383-7-21 are renumbered to reflect the deletion of Section R383-7-2.
Section R383-7-10 is updated to reflect the same verbiage in the statute concerning medical cannabis dosage forms.

Subsection R383-7-18(6) is amended to alter how a medical cannabis pharmacy shall promote the level of THC in a product online -- specifically, milligrams for concentrated cannabis and percentage for unprocessed cannabis.
The amendment replaces "valid form of identification" with "government-issued photo identification" throughout this rule.
Section R383-7-20 is entirely deleted due to these standards being in the statute.
Walk-up service has been added throughout the proposed amendment as this is an approved way for patients to access a medical cannabis pharmacy.
The definitions for advertise, advertising, and targeted marketing are being stricken entirely due to these being in the statute.
(EDITOR'S NOTE: The proposed amendment to Rule R383-1 is under ID 55700 in this issue, September 15, 2023, of the Bulletin.)
Public hearing information: There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.
Please click the link to join the webinar: https://utah-gov.zoom.us/j/88410663769

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed amendment does not result in a fiscal impact on the state budget because it only adds or clarifies language with no fiscal impact.
B) Local governments:
This proposed amendment does not result in a fiscal impact on local governments because local agencies require no regulatory requirements.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed amendment does not result in a fiscal impact on small businesses because it only adds or clarifies language with no fiscal impact.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed amendment does not result in a fiscal impact on a non-small business budget because this

amendment does not establish requirements for non-small businesses.

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

This proposed amendment does not result in a fiscal impact on the budget of persons other than small businesses, non-small businesses, or state or local government entities because this amendment does not establish new requirements for these entities.

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

This proposed amendment does not result in a fiscal impact on compliance costs for affected persons because it only adds or clarifies language with no fiscal impact.

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 Benefits	Fiscal \$0	\$0	\$0
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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 approved this regulatory impact analysis.

Citation Information

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

Title 26B, Chapter 4	Section 26B-4-229	Section 26B-4-242
Section 26B-4-233	Section 26B-4-228	Subsection 26B-1-202(1)

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: 10/16/2023

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

Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R383-8	Filing ID:	55699
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Agency Information

1. Department:	Health and Human Services
Agency:	Center for Medical Cannabis
Building:	Multi-Agency State Office Building (MASOB)

Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-8. Medical Cannabis Pharmacy Agent
3. Purpose of the new rule or reason for the change:
The proposed amendment removes language that conflicts with the state statute. References to Title 26, Chapter 61a, are also changed due to its recodification under S.B. 40 during the 2023 General Session.
4. Summary of the new rule or change:
The statute citation in Subsection R383-8-1(1) is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.
This proposed amendment replaces references to Title 26, Chapter 61a, with Title 26B, Chapter 4, due to the recodification of the Utah Health Code and Utah Human Services Code under S.B. 40 (2023).
Subsection R383-8-4(10) is also amended due to S.B. 137 (2023). S.B. 137, lines 1629 to 1631, removed a provision allowing an applicant to reapply for a medical cannabis pharmacy agent card within one year after the applicant's previous agent card expires. This statutory amendment prompts the need to change the time frame within which an agent must renew their agent card established in Subsection R383-8-4(10) to avoid having to pay for a new fingerprint background check from one year to five days.
Language and formatting are updated to reflect standards established in the Rulewriting Manual for Utah.
Public hearing information: There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

Please click the link to join the webinar: <https://utah-gov.zoom.us/j/88410663769>

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Changing the time frame within which a medical cannabis pharmacy agent must renew their agent card established in Subsection R383-8-4(10) to avoid having to pay for a new fingerprint background check from one year to five days will have minimal impact on the DHHS' budget.
There are currently 558 active medical cannabis pharmacy agents, but only 10%, or 56, are estimated to renew their registration cards after the five-day grace period. It is \$50 for a standard renewal within the five-day renewal period but the fee increases to \$100 per renewal if an agent does not renew within five days of card expiration, as the cost for a background check must be included in this cost since the application must be considered a brand-new application.
Assuming 56 agents apply five days after card expiration, DHHS would receive \$2,800 in additional revenue.
B) Local governments:
This proposed amendment will not impact the local governments as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed amendment will not impact small businesses as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed amendment will not impact non-small businesses as these changes will not incur a financial impact from the relocation of definitions. The updated statute references do not have any financial impact as they are renumbered.
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>):
Changing the time frame within which a medical cannabis pharmacy agent must renew their agent card established

in Subsection R383-8-4(10) to avoid having to pay for a new fingerprint background check from one year to five days will have minimal fiscal impact on some individuals reapplying for a medical cannabis pharmacy agent card.

There are currently 558 active medical cannabis pharmacy agents, but only 10%, or 56, are estimated to renew their registration cards after the five-day grace period. It is \$50 for a standard renewal within the five-day renewal period but the fee increases to \$100 per renewal if an agent does not renew within five days of card expiration, as the cost for a background check must be included in this cost since the application must be considered a brand-new application.

Assuming 56 agents apply five days after card expiration, the impacted agents together would pay an additional \$2,800 in fees to DHHS.

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

Changing the time frame within which a medical cannabis pharmacy agent must renew their agent card established in Subsection R383-8-4(10) to avoid having to pay for a new fingerprint background check from one year to five days will have minimal fiscal impact on some individuals reapplying for a medical cannabis pharmacy agent card.

There are currently 558 active medical cannabis pharmacy agents, but only 10%, or 56, are estimated to renew their registration cards after the five-day grace period. It is \$50 for a standard renewal within the five-day renewal period but the fee increases to \$100 per renewal if an agent does not renew within five days of card expiration, as the cost for a background check must be included in this cost since the application must be considered a brand-new application.

Assuming 56 agents apply five days after card expiration, the impacted agents together would pay an additional \$2,800 in fees to DHHS.

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	\$2,800	\$2,800	\$2,800
Total Fiscal Cost	\$2,800	\$2,800	\$2,800
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$5,600	\$5,600	\$5,600
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$2,800	\$2,800	\$2,800
Net Fiscal Benefits	\$2,800	\$2,800	\$2,800

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:

Subsection 26B-1-202(1)		
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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:	10/16/2023	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/28/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R383-9	Filing ID: 55697

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-9. Home Delivery and Courier
3. Purpose of the new rule or reason for the change:
The proposed amendment removes language that conflicts with state statutes. References to Title 26, Chapter 61, are also changed due to its recodification under S.B. 40 during the 2023 General Session.
4. Summary of the new rule or change:
The statute citation in Subsection R383-9-1(1) is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.
Changes are made throughout this rule to reference the new statute as the statute was re-codified during the 2023 General Session.

Subsection 26B-4-242 (3)(b) allows a courier to store a medical cannabis pharmacy's undelivered medical cannabis shipment for ten business days but Subsection R383-9-2(6) states that a courier cannot store medical cannabis, or a medical cannabis device, at its facility. The proposed amendment addresses this conflict between the state statute and rule by removing Subsection R383-9-2(6).

Subsection R383-9-5(11) is also amended due to S.B. 137 (2023). S.B. 137, lines 2366 to 2368, removed a provision allowing an applicant to reapply for a courier agent card within one year after the applicant's previous agent card expires. This statutory amendment prompts the need to change the time frame within which a courier agent must renew their agent card established in Subsection R383-9-5(11) to avoid having to pay for a new fingerprint background check from one year to five days.

Subsection R383-9-2(4)(f) is moved to Subsection R383-9-2(2) to be with similar requirements regarding what a home delivery service shall not do.

Public hearing information:

There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

Please click the link to join the webinar: <https://utah.gov.zoom.us/j/88410663769>

Fiscal Information

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

A) State budget:

Changing the time frame within which a courier agent must renew their agent card established in Subsection R383-9-5(11) to avoid having to pay for a new fingerprint background check from one year to five days will have minimal impact on DHHS' budget.

There are currently 162 active courier agents, but only 10%, or 16, are estimated to renew their registration cards after the five-day grace period. It is \$50 for a standard renewal within the five-day renewal period but the fee increases to \$100 per renewal if an agent does not renew within five days of card expiration, as the cost for a background check must be included in this cost since the application must be considered a brand-new application.

Assuming 16 agents apply five days after card expiration, DHHS would receive \$800 in additional revenue.

B) Local governments:

This proposed amendment will not result in a fiscal impact on a local government because it place no regulatory requirements on local agencies.

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

This proposed amendment will not result in a fiscal impact on small businesses because it places no regulatory requirements on small businesses.

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

This proposed amendment will not result in a fiscal impact on non-small businesses because it does not apply to these entities.

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**):

Changing the time frame within which a courier agent must renew their agent card established in Subsection R383-9-5(11) to avoid having to pay for a new fingerprint background check from one year to five days will have minimal fiscal impact on some individuals reapplying for a courier agent card.

There are currently 162 active courier agents, but only 10%, or 16, are estimated to renew their registration cards after the five-day grace period. It is \$50 for a standard renewal within the five-day renewal period but the fee increases to \$100 per renewal if an agent does not renew within five days of card expiration, as the cost for a background check must be included in this cost since the application must be considered a brand-new application.

Assuming 16 agents apply five days after card expiration, the impacted agents together would pay an additional \$800 in fees to DHHS.

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

Changing the time frame within which a courier agent must renew their agent card established in Subsection R383-9-5(11) to avoid having to pay for a new fingerprint background check from one year to five days will have minimal fiscal impact on some individuals reapplying for a courier agent card.

There are currently 162 active courier agents, but only 10%, or 16, are estimated to renew their registration cards after the five-day grace period. It is \$50 for a standard renewal within the five-day renewal period but the fee increases to \$100 per renewal if an agent does not renew within five days of card expiration, as the cost for a background check must be included in this cost since the application must be considered a brand-new application.

Assuming 16 agents apply five days after card expiration, the impacted agents together would pay an additional \$800 in fees to DHHS.

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	\$800	\$800	\$800
Total Fiscal Cost	\$800	\$800	\$800
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$800	\$800	\$800
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$800	\$800	\$800
Net Fiscal Benefits	\$800	\$800	\$800

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:

Subsection 26B-1-202(1)		
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Public Notice Information 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:	10/16/2023	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R383-11	Filing ID: 55701

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-11. Agreement With a Tribe
3. Purpose of the new rule or reason for the change:
Section 26-61a-108, Agreement with a Tribe, was repealed in H.B. 72 during the 2023 General Session. This rule is subsequently no longer needed.
4. Summary of the new rule or change:
Rule R383-11 is repealed in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed repeal will not result in a fiscal impact on the state budget because it is repealed.
B) Local governments:
This proposed repeal will not result in a fiscal impact on a local government because it is repealed in its entirety.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed repeal will not result in a fiscal impact on small businesses because it is repealed in its entirety.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed repeal will not result in a fiscal impact on non-small businesses because it is repealed in its entirety.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This proposed repeal will not result in a fiscal impact on persons other than small businesses, non-small businesses, or state or local government entities because it is repealed.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
This proposed repeal will not result in a fiscal impact on compliance costs for affected persons because it is repealed.

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:

Subsection 26B-1-202(1)		
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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: 10/16/2023

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/24/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Rule or Section Number:	R383-12	Filing ID:	55710
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Agency Information

1. Department:	Health and Human Services		
Agency:	Center for Medical Cannabis		
Building:	Multi-Agency State Office Building (MASOB)		
Street address:	195 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 144340		
City, state and zip:	Salt Lake City, UT 84114-4340		
Contact persons:			
Name:	Phone:	Email:	
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-12. Administrative Hearing Procedures

3. Purpose of the new rule or reason for the change:
This proposed repeal of Rule R383-12 is necessary because operating units in the newly created Department

of Health and Human Services (DHHS) now rely on Rule R497-100 to establish administrative hearing procedures.

The assistant attorney general assigned to the Center for Medical Cannabis (CMC) agrees that the CMC does not need this rule because there are now DHHS-wide rules that address this topic.

4. Summary of the new rule or change:

The repeal of Rule R383-12 ensures that the CMC aligns with the DHHS rule. Notably, the time frame for an aggrieved party to appeal of Notice of Agency Action is now 15 days, and not 30. DHHS rule states, "When an agency commences an informal adjudicative proceeding if the statute or agency rule does not provide otherwise, a party may request a hearing within 15 calendar days of receipt of the notice of agency action."

The repeal of this rule is necessary because the DHHS-wide rule should apply.

Other sections in Rule R383-12 are unnecessary and should be repealed. Either DHHS rules or state statutes cover these topics covered in this rule. The processes or language in Rule R383-12 for administrative hearings conflicts with DHHS rules or statutes.

Following the DHHS rules or statutes will streamline the process for administrative hearings.

Public hearing information:

There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

Please click the link to join the webinar: <https://utah.gov.zoom.us/j/88410663769>

Fiscal Information

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

A) State budget:

There will be no effect on the state budget because the entire rule is being repealed. DHHS has an existing rule, Rule R497-100, that governs administrative hearing procedures for all agencies within DHHS.

As a result of repealing this rule, the Center for Medical Cannabis will automatically fall under Rule R497-100.

With regard to the change from a 30-day deadline to request a hearing, the respondent will only have 15 calendar days to request a hearing per Rule R497-100. There is no fiscal impact on the state budget in reducing the amount of time a respondent has to request a hearing after receiving a notice of agency action.

B) Local governments:

There will be no effect on local governments because the entire rule is being repealed. A local government will never be issued a notice of agency action because no local government operates within the program.

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

There will be no effect on small businesses because the entire rule is being repealed.

DHHS has an existing rule, Rule R497-100, that governs administrative hearing procedures for all agencies within DHHS. As a result of repealing this rule, the Center for Medical Cannabis will automatically fall under Rule R497-100.

With regard to the change from a 30-day deadline to request a hearing, the respondent will only have 15 calendar days to request a hearing per Rule R497-100.

There is no fiscal impact on small businesses in reducing the amount of time a respondent has to request a hearing after receiving a notice of agency action.

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

There will be no effect on non-small businesses because the entire rule is being repealed.

DHHS has an existing rule, Rule R497-100, that governs administrative hearing procedures for all agencies within DHHS. As a result of repealing this rule, the Center for Medical Cannabis will automatically fall under Rule R497-100.

With regard to the change from a 30-day deadline to request a hearing, the respondent will only have 15 calendar days to request a hearing per Rule R497-100.

There is no fiscal impact on non-small businesses in reducing the amount of time a respondent has to request a hearing after receiving a notice of agency action.

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 effect on persons other than small businesses, non-small businesses, and state or local government entities because the entire rule is being repealed.

DHHS has an existing rule, Rule R497-100, that governs administrative hearing procedures for all agencies within DHHS. As a result of repealing this rule, the Center for Medical Cannabis will automatically fall under Rule R497-100.

NOTICES OF PROPOSED RULES

With regard to the change from a 30-day deadline to request a hearing, the respondent will only have 15 calendar days to request a hearing per Rule R497-100.

There is no fiscal impact on persons other than small businesses, non-businesses, or state, or local government entities in reducing the amount of time a respondent has to request a hearing after receiving a notice of agency action.

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

There will be no results in compliance costs for affected persons because the entire rule is being repealed.

DHHS has an existing rule, Rule R497-100, that governs administrative hearing procedures for all agencies within DHHS. As a result of repealing this rule, the Center for Medical Cannabis will automatically fall under Rule R497-100.

With regard to the change from a 30-day deadline to request a hearing, the respondent will only have 15 calendar days to request a hearing per Rule R497-100.

There is no fiscal impact on compliance costs for affected persons in reducing the amount of time a respondent has to request a hearing after receiving a notice of agency action.

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:

Subsection 26B-1-202(1)		
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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: 10/16/2023

B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/24/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R383-13	Filing ID: 55716

Agency Information

1. Department:	Health and Human Services	
Agency:	Center for Medical Cannabis	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-13. Compassionate Use Board
3. Purpose of the new rule or reason for the change:
Rule R383-13 is repealed and reenacted with new language due to the Department of Health and Human Services (DHHS) needing to clarify the expedited review process and what happens when DHHS denies a request for expedited review of a petition submitted to the Compassionate Use Board.
References to Title 26, Chapter 61a, are also changed due to its recodification under S.B. 40 during the 2023 General Session.
4. Summary of the new rule or change:
In Rule R383-13, the rule's name is changed from "Compassionate Use Board" to "Expedited Final Review of Compassionate Use Petitions".
The statute citation in Section R383-13-2 is updated. The DHHS Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority.

Rule R383-13 is repealed and reenacted with the new language. Section R383-13-1 explains the purpose and Section R383-13-2 explains the authority of this rule; Section R383-13-3 explains the availability of the expedited review; and Section R383-13-4 outlines the procedure for an expedited and explains what happens if DHHS denies a request for expedited review.
In these cases, the DHHS will send notice of the denial to the applicant and forward the petition for compassionate use to the board for consideration during its board meeting. The board will consider their petition for compassionate use even if an applicant fails to meet the criteria for expedited final review.
Public hearing information: There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.
Please click the link to join the webinar: https://utah.gov.zoom.us/j/88410663769

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The proposed repeal and reenact has no fiscal impact on the state budget because it only makes minor changes to existing processes.
B) Local governments:
The proposed repeal and reenact has no fiscal impact on local governments because it does not impact local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The proposed repeal and reenact has no fiscal impact on small businesses because it does not impact small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed repeal and reenact has no fiscal impact on non-small businesses because it does not impact 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 <i>agency</i>):
The proposed repeal and reenact has no fiscal impact on persons other than small businesses, non-small

businesses, and state, or local government entities because it does not impact these persons.

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

The proposed rule has no 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.)

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:

Subsection 26B-1-202(1)	Section 26B-1-421	Section 63G-2-201
Section 63G-4-203		

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:	10/16/2023	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Amendment		
Rule or Section Number:	R383-14	Filing ID:	55711

Agency Information

1. Department:	Health and Human Services
Agency:	Center for Medical Cannabis
Building:	Multi-Agency State Office Building (MASOB)
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144340
City, state and zip:	Salt Lake City, UT 84114-4340

Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-14. Administrative Penalties
3. Purpose of the new rule or reason for the change:
The purpose of this proposed amendment is to delete the definitions section, as all medical cannabis-related definitions are being moved to Rule R383-1. References to Title 26, Chapter 61a, are also changed due to its recodification under S.B. 40 during the 2023 General Session.
4. Summary of the new rule or change:
The statute citation in Section R383-14-1 is updated. The Department of Health and Human Services (DHHS) Office of Legislative Affairs indicated that the new citation is the correct reference for citing rulemaking authority. Section R383-14-2 is removed because it is the definitions section, and all medical cannabis-related definitions are being moved to Rule R383-1. References to Title 26, Chapter 61a, are also changed throughout the proposed amendment due to its recodification under S.B. 40 during the 2023 General Session. (EDITOR'S NOTE: The proposed amendment to Rule R383-1 is under ID 55700 in this issue, September 15, 2023, of the Bulletin.) Public hearing information: There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C. Please click the link to join the webinar: https://utah.gov.zoom.us/j/88410663769

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:																
This proposed amendment will not result in a fiscal impact on the state budget because it only adds or clarifies language with no fiscal impact.																
B) Local governments:																
This proposed amendment will not result in a fiscal impact on local governments because it does not establish requirements for enforcement by local agencies.																
C) Small businesses ("small business" means a business employing 1-49 persons):																
This proposed amendment will not result in a fiscal impact on small businesses because it only adds or clarifies language with no fiscal impact.																
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																
This proposed amendment will not result in a fiscal impact on non-small businesses because this amendment does not establish requirements for non-small businesses.																
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																
This proposed amendment will not result in a fiscal impact on persons other than small businesses, non-small businesses, or state or local government entities because this proposed amendment does not establish new requirements for these entities.																
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):																
This proposed amendment will not result in a fiscal impact on compliance costs for affected persons because it only adds or clarifies language with no fiscal impact.																
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																
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</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	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026													
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
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:

Subsection 26B-1-202(1)	Subsection 26B-4-221(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.)

A) Comments will be accepted until: 10/16/2023

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

Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/24/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R383-15	Filing ID:	55715
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Agency Information

1. Department:	Health and Human Services		
Agency:	Center for Medical Cannabis		
Building:	Multi-Agency State Office Building (MASOB)		
Street address:	195 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 44340		
City, state and zip:	Salt Lake City, UT 84114-4340		
Contact persons:			
Name:	Phone:	Email:	
Jeremiah Sniffin	801-538-6504	jsniffin@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 or section catchline:
R383-15. Compassionate Use Board Administrative Hearing Procedure

3. Purpose of the new rule or reason for the change:
This proposed new rule clarifies how the Compassionate Use Board (CUB) will operate when performing an administrative hearing. This proposed rule outlines how the CUB operates with administrative hearings.

4. Summary of the new rule or change:
This proposed new rule explains how an administrative hearing relating to petitions denied by the CUB will occur.

Public hearing information:
 There will be a public hearing on 10/02/2023 at 9 AM MST at the MASOB at 195 N 1950 W, Salt Lake City, UT in Room 1020C.

 Please click the link to join the webinar: <https://utah-gov.zoom.us/j/88410663769>

Fiscal Information

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

A) State budget:

This proposed new rule will not result in a fiscal impact on the state budget because the proposed new rule establishes a process that will not have a fiscal impact.

B) Local governments:

This proposed new rule will not result in a fiscal impact on local governments because the proposed new rule creates language which does not increase or decrease what a local government must regulate.

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

This proposed new rule will not result in a fiscal impact on small businesses because the proposed new rule creates language which does not have a fiscal impact.

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

This proposed new rule will not result in a fiscal impact on non-small businesses because the proposed new rule creates language which does not have a fiscal impact.

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

This proposed new rule will not result in a fiscal impact on persons other than small businesses, non-small businesses, or state or local government entities because this rule does not establish new requirements for these entities.

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

This proposed new rule will not add any compliance costs for affected persons because the proposed new rule creates language which does not have a fiscal impact.

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:

Subsection 26B-1-202(1)	Subsection 26B-4-221(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.)

NOTICES OF PROPOSED RULES

A) Comments will be accepted until:		10/16/2023
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
10/02/2023	9 AM MST	See information in Box 4 above

9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/24/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R398-2	Filing ID: 55696

Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health, Children with Special Health Care Needs	
Room number:	3032	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144610	
City, state and zip:	Salt Lake City, UT 84114-4610	
Contact persons:		
Name:	Phone:	Email:
Alexis Weight	801-273-2956	abweight@utah.gov
Stephanie McVicar	801-273-6600	smcvicar@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R398-2. Newborn Hearing Screening: Early Hearing Detection and Intervention (EHDI) Program
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to update statute citations and titles associated with the recodifications related to the Department of Health and Human Services (DHHS) consolidation and the recodification of the DHHS' statute in the 2023 General Session.
4. Summary of the new rule or change:
Updates citations to the DHHS' statute, corrects references to the Department of Health, corrects titles of referenced statutes, and adds authority to DHHS to have a standing order for CMV and diagnostic testing to facilitate their timely completion.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no impact to the state budget as there are only minor changes and technical updates.
B) Local governments:
There is no impact on local governments as they neither fund nor facilitate early detection, prompt referral, and early intervention of infants who are deaf or hard of hearing.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no impact on small businesses as there are only minor changes and technical updates.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no impact on non-small businesses as there are only minor changes and technical updates.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no impact to other persons or entities as there are only minor changes and technical updates.

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 to a single person or entity as there are only minor changes and technical updates.

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-4-319	Section 26B-1-202	
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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.)

A) Comments will be accepted until:	10/16/2023
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9. This rule change MAY become effective on:

10/23/2023
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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R398-5	Filing ID:	55685
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Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health and Preparedness, Children with Special Health Care Needs	
Room number:	3030	
Building:	Multi Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144610	
City, state and zip:	Salt Lake City, UT 84114-4610	
Contact persons:		
Name:	Phone:	Email:
Amy Nance	385-377-2801	aenance@utah.gov
Alexis Weight	801-273-2956	abweight@utah.gov

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

General Information

2. Rule or section catchline:
R398-5. Birth Defects and Critical Congenital Heart Disease Reporting
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to update statute citations and titles associated with the recodifications related to the Department of Health and Human Services (DHHS) consolidation and the recodification of DHHS' statute in the 2023 General Session.
4. Summary of the new rule or change:
This amendment updates names, terms, and entities in the text. It also makes other technical and structural changes. Additionally, this amendment updates the authorizing citations of this rule, this is due to the recodification and consolidation of the DHHS' statute.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no impact to the state budget as there are only minor changes and technical updates.
B) Local governments:
There is no impact on local governments as there are only minor changes and technical updates.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no impact on small businesses as there are only minor changes and technical updates.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no impact on non-small businesses as there are only minor changes and technical updates.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no impact to other persons or entities as there are only minor changes and technical updates.
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 to a single person or entity as there are only minor changes and technical updates.

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 S. 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-4-318

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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R398-20	Filing ID: 55680

Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health and Preparedness, Children with Special Health Care Needs	
Room number:	3032	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144610	
City, state and zip:	Salt Lake City, UT 84114-4610	
Contact persons:		
Name:	Phone:	Email:
Lisa Davenport	801-273-2961	lisadavenport@utah.gov
Alexis Weight	801-273-2956	abweight@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R398-20. Early Intervention
3. Purpose of the new rule or reason for the change:
Following the consolidation and recodification of the Department of Health and Human Services' (Department)

statute, this rule is being repealed from Title R398, and is simultaneously being proposed under Title R402.

4. Summary of the new rule or change:
This filing repeals Rule R398-20, Early Intervention, which is simultaneously being proposed under Title R402 as Rule R402-1, Early Intervention, due to the consolidation and recodification of the Department's statute. (EDITOR'S NOTE: The proposed new Rule R402-1 is under ID 55688 in this issue, September 15, 2023, of the Bulletin.)

Fiscal Information

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

A) State budget:
There is no anticipated impact on the state budget as this repeal only moves Rule R398-20, Early Intervention, under Title R402 as Rule R402-1.

B) Local governments:
There is no anticipated impact on local governments as this repeal only moves Rule R398-20, Early Intervention, under Title R402 as Rule R402-1.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated impact on small businesses as this repeal only moves Rule R398-20, Early Intervention, under Title R402 as Rule R402-1.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated impact on non-small businesses as this repeal only moves Rule R398-20, Early Intervention, under Title R402 as Rule R402-1.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no impact on other persons or entities as this repeal only moves Rule R398-20, Early Intervention, under Title R402 as Rule R402-1.

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 to a single person or entity as this repeal only moves Rule R398-20, Early Intervention, under Title R402 as Rule R402-1.

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:

34 CFR 303.521	Section 26B-1-202
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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.)

A) Comments will be accepted until: 10/16/2023

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R402-1	Filing ID: 55688

Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health, Early Childhood	
Room number:	3032	
Building:	Multi-Agency State Office Building (MASOB)	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144610	
City, state and zip:	Salt Lake City, UT 84114-4610	
Contact persons:		
Name:	Phone:	Email:
Lisa Davenport	801-273-2961	lisadavenport@utah.gov
Alexis Weight	801-273-2956	abweight@utah.gov

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

General Information

2. Rule or section catchline:
R402-1. Early Intervention
3. Purpose of the new rule or reason for the change:
Following a five-year review and the consolidation and recodification of the Department of Health and Human Services' (Department) statute, this rule is being proposed

under Title R402, and is simultaneously being repealed from Title R398.

4. Summary of the new rule or change:

This new rule moves Rule R398-20, Early Intervention, which is simultaneously being proposed for repeal under Title R402 as Rule R402-1, Early Intervention.

Additionally, this filing amends language that existed in Rule R398-20 to reflect the recent recodification of the Department statute.

(EDITOR'S NOTE: The proposed repeal of Rule R398-20 is under ID 55680 in this issue, September 15, 2023, of the Bulletin.)

Fiscal Information

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

A) State budget:

There is no impact to the state budget as there are only minor changes and technical updates.

B) Local governments:

There is no impact on local governments as there are only minor changes and technical updates.

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

There is no impact on small businesses as there are only minor changes and technical updates.

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

There is no impact on non-small businesses as there are only minor changes and technical updates.

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

There is no impact to other persons or entities as there are only minor changes and technical updates.

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 to a single person or entity as there are only minor changes and technical updates.

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:

34 CFR 303.521	Section 26B-1-202	
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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.)

A) Comments will be accepted until:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R414-515	Filing ID: 55693

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 or section catchline:
R414-515. Long Term Acute Care
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify policy for long-term acute care.
4. Summary of the new rule or change:
This amendment updates and clarifies eligibility, access, coverage, prior authorization, and reimbursement for long-term acute care. It also 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 is no impact to the state budget as these changes and updates do not affect current appropriations.

B) Local governments:

There is no impact on local governments as they neither fund nor provide benefits under the Medicaid program.

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

There is no impact on small businesses as these changes and updates do not affect current appropriations.

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

There is no impact on non-small businesses as these changes and updates do not affect current appropriations.

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

There is no impact to other persons or entities as these changes and updates do not affect current appropriations.

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 to a single person or entity as these changes and updates do not affect current appropriations.

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 S. Gruber, has reviewed and approved this fiscal analysis.			
Businesses will see neither costs nor revenue as this amendment only clarifies current electronic visit verification (EVV) requirements, and is covered under previous appropriations for EVV compliance.			

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	

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:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R426-10	Filing ID: 55678

Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health and Preparedness, Emergency Medical Services	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
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 persons listed above.		

General Information

2. Rule or section catchline:
R426-10. Air Ambulance Licensure and Operations
3. Purpose of the new rule or reason for the change:
The Department of Health and Human Services (Department) is amending this rule to move some responsibilities from accreditation providers to the licensed air ambulance providers. These rule amendments are being made at the request of the Air Ambulance Committee and affected stakeholders.
It is also providing updated citations following the consolidation and recodification of the Department's statute.
4. Summary of the new rule or change:
The filing clarifies the responsibilities for accreditation and licensed providers.
Additionally, this updates the language in this rule to improve clarity and consistency with the Rulewriting Manual for Utah standards.
It is also providing new codification references.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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<p>A) State budget:</p> <p>No fiscal impact. The amendments will move some of the reporting requirements currently required by accreditation providers to licensed air ambulance providers.</p> <p>The state budget is not impacted by provider reporting requirements.</p> <p>Other amendments are for clarity and consistency in the rule language.</p>
<p>B) Local governments:</p> <p>No fiscal impact to local governments. Local governments do not own or operate licensed air ambulance services. They do not have a role the licensing, accreditation, or associated reporting for the provision of services.</p> <p>Other amendments are for clarity and consistency in the rule language.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>No fiscal impact to small businesses. There are no small businesses that own or operate a licensed air ambulance. A small business does provide accreditation; however, the impact will result in less responsibility for certain types of reporting.</p> <p>Other amendments are for clarity and consistency in the rule language.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>Non-small businesses will not have any significant fiscal impacts. New responsibilities for reporting only include notification to the Department for rare incidents that might occur during operations.</p> <p>Other wording amendments are only for clarity and consistency in the language.</p>
<p>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):</p> <p>No fiscal impact to other persons, since there the amendments only change responsibilities for limited reporting of incidents to the Department. Costs to stakeholders for compliance will not increase or decrease.</p> <p>Other amendments are for clarity and consistency in the rule language.</p>

<p>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>No fiscal impact for affected persons, since there the amendments only change responsibilities for limited reporting of incidents to the Department. Costs to patients, insurance, providers, or other related persons for compliance will not increase or decrease.</p> <p>Other amendments are for clarity and consistency in the rule language.</p>																																																																
<p>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.)</p> <table border="1"> <thead> <tr> <th colspan="4">Regulatory Impact Table</th> </tr> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Cost</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Fiscal Benefits</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Non-Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Other Persons</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Total Fiscal Benefits</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Net Fiscal Benefits</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	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
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<p>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</p> <p>The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this regulatory impact analysis.</p>																																																																

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-4-102		
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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.)

A) Comments will be accepted until:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Tracy S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R432-12	Filing ID:	55686
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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:
R432-12. Small health Care Facility (Four to Sixteen Beds) Construction Rule

3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to modify and replace outdated language with the Rulewriting Manual for Utah standards, update citations in response to S.B. 38 in the 2023 General Session for statute recodification, and re-title rules to the new division titles that are consistent with the Rulewriting Manual for Utah standards.

4. Summary of the new rule or change:
The revisions include more specific language consistent with the Rulewriting Manual for Utah. Substantive changes only constitute removal of incorporated materials that will be encompassed as recommended standards in the Department of Health and Human Services (Department) plans review process.

Additionally, this amendment updates titles and citations due to the recodification of the Department's 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 Rulewriting Manual for Utah 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 Rulewriting Manual for Utah standards.

The Freestanding Ambulatory Surgical Center 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.

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

NOTICES OF PROPOSED RULES

replaces outdated language with the Rulewriting Manual for Utah 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 Rulewriting Manual for Utah 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 other persons because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah 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 Rulewriting Manual for Utah 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	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-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.)

A) Comments will be accepted until:	10/16/2023
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9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R432-152	Filing ID: 55687

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:
R432-152. Intermediate Care Facility for Individuals with Intellectual Disabilities
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 Rulewriting Manual for Utah standards.
Structural changes are made but did not change existing content.
4. Summary of the new rule or change:
The revisions include more specific language consistent with the Rulewriting Manual for Utah.
Substantive changes were made in conjunction with the Disability law Center recommendations for inclusive language regarding client access to community-based services in Subsections R432-152-6(10); R432-152-7(2) and (3) and R432-152-14(5).
The Health Care Licensing Rule Committee approved these additions on 07/12/2023.

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 repeal and reenactment modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

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

B) Local governments:

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

The Intermediate Care Facility Standards 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 substantive changes being made regarding the fiscal impact of this rule.

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

The repeal and reenactment should not impact cost for small businesses because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

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

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

The repeal and reenactment should not impact costs for non-small businesses because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

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

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

This repeal and reenactment will not result in a fiscal impact to affected persons because this amendment modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

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

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

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 Rulewriting Manual for Utah standards.

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

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

Regulatory Impact Table			
Fiscal Cost	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:	10/16/2023
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9. This rule change MAY become effective on: 10/23/2023

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:	08/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Rule or Section Number:	R495-882	Filing ID:	55683
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Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Human Services)	
Building:	TSOB	
Street address:	4315 S 2700 W, 1st Floor	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@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 or section catchline:
R495-882. Termination of Parental Rights
3. Purpose of the new rule or reason for the change:
Due to the consolidation of the Department of Health and Human Services (DHHS) and the recodification of the Title R495 rules, this rule is being repealed. DHHS will simultaneously propose this rule as Rule R527-33 under Title R527.
4. Summary of the new rule or change:
This rule is being repealed in its entirety and will be proposed as a new rule under Title R527.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
No impact on state budgets. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-33, this repeal is technical in nature.
B) Local governments:
No impact on local governments. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-33, this repeal is technical in nature.
C) Small businesses ("small business" means a business employing 1-49 persons):
No impact on small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-33, this repeal is technical in nature.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
No impact on non-small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-33, this repeal is technical in nature.

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

No impact on other persons. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-33, this repeal is technical in nature.

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

There are no compliance costs associated with this repeal. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-33, this repeal is technical 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	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

NOTICES OF PROPOSED RULES

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 S 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 62A-1-111	Section 62A-1-117	Section 62A-11-107
Section 78A-6-356		

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:	10/16/2023
9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R495-883	Filing ID: 55681

Agency Information

1. Department:	Health and Human Services
Agency:	Administration (Human Services)
Building:	TSOB
Street address:	4315 S 2700 W, 1st Floor
City, state and zip:	Taylorville, UT 84129
Mailing address:	PO Box 45033

City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@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 or section catchline:
R495-883. Children in Care Support Services
3. Purpose of the new rule or reason for the change:
Due to the consolidation of the Department of Health and Human Services (DHHS) and the recodification of the Title R495 rules, this rule is being repealed. DHHS will propose that this rule be refiled as Rule R527-221 found in the Recovery Services rules (R527).
4. Summary of the new rule or change:
This rule is being repealed in its entirety and will be proposed as a new rule in Title R527 for Recovery Services. (EDITOR'S NOTE: The proposed new Rule R527-221 is under ID 55682 in this issue, September 15, 2023, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
No impact on state budgets. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session. It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-221. This repeal is technical in nature.
B) Local governments:
No impact on local governments. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session. It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-221. This repeal is technical in nature.

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

No impact on small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-221. This repeal is technical in nature.

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

No impact on non-small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-221. This repeal is technical in nature.

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

No impact on other persons. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-221. This repeal is technical in nature.

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

There are no compliance costs associated with this repeal. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-221. This repeal is technical 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	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 S 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:

45 CFR 301 through 305	45 CFR 307	Section 62A-1-117
Section 62A-11-104	Section 62A-11-107	Section 62A-11-301
Section 62A-11-320.5	Section 62A-11-320.6	Section 78A-6-356
Section 78B-12-108	Section 78B-12-301	Section 78B-12-302

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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Tracy S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R495-884	Filing ID: 55677

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Human Services)	
Building:	TSOB	
Street address:	4315 S 2700 W, 1st Floor	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@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 or section catchline:
R495-884. Kinship Locate
3. Purpose of the new rule or reason for the change:
Due to the consolidation of the Department of Health and Human Services (DHHS) and the recodification of the Title R495 rules, this rule is being repealed. DHHS will propose that this rule be moved to Rule R527-57 found in the Recovery Services rules (R527).
4. Summary of the new rule or change:
This rule is being repealed in its entirety and will be proposed as a new rule in Title R527 for Recovery Services.

(EDITOR'S NOTE: The proposed new Rule R527-57 is under ID 55676 in this issue, September 15, 2023, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
No impact on state budgets. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-57. This repeal is technical in nature.
B) Local governments:
No impact on local governments. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-57. This repeal is technical in nature.
C) Small businesses ("small business" means a business employing 1-49 persons):
No impact on small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-57. This repeal is technical in nature.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
No impact on non-small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-57. This repeal is technical in nature.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
No impact on other persons. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.
It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-57. This repeal is technical in nature.

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

There are no compliance costs associated with this repeal. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule is simultaneously being proposed as Rule R527-57. This repeal is technical 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	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 S 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:

45 CFR 302.35	45 CFR 303.21	42 USC 653
Section 62A-1-111	Section 62A-11-107	

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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Tracy S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R527-57	Filing ID: 55676

Agency Information

1. Department:	Health and Human Services	
Agency:	Recovery Services	
Building:	TSOB	
Street address:	4315 S 2700 W, 1st Floor	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@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 or section catchline:

R527-57. Kinship Locate

3. Purpose of the new rule or reason for the change:

Due to the consolidation of the Department of Health and Human Services (DHHS) and the recodification of the Title R495 rules, this rule is being proposed. This rule was previously Rule R495-884 which is being repealed.

4. Summary of the new rule or change:

This rule is being proposed as a new rule in Title R527 for Recovery Services.

(EDITOR'S NOTE: The proposed repeal of R495-884 is under ID 55677 in this issue, September 15, 2023, of the Bulletin.)

Fiscal Information

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

A) State budget:

No impact on state budgets. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-884, and the proposal of this filing is technical in nature.

B) Local governments:

No impact on local governments. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-884, and the proposal of this filing is technical in nature.

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

No impact on small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-884, and the proposal of this filing is technical in nature.

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

No impact on non-small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-884, and the proposal of this filing is technical in nature.

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

No impact on other persons. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-884, and the proposal of this filing is technical in nature.

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

There are no compliance costs associated with this repeal. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-884, and the proposal of this filing is technical 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	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 S 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:

45 CFR 302.35	45 CFR 303.21	42 USC 653
Section 26B-1-202	Section 26B-9-108	

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: 10/16/2023

9. This rule change MAY become effective on: 10/23/2023

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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R527-221	Filing ID: 55682

Agency Information

1. Department:	Health and Human Services	
Agency:	Recovery Services	
Building:	TSOB	
Street address:	4315 S 2700 W, 1st Floor	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@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 or section catchline:
R527-221. Children in Care Support Services

3. Purpose of the new rule or reason for the change:
Due to the consolidation of the Department of Health and Human Services (DHHS) and the recodification of the Title R495 rules, this rule is being proposed. This rule was recently Rule R495-883 which is being repealed.

4. Summary of the new rule or change:
This rule is being proposed as a new rule in R527 for Recovery Services.

(EDITOR'S NOTE: The proposed repeal of R495-883 is under ID 55681 in this issue, September 15, 2023, of the Bulletin.)

Fiscal Information

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

A) State budget:
No impact on state budgets. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.

It will not result in a fiscal impact because this rule was already in place as Rule R495-883, and the proposal of this filing is technical in nature.

<p>B) Local governments:</p> <p>No impact on local governments. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.</p> <p>It will not result in a fiscal impact because this rule was already in place as Rule R495-883, and the proposal of this filing is technical in nature.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>No impact on small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.</p> <p>It will not result in a fiscal impact because this rule was already in place as Rule R495-883, and the proposal of this filing is technical in nature.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>No impact on non-small businesses. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.</p> <p>It will not result in a fiscal impact because this rule was already in place as Rule R495-883, and the proposal of this filing is technical in nature.</p>
<p>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>):</p> <p>No impact on other persons. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.</p> <p>It will not result in a fiscal impact because this rule was already in place as Rule R495-883, and the proposal of this filing is technical in nature.</p>
<p>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>There are no compliance costs associated with this repeal. This filing is due to the consolidation and recodification of the DHHS code from the 2023 General Session.</p> <p>It will not result in a fiscal impact because this rule was already in place as Rule R495-883, and the proposal of this filing is technical in nature.</p>
<p>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.)</p>

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
<p>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</p> <p>The Executive Director of the Department of Health and Human Services, Tracy S Gruber, has reviewed and approved this regulatory impact analysis.</p>			

Citation Information

<p>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:</p>		
45 CFR 301 through 305	45 CFR 307	Section 26B-9-111
Section 26B-1-202	Section 26B-9-104	Section 26B-9-108
Section 26B-9-220	Section 78A-6-356	Section 78B-12-106
Section 78B-12-301	Section 78B-12-302	

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:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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 S Gruber, Executive Director	Date:	08/19/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R650-303	Filing ID: 55590

Agency Information

1. Department:	Natural Resources	
Agency:	Outdoor Recreation	
Room number:	100	
Building:	Department of Natural Resources Building	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Tara McKee	801-538-5500	tmckee@utah.gov
Patrick Morrison	801-538-5500	patrickmorrison@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R650-303. Restoration Recreation Infrastructure Grant Program
3. Purpose of the new rule or reason for the change:
Subsection 79-8-202(3) provides that the Division of Outdoor Recreation (Division) shall make rules to establish the eligibility and reporting criteria for an entity to receive a Recreation Restoration Infrastructure grant.

This new rule fulfills this statutory mandate.
4. Summary of the new rule or change:
This rule establishes eligibility and reporting criteria for an entity to receive a Restoration Recreation Infrastructure Grant, including: the form and process of submitting annual project proposals to the Division for a recreation restoration infrastructure grant; which entities are eligible to apply for a recreation restoration infrastructure grant; specific categories of recreation restoration projects that are eligible for a recreation restoration infrastructure grant; the method and formula for determining recreation restoration infrastructure grant amounts; and the reporting requirements of a recipient of a recreation restoration infrastructure grant.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division, under the Department of Natural Resources, and the content of this rule is unaltered.
B) Local governments:
There are no anticipated costs or savings to local governments associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division, under the Department of Natural Resources, and the content of this rule is unaltered.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings to small businesses associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor's Office of Economic Opportunity, and the Division, under the Department of Natural Resources, and the content of this rule is unaltered.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule does not have a fiscal impact on non-small businesses, nor will a service be required of them to implement the grants.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

There are no anticipated costs or savings to persons other than small businesses, state, or local government entities associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor’s Office of Economic Opportunity, and the Division, under the Department of Natural Resources, and the content of this rule is unaltered.

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 anticipated compliance costs associated with this rule, as this rule existed prior to the merging of the Office of Outdoor Recreation, under the Governor’s Office of Economic Opportunity, and the Division, under the Department of Natural Resources, and the content of this rule is unaltered.

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 Department of Natural Resources, Joel Ferry, 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		
79-8-202(3)		

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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Jason Curry, Director	Date:	08/02/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R650-304	Filing ID: 55673

Agency Information

1. Department:	Natural Resources	
Agency:	Outdoor Recreation	
Room number:	Suite 100	
Building:	DNR	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Tara McKee	385-441-2702	tmckee@utah.gov

Patrick Morrison	385-268-2504	patrickmorrison@utah.gov
Caroline Weiler	385-264-4171	cweiler@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R650-304. Utah Children's Outdoor Recreation and Education Grant Program
3. Purpose of the new rule or reason for the change:
The Division of Outdoor Recreation (Division) came into existence 07/01/2022 (H.B. 305 passed in the 2022 General Session). The Division is officially filing rules as the Division (this rule previously existed under the Governor's Office of Economic Opportunity). This rule sets eligibility and reporting requirements for the Utah Children's Outdoor Recreation and Education (UCORE) grant program.
4. Summary of the new rule or change:
This rule establishes application and submission processes for the Utah Children's Outdoor Recreation and Education (UCORE) grant program, including the programs that are eligible for grants, minimum and maximum grant amounts, and the grant scoring/selection process.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated costs or savings to the state budget as this rule only establishes the processes for how UCORE grant funds are distributed.
B) Local governments:
This rule change is not expected to have a fiscal impact on local governments because it only establishes the processes for how UCORE grant funds are distributed. Local governments are eligible to apply/receive this grant.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have a fiscal impact on small businesses because it only establishes the processes for how UCORE grant funds are distributed. Small businesses are not eligible to apply/receive this grant.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change is not expected to have a fiscal impact on non-small businesses because it only establishes the processes for how UCORE grant funds are 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):
This rule change is not expected to have a fiscal impact on other entities because it only establishes the processes for how UCORE grant funds are distributed.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
This rule change is not expected to have compliance costs for affected persons because it only establishes the processes for how UCORE grant funds are 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

NOTICES OF PROPOSED RULES

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 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 79-8-303		

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:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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:	Jason Curry, Director	Date:	08/21/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R651-700	Filing ID: 55647

Agency Information

1. Department:	Natural Resources
Agency:	State Parks
Street address:	1594 W North Temple, Suite 116
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 146001
City, state and zip:	Salt Lake City, UT 84114-6001

Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-700. Administrative Procedures for Real Property Management

3. Purpose of the new rule or reason for the change:
The Division of State Parks (Division) is proposing to update the Real Property Rule to better serve the Division, public and private partners, and future applicants for easements, rights-of-ways, and other real property documents and contracts.

4. Summary of the new rule or change:
The Division is proposing to update this rule in order to: 1) remove provisions already set out in the Utah Code; clarify or eliminate ambiguous, duplicative, or unnecessary language or terminology; 2) eliminate language that potentially contradicts or is inconsistent with other areas of Utah law; 3) simplify application procedures for certain easements, rights-of-way, leases, and special use leases, and to simplify the processes applicable to the Division's evaluation of those applications; and 4) to allow for the issuance of temporary use permits for construction activities on State Parks' property.

The changes also give the Division the discretion to consider real property valuation methods other than appraisals, broker's estimate, or market analyses when real property is transferred to another state agency or political subdivision and that entity maintains the public's right to use the land for public recreation.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget as these proposed changes are clerical in nature and simply serve to clarify and simplify real property management processes and procedures addressed by the prior version of this rule.
B) Local governments:
There are no anticipated costs or savings to the local governments as these proposed changes are clerical in nature and simply serve to clarify and simplify real property

management processes and procedures addressed by the prior version of this rule.

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

There are no anticipated costs or savings to the small businesses as these proposed changes are clerical in nature and simply serve to clarify and simplify real property management processes and procedures addressed by the prior version of this rule.

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

There are no anticipated costs or savings to the non-small businesses as these proposed changes are clerical in nature and simply serve to clarify and simplify real property management processes and procedures addressed by the prior version 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**):

There are no anticipated costs or savings to persons other than small businesses, non-small business, state, or local government entities as these proposed changes are clerical in nature and simply serve to clarify and simplify real property management processes and procedures addressed by the prior version 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?):

There are no anticipated costs or savings to compliance costs for affected persons as these proposed changes are clerical in nature and simply serve to clarify and simplify real property management processes and procedures addressed by the prior version 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 Department of Natural Resources, Joel Ferry, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Title 79, Chapter 4	Section 79-4-203	Subsection 79-4-203.5(a)
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Public Notice Information

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

A) Comments will be accepted until:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Jeff Rasmussen, Director	Date:	08/10/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R655-5	Filing ID: 55705

Agency Information

1. Department:	Natural Resources	
Agency:	Water Rights	
Room number:	220	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Marianne Burbidge	801-538-7370	marianneburbidge@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R655-5. Maps Submitted to the Division of Water Rights
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to update code citations within this rule and make adjustments to map submittal that align with the advancements in technology since this rule was last updated.
4. Summary of the new rule or change:
The reenacted text allow professionals to submit maps electronically. The updated text provides better definitions and solidifies current map receipt practices by the state engineer.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
No fiscal impact because those effected have the equipment to submit and process electronically.
B) Local governments:
No fiscal impact because local governments have the equipment to submit and process electronically.
C) Small businesses ("small business" means a business employing 1-49 persons):
No fiscal impact because small businesses have the equipment to submit and process electronically.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
No fiscal impact because non-small businesses have the equipment to submit and process electronically.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
No fiscal impact because other persons have the equipment to submit and process electronically.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
Enactment of this rule change likely will not result in direct, measurable costs because impacted entities will likely have the equipment to submit and process electronically.

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.)
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Regulatory Impact Table			
Fiscal Cost	Fiscal Cost	Fiscal Cost	Fiscal Cost
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 Benefits	Fiscal \$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 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 73-2-1	Section 73-3-2	Section 73-3-3
Section 73-3-5.6	Section 73-3-8	Section 73-3-16

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:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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:	Teresa Wilhelmsen, Director	Date:	08/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R746-316	Filing ID: 55689

Agency Information

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

Contact persons:		
Name:	Phone:	Email:
Mike Hammer	801-530-6729	michaelhammer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R746-316. Electrical Power Delivery Quality Plans
3. Purpose of the new rule or reason for the change:
On 03/14/2023, H.B. 389, Electrical Power Delivery Quality Act (Act) was signed into law, codified at Sections 54-25-101, 54-25-102, and 54-25-201.
Section 54-25-201 requires qualified electric utilities to submit electrical power delivery quality plans (EPDQPs) to the Public Service Commission (PSC) for the PSC's review.
Section 54-25-102 directs the PSC to establish rules to implement the Act, including rules to require submission of EPDQPs, the PSC's review of EPDQPs, and the PSC's review of utilities' subsequent implementation of their approved EPDQPs.
This new rule is proposed to comply with the Act's requirements.
4. Summary of the new rule or change:
This rule institutes a requirement for qualified utilities to submit EPDQPs to the PSC for review and processes for the PSC's review and approval of submitted EPDQPs and the PSC's review of utilities' implementation of their EPDQPs, as the statute requires.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The rule is not anticipated to affect the state budget. The Division of Public Utilities and Office of Consumer Services will have an opportunity to participate in any dockets arising out of the PSC's review of EPDQPs and their implementation, but the costs of such participation are expected to be nominal and subsumed within the costs these agencies incur in their frequent and ordinary participation in PSC dockets.
B) Local governments:
This rule does not pertain in any manner to local governments and is not anticipated to affect local governments.

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

This rule could potentially affect small businesses who are concerned about electrical power delivery quality and choose to participate in dockets arising out of this rule, but any such costs will be voluntary and a consequence of the small business choosing to participate.

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

This rule will affect qualified utilities that are now required by statute to submit and implement EPDQPs.

This rule has been crafted to allow these utilities and stakeholders flexibility in determining the components and parameters of EPDQPs, therefore, the costs a utility incurs in preparing its EPDQP will be contingent on the requirements the utility proposes.

This rule imposes no additional costs beyond what is expressly required under the Act.

This rule may also affect non-business commercial customers who are concerned about electrical power delivery quality and choose to participate in dockets arising out of this rule, but any such costs will be voluntary and a consequence of the commercial customer's decision to participate.

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 could potentially affect residential customers who are concerned about electrical power delivery quality and choose to participate in dockets arising out of the rule, but any such costs will be voluntary and a consequence of the person choosing to participate.

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

This rule imposes no compliance costs on qualified utilities other than any costs for compliance that stem from obligations expressly created in the Act.

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 Chair of the Public Service Commission, Thad LeVar, 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 54-25-101	Section 54-25-102	Section 54-25-201
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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:	10/16/2023
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9. This rule change MAY become effective on:

10/23/2023

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:	Thad LeVar, PSC Chair	Date:	08/24/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R765-606	Filing ID: 55702

Agency Information

1. Department:	Higher Education (Utah Board of)	
Agency:	Administration	
Building:	Utah Board of Higher Education Building, The Gateway	
Street address:	60 S 400 W	
City, state and zip:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R765-606. USHE Employee Partner Scholarship
3. Purpose of the new rule or reason for the change:
The purpose of this rule is to implement the "Utah Promise Program".
4. Summary of the new rule or change:
This rule provides the process and application procedures for employees of a USHE institution to receive a scholarship to attend another USHE institution.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Enactment of this rule likely will not materially impact state revenue because this rule is being enacted to provide a

process for a USHE institution to seek and receive approval from the board to become a promise partner, including providing funds for tuition and fees to be distributed under the Utah Promise Program

B) Local governments:
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because this rule applies only to the administration of the Utah Promise Program.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
The rule does not create any compliance costs for affected persons since it provides only for the administration of the Utah Promise Program.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

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 Higher Education of the Utah Board of Higher Education, Dave Woolstenhulme, 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		
53B-13a-106(6)		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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:	Kevin V. Olsen, Designee and Assistant Attorney General	Date:	08/29/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R765-607	Filing ID: 55703

Agency Information

1. Department:	Higher Education (Utah Board of)	
Agency:	Administration	
Building:	Utah Board of Higher Education Building, The Gateway	
Street address:	60 S 400 W	
City, state and zip:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R765-607. PRIME Program Grant
3. Purpose of the new rule or reason for the change:
The purpose of this rule is to implement the "PRIME Program Grant".
4. Summary of the new rule or change:
This rule outlines the requirements of and application process for the PRIME Program Grant, a grant for a qualified applicant who earns a TRANSFORM certificate from the Utah State Board of Education.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Enactment of this rule likely will not materially impact state revenue because this rule is being enacted to provide a process for the PRIME Program Grant, a grant for a qualified applicant who earns a TRANSFORM certificate from the Utah State Board of Education.

B) Local governments:
 Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
 Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
 Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because the rule applies only to the administration of the PRIME Program Grant.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
 The rule does not create any compliance costs for affected persons since it provides only for the administration of the PRIME Program Grant.

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 Higher Education of the Utah Board of Higher Education, Dave Woolstenhulme, 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		
53E-10-309(6).		

Public Notice Information

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

A) Comments will be accepted until:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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:	Kevin V. Olsen, Designee and Assistant Attorney General	Date:	08/29/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R765-617	Filing ID: 55704

Agency Information

1. Department:	Higher Education (Utah Board of)	
Agency:	Administration	
Building:	Utah Board of Higher Education Building, The Gateway	
Street address:	60 S 400 W	
City, state and zip:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov
Alison A. Adams	801-643-5535	Alison.Adams@ushe.edu
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R765-617. Karen Mayne Public Safety Officer Scholarship Program
3. Purpose of the new rule or reason for the change:
The purpose of this rule is to implement the "Karen Mayne Public Safety Officer Scholarship Program".
4. Summary of the new rule or change:
This rule outlines requirements, awardee responsibilities, and application procedures for the Karen Mayne Public Safety Officer Scholarship Program.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Enactment of this rule likely will not materially impact state revenue because this rule is being enacted to provide a process for the Karen Mayne Public Safety Officer Scholarship Program.

B) Local governments:			
Enactment of this rule likely will not result in direct, measurable costs for local governments because this rule does not apply to or affect local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for small businesses.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
Enactment of this rule likely will not result in direct expenditures from tax or fee changes for non-small businesses.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
Enactment of this rule likely will not change the regulatory burden for persons other than small businesses, non-small businesses, state, or local government entities because the rule applies only to the administration of the Karen Mayne Public Safety Officer Scholarship Program.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
The rule does not create any compliance costs for affected persons since it provides only for the administration of the Karen Mayne Public Safety Officer Scholarship Program.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	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 Higher Education of the Utah Board of Higher Education, Dave Woolstenhulme, 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 53B-8-112.5		
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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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Kevin V. Olsen, Designee and Assistant Attorney General	Date:	08/29/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R873-22M-43	Filing ID: 55709

Agency Information

1. Department:	Tax Commission	
Agency:	Motor Vehicle	
Building:	Utah State Tax Commission	
Street address:	210 N 1950 W	
City, state and zip:	Salt Lake City, UT 84134	
Contact persons:		
Name:	Phone:	Email:
Chantay Asper	801-297-3901	casper@utah.gov

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

General Information

2. Rule or section catchline:

R873-22M-43. Documentation and Procedures for the Titling and Registration of a Vehicle, Vessel, or Outboard Motor Owned or Leased by a Documented Tribal Member of a Federally Recognized Tribe in Utah Pursuant to Utah Code Ann. Section 41-1a-104

3. Purpose of the new rule or reason for the change:

The purpose of this filing is to clarify the documentation and procedures that are applicable when a documented tribal member of a federally recognized tribe in Utah requests to title or register a vehicle in the state without the payment of sales and use tax or the age based fee in lieu.

4. Summary of the new rule or change:

This proposed rule amendment defines certain terms related titling, registering, and renewing the registration of vehicles by a documented tribal member.

The rule amendment addresses the procedures and requirements for a documented tribal member of a federally recognized tribe in Utah to be issued a certificate of title for a vehicle without the payment of sales and use taxes.

The rule amendment also addresses the procedures and requirements for a documented tribal member of a federally recognized tribe in Utah to register or renew the registration of a vehicle without the payment of a statewide uniform fee in lieu of property taxes.

Fiscal Information

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

A) State budget:

This rule is not expected to impact the state budget because it merely establishes the documentation required and procedures that must be followed for a documented tribal member to claim an exemption on their vehicle from Utah sales and use tax and the fee-in-lieu of property tax as required under federal statute and case law.

B) Local governments:

This rule is not expected to impact local governments because it merely establishes the documentation required and procedures that must be followed for a documented tribal member to claim an exemption on their vehicle from Utah sales and use tax and the fee-in-lieu of property tax as required under federal statute and case law.

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

This rule is not expected to impact small businesses because it merely establishes the documentation required and procedures that must be followed for a documented tribal member to claim an exemption on their vehicle from Utah sales and use tax and the fee-in-lieu of property tax as required under federal statute and case law.

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

This rule is not expected to impact non-small businesses because it merely establishes the documentation required and procedures that must be followed for a documented tribal member to claim an exemption on their vehicle from Utah sales and use tax and the fee-in-lieu of property tax as required under federal statute and case law.

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

This rule is not expected to impact persons other than small businesses, non-small businesses, state, or local government entities because it merely establishes the documentation required and procedures that must be followed for a documented tribal member to claim an exemption on their vehicle from Utah sales and use tax and the fee-in-lieu of property tax as required under federal statute and case law.

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

This rule is not expected to impose compliance costs on affected persons because the documentation required

under this rule to verify eligibility is expected to be readily available to a documented tribal member who qualifies.

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:

Commissioner Rebecca L. Rockwell of the Utah State Tax Commission 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 41-1a-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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Rebecca Rockwell, Commissioner	Date:	08/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R884-24P-20	Filing ID:	55713
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Agency Information

1. Department:	Tax Commission	
Agency:	Property Tax	
Building:	Utah State Tax Commission	
Street address:	210 N 1950 W	
City, state and zip:	Salt Lake City, UT 84134	
Contact persons:		
Name:	Phone:	Email:
Chantay Asper	801-297-3901	casper@utah.gov

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

General Information

2. Rule or section catchline:
R884-24P-20. Construction Work in Progress Pursuant to Utah Constitution Art. XIII, Section 2 and Utah Code Ann. Sections 59-2-201 and 59-2-301

3. Purpose of the new rule or reason for the change:
The purpose of this filing is to clarify the appraisal methodologies and calculations that are applicable to locally assessed and centrally assessed improvements while the improvement is under construction.

4. Summary of the new rule or change:

This proposed rule amendment defines "centrally assessed property" and "locally assessed property" consistent with Utah Code Ann. Sections 59-2-201 and 59-2-301, and clarifies that discount rates are not applicable to locally assessed property.

Fiscal Information

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

A) State budget:

This amendment is not expected to impact the state budget because the clarifications are consistent with how centrally assessed and locally assessed property is currently valued.

B) Local governments:

This amendment is not expected to impact local governments because the clarifications are consistent with how centrally assessed and locally assessed property is currently valued.

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

This amendment is not expected to impact small businesses because the clarifications are consistent with how centrally assessed and locally assessed property is currently valued.

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

This amendment is not expected to impact non-small businesses because the clarifications are consistent with how centrally assessed and locally assessed property is currently valued.

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

This amendment is not expected to impact persons other than small businesses, non-small businesses, state, or local government entities because the clarifications are consistent with how centrally assessed and locally assessed property is currently valued.

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

This amendment is not expected to impose compliance costs on affected persons because the clarifications are consistent with how centrally assessed and locally assessed property is currently valued.

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:

Commissioner Rebecca L. Rockwell of the Utah State Tax Commission 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 59-2-201	Section 59-2-301	
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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: 10/16/2023

9. This rule change MAY become effective on: 10/23/2023

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:	Rebecca Rockwell, Commissioner	Date:	08/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R884-24P-33	Filing ID: 55708

Agency Information

1. Department:	Tax Commission	
Agency:	Property Tax	
Building:	Utah State Tax Commission	
Street address:	210 N 1950 W	
City, state and zip:	Salt Lake City, UT 84134	
Contact persons:		
Name:	Phone:	Email:
Chantay Asper	801-297-3901	casper@utah.gov

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

General Information

2. Rule or section catchline:
R884-24P-33. 2023 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-107

3. Purpose of the new rule or reason for the change:
The valuation guides and schedules contained in this rule are reviewed and updated annually by the Property Tax Division.

The personal property guides and schedules are used for property tax valuation and assessment of business personal property and certain motor vehicles.

4. Summary of the new rule or change:
Section 59-2-107 authorizes the State Tax Commission to make rules that define classes of items considered to be

personal property and provide valuation percent good schedules to value personal property.

County assessors must use the percent good schedules as contained in this rule.

Any deviation that affects an entire class or type of personal property requires a written report documenting the schedule change to be submitted to the Tax Commission for approval prior to use.

This proposed rule amendment modifies the percent good tables for the 2024 calendar year.

Fiscal Information

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

A) State budget:

The amount of savings or cost to state government is not affected by this rule. Tax revenue generated by taxing personal property is distributed to local governments to finance public services, programs, school districts and local districts.

No tax revenues generated by taxation of personal property will be retained by state government.

B) Local governments:

The amount of saving or cost to local governments is undetermined.

Local governmental entities receive tax revenue based on increased or decreased personal property values and the change in the annual property tax rate. Increases or decreases in 2024 property tax revenue cannot be determined, even if there were no changes in the percent good tables, because taxpayer acquisitions and deletions of personal property during 2024 are unknown.

The proposed personal property schedules in this amendment are raised, lowered, or remain the same for 2024 based upon the type and age of the personal property assessed. Schedules used to value business personal property increase or decrease based upon the calculation of economic trends from cost indexes published by the Marshall Valuation Service.

It is anticipated that the change in the annual property tax rate will have a larger impact on revenue than will the proposed amendments to this rule.

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

In the aggregate, the amount of savings or cost to small businesses is undetermined.

Affected businesses pay property taxes based on increased or decreased personal property values and the

change in the annual property tax rate. The proposed personal property schedules in this rule are raised, lowered, or remain the same for 2024 based upon the type and age of the property.

Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2024 personal property mix compared to the previous year.

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

In the aggregate, the amount of savings or cost to non-small businesses is undetermined.

Affected non-small businesses pay property taxes based on increased or decreased personal property values and the change in the annual property tax rate. The proposed personal property schedules in this rule are raised, lowered, or remain the same for 2024 based upon the type and age of the property.

Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2024 personal property mix compared to the previous year.

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**):

In the aggregate, the amount of savings or cost to persons other than small businesses, non-small businesses, and state or local government entities is undetermined.

Affected persons pay property taxes based on increased or decreased personal property values and the change in the annual property tax rate. The proposed personal property schedules in this rule are raised, lowered, or remain the same for 2024 based upon the type and age of the property.

Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2024 personal property mix compared to the previous year.

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

Local business owners and property tax practitioners will be required to be aware of new percent good figures. This is an annual occurrence; therefore, the ongoing compliance cost to complete this assessment process will not change.

The change in taxes charged for these persons depends entirely on the owner's mix of personal property since

some percent good schedules are increasing and others decreasing. For example, the owner of a business may discard some personal property items and add new equipment or replace equipment which may increase or decrease personal property values.

In addition, the personal property percent good schedule percentages often change from the previous year due to current economic conditions.

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:

Commissioner Rebecca L. Rockwell of the Utah State Tax Commission 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 59-2-107		
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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:	10/16/2023
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9. This rule change MAY become effective on:	10/23/2023
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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:	Rebecca Rockwell, Commissioner	Date:	08/31/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R940-3	Filing ID:	55692
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Agency Information

1. Department:	Transportation Commission		
Agency:	Administration		
Room no.:	Administrative Suite, 1st Floor		
Building:	Calvin Rampton		
Street address:	4501 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 148455		
City, state and zip:	Salt Lake City, UT 84114-8455		
Contact person(s):			
Name:	Phone:	Name:	
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 persons listed above.

General Information

2. Rule or section catchline:

R940-3. State Infrastructure Bank Fund, Prioritization Process, Procedures, and Standards for Making Loans or Providing Infrastructure Assistance

3. Purpose of the new rule or reason for the change:

During the 2023 General Session, the Legislature passed Laws 2023, c. 22, § 9, S.B. 0185, which took effect on 05/03/2023.

The bill added "greenfield" projects to potential uses of loans from the State Infrastructure Bank. Accordingly, the Transportation Commission (Commission) decided to make changes to Rule R940-3 to consider "greenfield" projects and make additional clarifications in the definitions.

The Commission also decided to change the name of the rule to shorten it.

4. Summary of the new rule or change:

These proposed changes to the rule add "greenfield" projects to potential uses of loans from the State Infrastructure Bank.

Other changes conform this rule to the requirements of the Rulewriting Manual for Utah and Section 68-3-12, Rules of Construction for statutes.

Fiscal Information

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

A) State budget:

The Commission believes there will be no cost or savings to the state budget since the proposed changes are administrative and will not affect the operations of the Commission or the relevant parties.

B) Local governments:

The Commission believes that there will be no cost or savings to local governments because the proposed changes are administrative and will not affect the operations of local governments or related parties.

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

The Commission believes there will be no cost or savings to small businesses because the proposed changes are administrative and will not affect their operations.

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

The Commission believes that there will be no cost or savings to non-small businesses because the proposed changes are administrative in nature and will not affect their operations.

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 Commission believes there will be no cost or savings to the budgets of persons other than small businesses, non-small businesses, and state, or local government entities because the proposed changes are administrative.

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

Affected individuals will not suffer any compliance costs due to the proposed changes. These modifications provide more clarity to the requirements, policies, and an additional State Infrastructure Bank (SIB) loan possibility without any financial impact on other entities.

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 Executive Director of the Department of Transportation, Carlos M Braceras, PE, 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 72-2-202 Section 72-2-203

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: 10/16/2023

9. This rule change MAY become effective on: 10/23/2023
 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:	Carlos M Braceras, PE, Executive Director	Date:	08/25/2023
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NOTICE OF PROPOSED RULE
TYPE OF FILING: Amendment
Rule or Section Number: R990-200 **Filing ID:** 55712

Agency Information

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

General Information

2. Rule or section catchline:
 R990-200. Private Activity Bonds

3. Purpose of the new rule or reason for the change:
 Current housing development projects bonded through the Private Activity Bond are affected by 2023 legislation.
 This rule change amends sections concerning extensions to account for delays caused by the newly enacted legislation.

4. Summary of the new rule or change:
 This change grants the Private Activity Bond Board of Review the discretion to grant a developer a sixth bond extension when federal or state legislation substantially affects the project and its ability to close.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
 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. This rule change will not increase workload and can be carried out with existing budget.
 This rule change does not change the current available bond cap.

B) Local governments:			
This rule change is 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.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule change is expected to have indirect positive fiscal impact on small businesses because it provides for an additional bond extension in the event of a legislative occurrence.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule change is expected to have indirect positive fiscal impact on non-small businesses because it provides for an additional bond extension in the event of a legislative occurrence.			
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 fiscal impact to other persons.			
This rule change requires no action or compliance by a person other than a business applying for bond funds.			
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 does not create any new administrative fees.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	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 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-8-2104		

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:	10/16/2023

9. This rule change MAY become effective on:	10/23/2023
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:	Casey Cameron, Executive Director	Date:	09/01/2023
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End of the Notices of Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

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

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

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

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

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

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

NOTICE OF EMERGENCY (120-DAY) RULE		
Rule or Section Number:	R653-12	Filing ID: 55706
Effective Date:	08/30/2023	

Agency Information

1. Department:	Natural Resources	
Agency:	Water Resources	
Room number:	310	
Building:	Natural Resources Building	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carly Payne	801-538-7235	carlypayne@utah.gov
Joel Williams	801-538-7349	joelwilliams@utah.gov
Martin Bushman	801-538-7273	martinbushman@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:

R653-12. 2023 Grant Money for Wasatch Front Aqueduct Resilience Projects

3. Purpose of the new rule or reason for the change:

The Utah Legislature appropriated \$50,000,000 in 2023 to the Department of Natural Resources, Division of Water Resources (Division) to help fund Wasatch Front aqueduct resilience projects through loans and grants, see S.B. 3, Item 543.

4. Summary of the new rule or change:

The purpose of this new rule is to describe the eligibility requirements, limitations, conditions, and application and approval process for water providers to receive grant money from the Division for improving the resilience of major aqueducts along the Wasatch Front to withstand a major earthquake.

5A) The agency finds that regular rulemaking would:

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

B) Specific reasons and justifications for this finding:

Geologic forecasts predict a 57% chance of a 6.0 magnitude or greater earthquake along the Wasatch Front in the next 50 years.

The major aqueducts that provide culinary water to the Wasatch Front are old and not engineered to withstand a major earthquake. These aqueducts cross major

hazardous faults along the Wasatch Front that, in the event of a major earthquake, will be subjected to soil shifts and movements capable of rupturing or otherwise disabling aqueducts. These aqueducts collectively provide culinary water to over 3,000,000 Utahns.

Should any one or more of them rupture or fail, hundreds of thousands to millions of Utah residents could be left without culinary water for several months. This type of disruption would impact not just households, but also infrastructure and services, such as medical care, fire response, power generation, and business operations. Businesses along the Wasatch Front at risk of losing water account for more than 75% of Utah's economy. A substantially reduced water supply for months would lead to business failures and economic breakdown that could take years or even decades to recover from.

Recognizing this peril, the Utah Legislature appropriated \$50,000,000 in 2023 to the Division to allocate in grants for purposes of hardening and protecting the Wasatch Front's aqueduct systems from potential earthquake damage. The Division needs this rule to guide the allocation of grant funds in a manner that delivers the greatest return on investment in terms of rapidly fortifying the Wasatch Front major aqueducts and securing a water supply.

While a 57% chance of a major earthquake in the next 50 years may not seem imminent in a conventional context, it certainly is in a geologic context. The fact remains that it could happen tomorrow, next week, or years from now. But when it does, it will result in catastrophic impacts to the delivery of water to millions of people for months -- unless those systems have been improved to withstand an earthquake. As such, much is to be done and time is of the essence in getting funding dispersed and aqueduct resilience projects underway immediately.

Fiscal Information

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

A) State budget:

The Legislature appropriated \$50,000,000 in one-time funding to the Division for "Wasatch Front Aqueduct Resilience" in S.B. 3, Item 543 in the 2023 General Session. The Legislature did not provide further specifics or direction on the distribution of the appropriated funds.

This rule is necessary under Subsection 63G-3-201(2) to guide the Division and ensure consistency in its distribution of \$50,000,000 in grants. Funding is not ongoing and the grant program set forth in the proposed rule will expire. The grant program will be administered by existing staff at the Division -- no new hires or overtime pay will be required.

B) Local governments:

The grant program will not fiscally impact local governments negatively.

The program simply makes funding available to eligible water providers for improving and protecting major Wasatch Front aqueducts from earthquake damage and disruption.

This rule does not require water providers to make aqueduct improvements, and participation in the grant program is completely voluntary under this rule. Those that choose to participate and receive grant funding, however, will contribute at least 50% of the cost of a resilience project and at least 25% of a resilience study to receive grant funding for the remainder.

Aqueducts, once improved and secured, will provide significant benefits to the communities and citizens serviced by them, particularly in the event of an earthquake.

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

To the extent a water provider is not a local government and more closely related to a small or non-small business, it will be impacted similarly to that described in the local governments above.

A residual benefit of this rule and the grant program it implements to small and non-small businesses will be increased demand for the design, manufacture, and construction of hardened aqueduct systems. In total, the grant program will infuse \$50,000,000 in grants in addition to water providers' cost share into the planning and construction of resilience projects and studies.

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

No anticipated impacts to others different than to local governments and small businesses, see previous responses above.

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

This rule does not require water providers to improve or harden their existing aqueduct systems or to seek grant funds to do so.

Participation in the program is completely voluntary under this rule. Those that choose to participate and receive grant funding, however, must contribute at least 50% of project costs and at least 25% of study costs to receive grant funding for the remainder. The total out-of-pocket

expense to a grant recipient will depend on the nature and size of the resilience project it receives grant funding for.

F) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

The Executive Director of the Department of Natural Resources, Joel Ferry, agrees with the responses 6A) through 6E) above and has no further comments to add.

Citation Information

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

S.B. 3, Item 543, 2023 General Session	Subsection 63G-3-201(2)	
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Agency Authorization Information

Agency head or designee and title:	Candice Hasenyager, Division Director	Date:	08/29/2023
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End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-704	Filing ID: 53791
Effective Date:	08/23/2023	

Agency Information

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

General Information

2. Rule catchline:	R277-704. Financial and Economic Literacy: Integration into Core Curriculum
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 pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4), which allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law; and Section 53E-3-505, which directs the Board to work with financial and economic experts and private and non-profit entities to develop and integrate financial and economic literacy and skills into the public school curriculum at all appropriate levels.

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 were no public comments 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 is necessary because it provides for funding appropriated by the Legislature to develop and integrate financial and economic literacy concepts effectively into the core curriculum in various programs and at various grade levels; provides for educator professional development using business and community expertise; provides curriculum resources and assessments for financial and economic literacy; provides simple and consistent messaging to students that becomes part of the core curriculum that reinforces the importance of financial and economic literacy for students and parents; and helps students and parents to locate and use school and community resources to improve financial and economic literacy among students and families. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	08/23/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-20	Filing ID:	50801
Effective Date:	08/16/2023		

Agency Information

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

General Information

2. Rule catchline:
R331-20. Designation of Adjudicative Proceedings as Informal
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 63G-4-202 authorizes the Department of Financial Institutions (Department) to designate categories of adjudicative proceedings.
This rule states that all proceedings which are subject to the requirements of the Utah Administrative Procedures Act are designated as informal proceedings.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No supporting or opposing written comments have been received by the agency concerning this rule.

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

The Department has determined that: a) the use of the informal procedures does not violate any procedural requirement imposed by law; b) the rights of the parties to the proceedings will be reasonably protected by the informal procedures; c) the Department's administrative efficiency will be enhanced by the designation; and d) the cost of formal adjudicative proceedings outweighs the potential benefits to the public of a formal adjudicative proceeding. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	08/16/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-21	Filing ID:	50802
Effective Date:	08/16/2023		

Agency Information

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

General Information

2. Rule catchline:
R331-21. Rule Governing Establishment of and Participation in Collective Investment Funds by Trust Companies
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Section 7-5-13 authorizes establishment of collective investment funds for persons permitted to engage in the trust business.

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

No supporting or opposing written comments have been received by the agency concerning this rule.

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

This rule authorizes the establishment of and participation in collective investment funds by trust companies subject to the jurisdiction of the Department. There is presently one trust company that must still comply with this rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	08/16/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R331-24	Filing ID:	50804
Effective Date:	08/16/2023		

Agency Information

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

General Information

2. Rule catchline:
R331-24. Accounting for Accrued Uncollected Income by Banks and Industrial Loan Corporations

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

Subsection 7-1-301(14) authorizes the commissioner to require financial institutions to keep books and records of the transactions and accounts of the institutions' true pecuniary condition. These requirements must be consistent with generally accepted accounting principles for financial institutions.

This rule establishes some specific accounting requirements for accrued uncollected income.

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

No supporting or opposing written comments have been received by the agency concerning this rule.

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

This rule establishes accounting requirements for accrued uncollected income to ensure accurate accounting of the income of banks and industrial loan corporations. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Darryle Rude, Commissioner	Date:	08/16/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R398-4	Filing ID:	54206
Effective Date:	08/28/2023		

Agency Information

1. Department:	Health and Human Services
Agency:	Family Health, Children with Special Health Care Needs
Room number:	3032
Building:	Multi-Agency State Office Building (MASOB)
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144610
City, state and zip:	Salt Lake City, UT 84114-4610

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Contact persons:		
Name:	Phone:	Email:
Alexis Weight	801-273-2956	abweight@utah.gov
Stephanie McVicar	801-273-6600	smcvicar@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R398-4. Cytomegalovirus Public Health Initiative
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-7-105 requires this rule to clarify when a newborn infant hearing screening requires testing for Cytomegalovirus (CMV), medical practitioner reporting requirements, and under what circumstances a newborn infant may not fall under the CMV testing requirements.
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:
Section 26B-7-105 was created to provide public education and testing for Cytomegalovirus (CMV). Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	08/25/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R655-13	Filing ID: 51722
Effective Date:	08/24/2023	

Agency Information

1. Department:	Natural Resources
Agency:	Water Rights
Room number:	220
Street address:	1594 W North Temple

City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Marianne Burbidge	801-538-7370	marianneburbidge@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R655-13. Stream Alteration
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 73-2-1(4)(d) establishes and clarifies the procedures necessary to obtain approval by the state engineer for any project that proposes to alter a natural stream within the state. Approval does not grant access, authorize trespass, or supersede property rights. Additional procedures may be required to comply with other governing state statute, federal law, federal regulation, or local ordinance.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received in 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 still required for processing and acceptance by the State Engineer. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Teresa Wilhelmsen, State Engineer/Director	Date:	08/24/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R907-64	Filing ID: 52094
Effective Date:	08/16/2023	

Agency Information

1. Department:	Transportation
Agency:	Administration
Room no.:	Administrative Suite, 1st Floor

Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Name:
Leif Elder	801-580-8296	Leif Elder
Becky Lewis	801-965-4026	Becky Lewis
James Palmer	801-965-4197	James Palmer
Lori Edwards	801-965-4048	Lori Edwards
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R907-64. Longitudinal and Wireless Access to Interstate System Rights-of-Way for Installation of Telecommunication Facilities
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 72-7-108(2)(a) allows a telecommunication facility provider longitudinal access to the right-of-way of a highway on the interstate system for the installation, operation, and maintenance of a telecommunication facility, generally. This rule facilitates that access.
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 Transportation (Department) has not received a written comment during and since the last five-year review of this rule from interested persons 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:
Subsection 72-7-108(7) requires the Department to make and maintain this rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M Braceras, PE, Executive Director	Date:	08/08/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R907-65	Filing ID:	52102
Effective Date:	08/16/2023		

Agency Information

1. Department:	Transportation	
Agency:	Administration	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Name:
Leif Elder	801-580-8296	Leif Elder
Becky Lewis	801-965-4026	Becky Lewis
James Palmer	801-965-4197	James Palmer
Lori Edwards	801-965-4048	Lori Edwards
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R907-65. Compensation Schedule for Longitudinal Access to Interstate Highway Rights-of-Way for Installation of Telecommunications Facilities
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 72-7-108(3)(c) requires the Department of Transportation (Department) to establish a schedule of rates of compensation for longitudinal access granted

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

under that section and make a rule that controls the process.

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 not received a written comment during and since the last five-year review of this rule from interested persons 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:

Subsection 72-7-108(3)(c) requires the Department to make and maintain this rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M Braceras, PE, Executive Director	Date:	08/08/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R926-10	Filing ID:	52139
Effective Date:	08/16/2023		

Agency Information

1. Department:	Transportation		
Agency:	Program Development		
Room no.:	Administrative Suite, 1st Floor		
Building:	Calvin Rampton Building		
Street address:	4501 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 148455		
City, state and zip:	Salt Lake City, UT 84114-8455		
Contact person(s):			
Name:	Phone:	Name:	
Leif Elder	801-580-8296	Leif Elder	

Becky Lewis	801-965-4026	Becky Lewis
James Palmer	801-965-4197	James Palmer
Lori Edwards	801-965-4048	Lori Edwards

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

General Information

2. Rule catchline:

R926-10. Tollway Development Agreements

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 72-2-120, 72-6-118, and 72-6-204 authorize the Department of Transportation (Department) to make this 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 has not received a written comment during and since the last five-year review of this rule from interested persons 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:

Sections 72-6-118 and 72-6-204 require the Department to make and maintain this administrative rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M Braceras, PE, Executive Director	Date:	08/08/2023
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

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

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

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

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Rule Number:	R940-2	Filing ID: 52152
New Deadline Date:	12/28/2023	

Agency Information

1. Department:	Transportation Commission	
Agency:	Administration	
Room number:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	Leif Elder
Becky Lewis	801-965-4026	Becky Lewis
James Palmer	801-965-4197	James Palmer
Lori Edwards	801-965-4048	Lori Edwards
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R940-2. Approval of Tollway Development Agreements
3. Reason for requesting the extension:	This is a Transportation Commission (Commission) rule and they meet once monthly except for July. The Commission must review this rule, and it has not had space on an agenda to review this rule yet this year. The Commission needs more time to perform a proper review.

Agency Authorization Information

Agency head or designee and title:	Carlos M Bracerias, PE, Executive Director	Date:	08/08/2023
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NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Rule Number:	R940-4	Filing ID: 52153
New Deadline Date:	12/28/2023	

Agency Information

1. Department:	Transportation Commission
Agency:	Administration
Room number:	Administrative Suite, 1st Floor
Building:	Calvin Rampton Building
Street address:	4501 S 2700 W
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 148455
City, state and zip:	Salt Lake City, UT 84114-8455

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	Leif Elder
Becky Lewis	801-965-4026	Becky Lewis
James Palmer	801-965-4197	James Palmer
Lori Edwards	801-965-4048	Lori Edwards
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R940-4. Airports of Regional Significance
3. Reason for requesting the extension:
This is a Transportation Commission (Commission) rule and they meet once monthly except for July. The Commission must review this rule, and it has not had space on an agenda to review this rule yet this year. The Commission needs more time to perform a proper review.

Agency Authorization Information

Agency head or designee and title:	Carlos M Bracerias, PE, Executive Director	Date:	08/08/2023
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End of the Notices of Five-Year Review Extensions 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. 55524 (Amendment) R64-1: Agriculture Resource Development Loans (ARDL)

Published: 07/15/2023

Effective: 08/29/2023

Plant Industry

No. 55502 (Repeal) R68-16: Quarantine Pertaining to Pine Shoot Beetle, *Tomicus piniperda*

Published: 07/15/2023

Effective: 08/29/2023

Commerce

Real Estate

No. 55454 (Amendment) R162-2f: Real Estate Licensing and Practices Rules

Published: 07/01/2023

Effective: 08/16/2023

Cultural and Community Engagement

Pete Suazo Utah Athletic Commission

No. 55449 (New Rule) R457-1: Pete Suazo Utah Athletic Commission Act Rule

Published: 06/15/2023

Effective: 08/18/2023

Education

Administration

No. 55515 (New Rule) R277-314: Provider-Specific Licenses

Published: 07/15/2023

Effective: 08/22/2023

No. 55516 (Amendment) R277-461: Elementary School Counselor Grant Program

Published: 07/15/2023

Effective: 08/22/2023

No. 55517 (Repeal) R277-522: Entry Years Enhancements (EYE) for Quality Teaching - Level 1 Teachers

Published: 07/15/2023

Effective: 08/22/2023

No. 55518 (Amendment) R277-618: Homeless Teen Center Grant Program

Published: 07/15/2023

Effective: 08/22/2023

No. 55519 (Amendment) R277-721: PRIME Pilot Program

Published: 07/15/2023

Effective: 08/22/2023

No. 55520 (Amendment) R277-750: Education Programs for Students with Disabilities

Published: 07/15/2023

Effective: 08/22/2023

No. 55493 (Amendment) R277-920: School Improvement and Leadership Development

Published: 07/01/2023

Effective: 08/30/2023

Government Operations

Finance

No. 55521 (Amendment) R25-7: Travel-Related Reimbursements for State Travelers

Published: 07/15/2023

Effective: 08/22/2023

NOTICES OF RULE EFFECTIVE DATES

Records Committee

No. 55398 (Amendment) R35-1a: State Records Committee Definitions
Published: 06/15/2023
Effective: 08/23/2023

No. 55399 (Amendment) R35-2: Scheduling and Declining Hearings
Published: 06/15/2023
Effective: 08/23/2023

No. 55400 (Amendment) R35-4: Compliance with State Records Committee Decisions and Orders
Published: 06/15/2023
Effective: 08/23/2023

No. 55401 (Amendment) R35-5: Subpoenas Issued by the Records Committee
Published: 06/15/2023
Effective: 08/23/2023

No. 55402 (Amendment) R35-6: Expedited Hearing
Published: 06/15/2023
Effective: 08/23/2023

Health and Human Services

Disease Control and Prevention, Health Promotion
No. 55390 (Amendment) R384-415: Requirements to Sell Electronic Cigarette Products
Published: 05/15/2023
Effective: 09/12/2023

No. 55390 (Change in Proposed Rule) R384-415: Requirements to Sell Electronic Cigarette Products
Published: 06/15/2023
Effective: 09/12/2023

Population Health, Environmental Health
No. 55392 (Repeal and Reenact) R392-302: Design, Construction and Operation of Public Pools
Published: 06/01/2023
Effective: 08/21/2023

Health Care Facility Licensing
No. 55415 (Amendment) R432-13: Freestanding Ambulatory Surgical Center Construction Rule
Published: 06/01/2023
Effective: 08/10/2023

No. 55494 (Amendment) R432-35: Background Screening -- Health Facilities
Published: 07/01/2023
Effective: 08/22/2023

No. 55434 (Amendment) R432-500: Freestanding Ambulatory Surgical Center Rules
Published: 07/01/2023
Effective: 08/10/2023

Insurance

Administration
No. 55511 (Repeal and Reenact) R590-191: Unfair Life Insurance Claims Settlement Practices Rule
Published: 07/15/2023
Effective: 08/22/2023

No. 55512 (Repeal and Reenact) R590-192: Unfair Accident and Health Claims Settlement Practices
Published: 07/15/2023
Effective: 08/22/2023

No. 55513 (Repeal) R590-248: Mandatory Fraud Reporting Rule
Published: 07/15/2023
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Title and Escrow Commission

No. 55514 (Repeal) R592-15: Schedule of Minimum Charges for Escrow Services
Published: 07/15/2023
Effective: 08/21/2023

Natural Resources

Outdoor Recreation
No. 55500 (New Rule) R650-101: Procedures for Applications to Receive Funds from the Zion National Park Support Programs Restricted Account
Published: 07/15/2023
Effective: 08/21/2023

No. 55445 (New Rule) R650-301: Off Highway Vehicle Recreation Grant Program
Published: 06/15/2023
Effective: 08/10/2023

Public Lands Policy Coordinating Office
No. 55457 (New Rule) R654-1: Archaeological Permits
Published: 07/15/2023
Effective: 09/05/2023

Public Lands Policy Coordination Office

Administration
No. 55443 (Repeal) R694-1: Archeological Permits
Published: 07/15/2023
Effective: 09/05/2023

Public Safety

Driver License
No. 55526 (Repeal) R708-49: Temporary Identification Card
Published: 08/01/2023
Effective: 09/11/2023

Transportation

Administration

No. 55508 (Amendment) R907-67: Debarment of
Contractors from Work on Department Projects -- Reasons
Published: 07/15/2023
Effective: 08/23/2023

Workforce Services

Housing and Community Development

No. 55499 (Amendment) R990-300: Review Process for
Plan for Moderate Income Housing Reports
Published: 07/01/2023
Effective: 08/24/2023

End of the Notices of Rule Effective Dates Section

