

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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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 October 17, 2023, 12:00 a.m., and November 01, 2023, 11:59 p.m. are included in this, the November 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 December 15, 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 March 14, 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: New		
Rule or Section Number:	R68-40	Filing ID: 55857

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
Cody James	385-515-2485	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:
R68-40. Medical Cannabis Pharmacy
3. Purpose of the new rule or reason for the change:
The Department of Agriculture and Food (Department) is taking over management of medical cannabis pharmacy facilities following changes passed in H.B. 72 during the 2023 General Session.
These rules will provide guidelines for the Department's management of pharmacies and are primarily based on rules formerly used by the Department of Health and Human Services under Title R383.
4. Summary of the new rule or change:
This new rule provides operating standards for medical cannabis pharmacies, including inventory requirements, security standards, transportation, and waste and disposal requirements.
This rule also provides requirements related to drive through and curbside service and targeted marketing related to pharmacies.

This rule details criteria the Department will follow in issuing additional pharmacy licenses and sets pharmacy agent duties and agent card application requirements.

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.
The costs of program management previously incurred by the Department of Health and Human Services prior to the implementation of H.B. 72 (2023) will now be incurred by the Department.
B) Local governments:
Local governments will not be impact by this rule because local governments do not participate in the medical cannabis program.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated costs or savings to small businesses.
The program is paid for by licensing fees which will continue to support the program and will not change. Fee revenue will be transferred to the Department rather than the Department of Health and Human Services.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated costs or savings to non-small businesses.
The program is paid for by licensing fees which will continue to support the program and will not change. Fee revenue will be transferred to the Department rather than the Department of Health and Human Services.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
Other persons will not be impacted by this rule because they do not participate in the medical cannabis program.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
Compliance costs for affected persons will not change.

Program requirements will generally be the same but will be managed by the Department. Fees are not changing under this new 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 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:

Title 4, Chapter 41a	Section 4-2-103	
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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:	12/15/2023
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9. This rule change MAY become effective on:

12/22/2023

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:	10/16/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R152-34	Filing ID: 56105

Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state and zip:	Salt Lake City, UT 84114-6704	
Contact persons:		
Name:	Phone:	Email:
Daniel Larsen	801-530-6601	dcprules@utah.gov

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

General Information

2. Rule or section catchline:
R152-34. Utah Postsecondary Proprietary School Act Rule
3. Purpose of the new rule or reason for the change:
This rule is being repealed and reenacted as a result of S.B. 180, 2023 General Session, codified as Title 13, Chapter 34, Utah Postsecondary School and State

Authorization Act (UPSSAA), which repeals and replaces Title 13, Chapter 34, Utah Postsecondary Proprietary School Act (UPPSA) and Title 13, Chapter 34a, Utah Postsecondary School State Authorization Act.

4. Summary of the new rule or change:

This rule:

- 1) defines terms; establishes the form and content of a registration statement; specifies information that must be included with a registration statement; establishes how a postsecondary school may prove its financial viability; establishes when a surety bond, certificate of deposit, or irrevocable letter of credit may be required;
- 2) establishes the form, content, and amount of a surety bond, certificate of deposit, or irrevocable letter of credit;
- 3) establishes the amount a postsecondary school may charge a student in a 12-month period to qualify for an exemption in accordance with Subsection 13-34-111(3);
- 4) specifies the electronic format in which a postsecondary school must maintain student records;
- 5) specifies the outcomes a postsecondary school must disclose to a student; establishes the type and number of credits required to obtain a degree or diploma from an unaccredited postsecondary school;
- 6) establishes standards related to obtaining a state authorization certificate through a reciprocity agreement; and
- 7) aids the Division of Consumer Protection's (Division) administration and enforcement of the UPSSAA.

The new rule differs from the old rule in several respects that reflect the differences between the UPSSAA and UPPSA. For example, the UPSSAA incorporated several exemptions from registration that exist in the rule being repealed, so the new rule does not include those exemptions.

The new rule also establishes financial viability criteria to determine whether a postsecondary school is required to obtain surety; the rule being repealed does not.

Additionally, the new rule adheres to more recent Division rulewriting practices and the Rulewriting Manual for Utah standards.

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 impose costs or create savings to the state budget beyond the impact described in the Fiscal Note to S.B. 180 (2023).

B) Local governments:

This rule is not expected to impose costs or create savings for local governments. Neither the UPSSAA or this rule applies to local governments.

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

The Division anticipates this rule will impose costs on small businesses that are regulated by the UPSSAA.

Those costs are inestimable for three primary reasons:

- 1) the number of impacted small businesses cannot be ascertained through NAICS data because the relevant NAICS classifications do not cleanly match the UPSSAA's definitions;
- 2) the costs imposed are fact dependent based on facts that vary between postsecondary schools, and that are currently unknown to the division; and
- 3) the cost to further research these issues would be unreasonably high.

The anticipated costs imposed by this rule are related to record formatting and potential surety requirements.

This rule requires that student records be maintained in text-searchable PDF. This is a very common format for records.

However, the requirement may potentially impose some development and data storage costs for regulated entities. This amount will vary based on a regulated entity's current record system and number of students. Data storage costs are highly dependent on scale, but PDF files containing only searchable text are generally small. The Division anticipates the data storage cost imposed by this rule will be minor.

This rule may impose costs with respect to obtaining a surety bond. A regulated entity may, depending on its specific circumstances that are not currently known to the Division, be required to obtain a surety bond. The Division's research suggests that the cost of a surety bond ranges between 0.5% and 10% of surety bond's face value depending on the businesses' (or its owner's) credit and other financial metrics.

Depending on a school's gross tuition revenue, the amount of the surety bond required by this rule varies between \$12,500 and \$2,500,000. Thus, the potential cost imposed by this rule could range between \$62.50 and \$250,000 per year if a school is required to obtain a surety bond.

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

The Division anticipates this rule will impose costs on non-small businesses that are regulated by the UPSSAA.

Those costs are inestimable for three primary reasons:

- 1) the number of impacted non-small businesses cannot be ascertained through NAICS data because the relevant NAICS classifications do not cleanly match the UPSSAA's definitions;
- 2) the costs imposed are fact dependent based on facts that vary between postsecondary schools, and that are currently unknown to the Division; and
- 3) the cost to further research these issues would be unreasonably high.

The anticipated costs imposed by this rule are related to record formatting and potential surety requirements.

This rule requires that student records be maintained in text-searchable PDF. This is a very common format for records.

However, the requirement may potentially impose some development and data storage costs for regulated entities. This amount will vary based on a regulated entity's current record system and number of students. Data storage costs are highly dependent on scale, but PDF files containing only searchable text are generally small. The division anticipates the data storage cost imposed by this rule will be minor.

The rule may impose costs with respect to obtaining a surety bond. A regulated entity may, depending on its specific circumstances that are not currently known to the Division, be required to obtain a surety bond. The Division's research suggests that the cost of a surety bond ranges between 0.5% and 10% of surety bond's face value depending on the businesses' (or its owner's) credit and other financial metrics.

Depending on a school's gross tuition revenue, the amount of the surety bond required by this rule varies between \$12,500 and \$2,500,000. Thus, the potential cost imposed by the rule could range between \$62.50 and \$250,000 per year if a school is required to obtain a surety bond.

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 have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

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

This rule does not impose 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 Commerce, Margaret Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 13-2-5(1)	Subsections 13-34-103(1) through (10)	
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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: 12/15/2023

9. This rule change MAY become effective on: 01/01/2024

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:	Daniel Larsen, Managing Analyst	Date:	11/01/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R152-34a	Filing ID: 56118

Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state and zip:	Salt Lake City, UT 84114-6704	
Contact persons:		
Name:	Phone:	Email:
Daniel Larsen	801-530-6601	dcprules@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R152-34a. Utah Postsecondary School State Authorization Act Rule
3. Purpose of the new rule or reason for the change:
This rule is being repealed as a result of S.B. 180, 2023 General Session, which repeals Title 13, Chapter 34a, Utah Postsecondary School State Authorization Act.
4. Summary of the new rule or change:
This filing repeals Rule R152-34a, Utah Postsecondary School State Authorization Act Rule, in its entirety.
Title 13, Chapter 34a, Utah Postsecondary School State Authorization Act, was repealed by S.B. 180 (2023). The Division of Consumer Protection (Division) no longer has authority to promulgate this rule, as the underlying statute will be repealed effective 01/01/2024.

Fiscal Information

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

A) State budget:			
The repeal of this rule is not expected to impose costs or create savings to the state budget beyond the impact described in the Fiscal Note to S.B. 180 (2023).			
B) Local governments:			
The repeal of this rule is not expected to impose costs or create savings for local governments. This rule did not apply to local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
The repeal of this rule is not expected to impose costs upon or create savings for small businesses beyond any impact described in the Fiscal Note to S.B. 180 (2023).			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The repeal of this rule is not expected to impose costs upon or create savings for non-small businesses beyond any impact described in the Fiscal Note to S.B. 180 (2023).			
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 repeal of this rule is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
The repeal of this rule does not impose 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 Commerce, Margaret Busse, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection		
13-2-5(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:	12/15/2023
9. This rule change MAY become effective on:	01/01/2024
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:	Daniel Larsen, Managing Analyst	Date:	11/01/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R154-3	Filing ID: 56130

Agency Information

1. Department:	Commerce	
Agency:	Corporations and Commercial Code	
Room number:	Second Floor	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Contact persons:		
Name:	Phone:	Email:
Leigh Veillette	801-530-6162	lveillette@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R154-3. Decentralized Autonomous Organization Act Rule
3. Purpose of the new rule or reason for the change:
This proposed rule is adopted by the Division of Corporations and Commercial Code (Division) under the authority of Sections 48-5-103 and 48-5-109 to enable the Division to administer Title 48, Chapter 5, Decentralized Autonomous Organization Act.
The Decentralized Autonomous Organization Act was passed as H.B. 357 during the 2023 General Session.
4. Summary of the new rule or change:
This proposed rule provides:
1) the form and content of registration required under Title 48, Chapter 5, Decentralized Autonomous Organization Act;
2) provides the method of determining whether formation requirements described in Section 48-5-201 have been met and when to issue/file a certificate of organization;
3) identifies standards for a security review for quality assurance;
4) permits documents filed with the Division under Title 48, Chapter 5, to be filed electronically; and
5) permits the Division to transmit documents or notices electronically.

Fiscal Information

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

A) State budget:

The state will receive revenue in the form of filing fees from decentralized autonomous organizations (DAO), and will expend costs in supporting the registration program.

The exact amounts are inestimable at this time due to uncertainty about the number of registrants.

The registration program does not begin until 01/01/2024.

These revenues and costs may affect the amount lapsed to the General Fund from the Commerce Service Account.

B) Local governments:

This rule is not expected to have an impact on local governments' revenues or expenditures.

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

This proposed rule could result in a fiscal impact to small businesses, to the extent registrant DAOs qualify as small businesses.

Filing fees will be a cost to each DAO, as well as the data audit in the rule. The exact amounts are inestimable at this time due to uncertainty about the number of registrants. The registration program does not begin until 01/01/2024.

Additionally, the costs of each data audit will vary depending on the volume of code base and market practices of auditing organizations.

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

This proposed rule could result in a fiscal impact to non-small businesses, to the extent registrant DAOs qualify as non-small businesses.

Filing fees will be a cost to each DAO, as well as the data audit in the rule. The exact amounts are inestimable at this time due to uncertainty about the number of registrants. The registration program does not begin until 01/01/2024.

Additionally, the costs of each data audit will vary depending on the volume of code base and market practices of auditing organizations.

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 have an impact on these groups.

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

To comply with the rule, and Title 48, Chapter 5, DAOs will need to pay filing fees and pay for the required data audit. The exact amounts are inestimable at this time due to uncertainty about the number of registrants.

The Division anticipates an initial filing fee of between \$200 and \$600. The registration program does not begin until 01/01/2024.

Additionally, the costs of each data audit will vary depending on the volume of code base and market practices of auditing organizations.

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 Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

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

Section 48-5-103	Section 48-5-109
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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:	12/15/2023
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9. This rule change MAY become effective on:	01/01/2024
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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:	Margaret W. Busse, Executive Director	Date:	11/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R156-31b	Filing ID:	55904
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Agency Information

1. Department:	Commerce
Agency:	Professional Licensing
Building:	Heber M. Wells Building
Street address:	160 E 300 S
City, state and zip:	Salt Lake City UT 84111-2316
Mailing address:	PO Box 146741
City, state and zip:	Salt Lake City UT 84114-6741

Contact persons:

Name:	Phone:	Email:
Jeff Busjahn	801-530-6789	jbusjahn@Utah.gov

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

General Information**2. Rule or section catchline:**

R156-31b. Nurse Practice Act Rule

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

The Division of Professional Licensing (Division) in collaboration with the Board of Nursing and the Nursing Advisory Peer Education Committee is filing these proposed amendments to clarify and update this rule for nurses practicing in a school setting and to remove barriers to licensure as a medication aide as authorized by statutory changes made by H.B. 264 passed in the 2023 General Session.

4. Summary of the new rule or change:

The amendments to Subsection R156-31b-102(20) and Section R156-31b-701b further define Individualized Health Plans for nurses to utilize in a school setting.

The amendments to Section R156-31b-501 update the fine table to correspond to statutory changes.

As authorized by Subsection 58-31b-302(1)(e), as amended by H.B. 264 (2023), the amendment to Section R156-31b-802 allows an individual seeking certification as a medication aide to obtain their required 2,000 hours of experience in any health facility defined in Subsection 78B-3-403(12) instead of only in long term care facilities.

The remaining amendments make nonsubstantive formatting changes for clarity and to update this rule in accordance with the Rulewriting Manual of Utah.

Public Hearing Information

There will be a public hearing on 11/17/2023 at 9 AM at 160 E 300 S, Conference Room 474 (4th Floor), Salt Lake City, Utah.

Also via Google Meet link:
meet.google.com/ngx-fsph-bwc

Or join by phone:
 (US) +1 302-440-5055
 PIN: 550866830

Fiscal Information

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

A) State budget:

The amendments to Subsection R156-31b-102(20) and Section R156-31b-701b are not expected to impact the state budget as they simply provide further direction for school nurses to practice safely.

All school nurses statewide have been asked to standardize Individualized Health Plans (IHPs) to include the full scope of nursing process (assessment, diagnosis, interventions, and outcomes), as well as to write EAPs for school staff as needed. Standardization of IHPs and the utilization of EAPs is being implemented nationwide.

As described in Box 5C for small businesses, below, the amendment to Section R156-31b-802 may benefit state agencies that employ nurses or medication aides as this may increase the state agencies' ability to hire qualified medication aides instead of using more costly licensed nurses for medication passes, but the full fiscal and non-fiscal impacts cannot be estimated because the data necessary to determine how many licensees might be hired is unavailable, and because the benefits an employer may experience from any resulting increased ability to employ qualified medication aides will vary depending on the requirements of the employer and the individual characteristics of each medication aide.

The remainder of the proposed amendments are not expected to result in any impact as they merely update this rule in accordance with statutory changes.

B) Local governments:

The amendments to Subsection R156-31b-102(20) and Section R156-31b-701b are not expected to impact local governments as they simply provide further direction for school nurses to practice safely.

All school nurses statewide have been asked to standardize Individualized Health Plans (IHPs) to include the full scope of nursing process (assessment, diagnosis, interventions, and outcomes), as well as to write EAPs for school staff as needed. Standardization of IHPs and the utilization of EAPs is being implemented nationwide.

As described in Box 5C for small businesses, below, the amendment to Section R156-31b-802 may benefit local governments that employ nurses or medication aides as this may increase their ability to hire qualified medication aides instead of using more costly licensed nurses for medication passes, but the full fiscal and non-fiscal impacts cannot be estimated because the data necessary to determine how many licensees might be hired is unavailable, and because the benefits an employer may experience from any resulting increased ability to employ qualified medication aides will vary depending on the requirements of the employer and the individual characteristics of each medication aide.

The remainder of the proposed amendments are not expected to result in any impact as they merely update this rule in accordance with statutory changes.

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

The amendments to Subsection R156-31b-102(20) and Section R156-31b-701b are not expected to impact small businesses as they simply provide further direction for school nurses to practice safely.

The amendment to Section R156-31b-802 may benefit the estimated 4,828 small businesses in Utah comprising establishments employing medication aides or nurses (NAICS 623110, 623110, 622310, 622210, 624230, 621610, 624120, 623990, 623312, 621399, 62422, 611100) as the amendments may facilitate the ability of these businesses to hire qualified medication aides to practice instead of using more costly licensed nurses for medication passes, but the full fiscal impact cannot be estimated because the data necessary to determine how many licensees might be hired is unavailable, and because the benefits an employer may experience from any resulting increased ability to employ qualified medication aides will vary widely depending on the requirements of the employer and the individual characteristics of each medication aide.

The remainder of the proposed amendments are not expected to result in any impact on small businesses' revenues or expenditures as they merely update this rule in accordance with statutory changes.

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

The amendments to Subsection R156-31b-102(20) and Section R156-31b-701b are not expected to impact small businesses as they simply provide further direction for school nurses to practice safely.

The amendment to Section R156-31b-802 may benefit the estimated 314 non-small businesses in Utah comprising establishments employing medication aides or nurses (NAICS 623110, 623110, 622310, 622210, 624230, 621610, 624120, 623990, 623312, 621399, 62422, 611100) as the amendments may facilitate the ability of these businesses to hire qualified medication aides to practice instead of using more costly licensed nurses for medication passes, but the full fiscal impact cannot be estimated because the data necessary to determine how many licensees might be hired is unavailable, and because the benefits an employer may experience from any resulting increased ability to employ qualified medication aides will vary widely depending on the requirements of the employer and the individual characteristics of each medication aide.

The remainder of the proposed amendments are not expected to result in any impact on non-small businesses'

revenues or expenditures as they merely update this rule in accordance with statutory changes.

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 approximately 45,641 (LPN and RN) nurses who may be affected by the proposed amendments to Subsection R156-31b-102(20) and Section R156-31b-701b if they choose to practice as a school nurse, but the Division does not anticipate any measurable fiscal impact to these persons beyond their receiving clearer direction to implement timely care of a student's medical condition.

The proposed amendment to Section R156-31b-802 will remove barriers to licensure for medication aides; there are currently only 63 licensed medication aides in Utah and the proposed rule change may assist individuals who are interested in pursuing licensure as a certified medication aide.

However, the full fiscal impact to these individuals cannot be estimated because the data necessary to determine how many of these individuals might be able to obtain licensure and then become hired is unavailable, and the benefits that each may experience from any resulting increased ability to become employed will vary depending on the employer and the individual characteristics of each medication aide.

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

As described in Box 5E for other persons, above, the Division does not anticipate any compliance costs for any affected persons from these proposed amendments.

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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division, in concert with the Utah Board of Nursing, proposes amendments to update Rule R156-31b, the Nurse Practice Act Rule. These proposed amendments clarify and update this rule for nurses practicing in a school setting and to remove barriers to licensure as a medication aide as authorized by statutory changes made by H.B. 264 (2023).

These proposed amendments add additional fines to the fine schedule table to correspond with statutory changes.

Small Businesses (less than 50 employees):
The Division does not expect any foreseeable impact on small businesses. The proposed amendments to Rule R156-31b will standardize school nursing practice and reduce licensing barriers for medication aides. The Division foresees benefits to the estimated 4,828 small businesses in Utah engaged in providing nursing services via medication aides (NAICS 623110, 622310, 622210, 624230, 621610, 624120, 623990, 623312, 621399, 62422, 611100).

Regulatory Impact to Non-Small Businesses (50 or more employees):
The proposed amendments are not expected to impact the 314 non-small businesses that provide nursing services. The amendments may benefit non-small businesses in Utah comprising establishments employing medication aides or nurses (NAICS 623110, 622310, 622210, 624230, 621610, 624120, 623990, 62312, 621399, 62422, 611100).

NOTICES OF PROPOSED RULES

These amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses. These costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

Citation Information

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

Section 58-31b-101	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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Public Notice Information

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

A) Comments will be accepted until: 12/15/2023

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

Date:	Time:	Place (physical address or URL):
11/17/2023	9:00 AM	See information in Box 4 above.

To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.

9. This rule change MAY become effective on: 12/22/2023

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:	Mark B. Steinagel, Division Director	Date:	10/26/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R156-47b	Filing ID: 56068
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Agency Information

1. Department:	Commerce
Agency:	Professional Licensing
Building:	Heber M. Wells Building
Street address:	160 E 300 S

City, state and zip:	Salt Lake City UT 84111-2316	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
Bobbie Loy	801-530-6628	bloy@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R156-47b. Massage Therapy Practice Act Rule

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

S.B. 42, passed during the 2023 General Session, created new licensure categories of "massage assistant in-training" and "massage assistant."

As required by S.B. 42, these proposed amendments establish the required education and training, supervision requirements, renewal requirements, practice standards, and unprofessional conduct definitions for these licenses.

Additional nonsubstantive formatting changes are also made throughout this rule to streamline and update this rule, clarify and update definitions, and comply with the Rulewriting Manual for Utah.

4. Summary of the new rule or change:

Section R156-47b-101 is amended to consolidate the existing provisions for the rule's title, authority, and relationship to Rule R156-1.

Section R156-47b-102 is amended to update definitions and provide additional definitions related to practice as a massage assistant, massage apprentice, and massage assistant in-training.

Section R156-47b-202 is amended to update criteria for membership on the massage therapy education committee.

Section R156-47b-302a is amended to update standards for equivalent education and training, including in particular expanding the list of approved credential evaluation services from only three listed services to evaluation services that are current members of the National Association of Credential Evaluation Services.

Section R156-47b-302b is amended to add the required examination for licensure as a massage apprentice and for licensure as a massage assistant in accordance with Section 58-47b-302.

Section R156-47b-302c is amended to update massage apprenticeship standards.

New Section R56-47b-302d is added to establish the education and training standards for a massage assistant in-training.

New Section R156-47b-302e is added to establish the practice standards for massage assistants.

Section R156-47b-303 is amended to allow a massage assistant in-training to request an extension of licensure for a circumstance of hardship beyond their control.

Section R156-47b-304 is amended to update the Division of Professional Licensing (Division) website URL for massage therapy.

Section R156-47b-502 updates and defines unprofessional conduct for a supervising massage therapist, massage therapy supervisor, massage assistant, and massage assistant in-training.

Section R156-47b-503 is amended to clarify administrative penalties.

Section R156-47b-601 is amended to clarify the minimum number of hours needed to practice animal massage therapy.

The remaining proposed amendments are nonsubstantive formatting changes to streamline and update this rule, clarify and update definitions, and comply with the Rulewriting Manual for Utah.

Public Hearing Information

There will be a public hearing on 11/17/2023 at 9 AM at 160 E 300 S, Conference Room 474 (4th Floor), Salt Lake City, Utah.

Also via Google Meet link:
meet.google.com/ngx-fsph-bwc

Or join by phone:
(US) +1 302-440-5055
PIN: 550866830

Fiscal Information

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

A) State budget:

Because these proposed amendments are made in accordance with the requirements of S.B. 42 (2023), the Division does not anticipate any fiscal impact to the state budget beyond that determined by the fiscal note for S.B. 42, at <https://le.utah.gov/~2023/bills/static/SB0042.html>

B) Local governments:

The Division does not anticipate any fiscal impact to local governments because the amendments will not impact any local government practices or procedures.

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

The proposed amendments will not have any measurable impact on small businesses' revenues or expenditures because the amendments merely implement the new license categories and statutory changes enacted by S.B. 42 (2023) and further streamline and update this rule.

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

The proposed amendments will not have any measurable impact on non-small businesses' revenues or expenditures because the amendments merely implement the new license categories and statutory changes enacted by S.B. 42 (2023) and further streamline and update 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**):

The following persons will be impacted by these proposed amendments as follows:

Individuals qualified to practice as a massage assistant and massage assistant in-training will be able to obtain a license and engage in the practice of limited massage therapy.

Licensed massage therapists who are qualified to serve as a supervising massage therapist will be able to supervise massage assistants and massage assistants in-training in accordance with the applicable law, and individuals who are qualified to serve as a massage therapy supervisor will be able to supervise massage assistants in accordance with the applicable law.

The Division does not anticipate any cost or savings to these individuals from these proposed amendments beyond those determined by the S.B. 42 (2023) Fiscal note, which can be found at <https://le.utah.gov/~2023/bills/static/SB0042.html>.

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

As described in Box 5E above, there are no expected 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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division proposes these amendments in response to the statutory changes made by S.B. 42 (2023). These proposed amendments created new licensure categories and established education, training, and supervision requirements.

There are also nonsubstantive formatting changes to streamline and update the rules, clarify and update definitions and comply with the Rulewriting Manual for Utah.

Small Businesses (less than 50 employees):
The Division does not expect any foreseeable impact on small businesses in the practice of massage therapy in the state of Utah. The proposed amendments are to conform to the requirements of S.B. 42. The changes are to update

this rule to encompass current statutory requirements and practices in the profession.

Further, the Division does not foresee any negative impact on small businesses since the grammatical amendments are made to make the rule comport to the Rule Writing Manual for Utah.

Regulatory Impact to Non-Small Businesses (50 or more employees):
The Division finds that the non-small businesses in massage therapy industry in the state of Utah will not suffer a negative fiscal impact from the proposed rule amendments.

However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses.

Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

Citation Information

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

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-47b-101
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Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Utah Code of Ethics and Standards of Practice
Publisher	Utah Chapter of the American Massage Therapy Association
Issue Date	May 1, 2010

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:	12/15/2023
B) A public hearing (optional) will be held:	
Date:	Time:
11/17/2023	9:00 AM
Place (physical address or URL):	
See information in Box 4 above.	

9. This rule change MAY become effective on:	12/22/2023
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:	Mark B. Steinagel, Division Director	Date:	10/31/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R307-110	Filing ID: 56123

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Mat Carlile	385-306-6535	mcarlile@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R307-110. General Requirements: State Implementation Plan
3. Purpose of the new rule or reason for the change:
The Utah Air Quality Board (Board) has proposed for public comment amended Utah State Implementation Plan (SIP), Section X, Parts A and B. Sections R307-110-31 and R307-110-32 incorporate SIP Section X, Parts A and B respectively, into this rule and must be amended to change the Board adoption date to the anticipated adoption date of the amended plan.

4. Summary of the new rule or change:
Section R307-110-31 incorporates Section X Part A of the SIP.
Part A summarizes inspection and maintenance (I/M) requirements that are common among all I/M programs. Part A was modified by adding a paragraph summarizing recent legislative changes to the emissions programs. It was also modified to update the process of handling out-of-state exemptions of the emission programs.
Section R307-110-32 incorporates Section X Part B of the SIP that contains the requirements of Davis County's I/M program.
Amendments to Part B update the plan to incorporate changes to Davis County's I/M ordinance to ensure that the SIP reflects current program.
Sections R307-110-31 and R307-110-32 are amended by changing the date of the last adoption by the Air Quality Board to 02/07/2024. These changes were already legally enforceable, and the amendment is bringing this rule in line with federal law.
Public Hearing Information:
At the MASOB:
A public hearing will be held on Tuesday, 12/19/2023, from 3 to 4 PM in the DEQ Board room, 1st Floor, Room 1020 at 195 N 1950 W, Salt Lake City, UT.
To attend virtually through Google Meets:
Public Hearing R307-110-31/32 (3pm-4pm) Tuesday, December 19 · 2:30 – 4:30pm Time zone: America/Denver
Google Meet joining info: Video call link: https://meet.google.com/vkh-nadu-bpb Or dial: (US) +1 929-324-9942 PIN: 529 143 528#
More phone numbers: https://tel.meet/vkh-nadu-bpb?pin=4209740534480
Please note: A public hearing is scheduled for 12/19/2023. The hearing will be canceled should no request for one be made by Friday, 12/15/2023, at 10 AM MST. The final status of the public hearing will be posted on Friday, 12/15/2023, after 10 AM MST.
The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment

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 rule change will not have any fiscal impact on the state budget because it does not enact or remove any new requirements.			
B) Local governments:			
This rule change will not have any fiscal impact on the local governments because it does not enact or remove any new requirements.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule change will not have any fiscal impact on small businesses because it does not enact or remove any new requirements.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule change will not have any fiscal impact on non-small businesses because it does not enact or remove any new requirements.			
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 any fiscal impact on other persons because it does not enact or remove any new requirements.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
No additional costs for affected persons are anticipated due to this rule change because it does not enact or remove any new 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 Executive Director of the Department of Environmental Quality, Kim D. Shelley, 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 19-6a-1642	40 CFR Part 51 Subpart S Inspection and Maintenance Program Requirements	

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	UTAH STATE IMPLEMENTATION PLAN SECTION X VEHICLE INSPECTION AND MAINTENANCE PROGRAM PART A GENERAL REQUIREMENTS AND APPLICABILITY. UTAH STATE IMPLEMENTATION PLAN SECTION X VEHICLE INSPECTION AND MAINTENANCE PROGRAM PART B DAVIS COUNTY

Publisher	Division of Air Quality, Utah Department of Environmental Quality
Issue Date	February 7, 2024

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:	12/15/2023
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B) A public hearing (optional) will be held:

Date:	Time:	Place (physical address or URL):
12/19/2023	3:00 to 4:00 PM	See information in Box 4 above.

9. This rule change MAY become effective on:	02/07/2024
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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:	Bryce C. Bird, Division Director	Date:	10/12/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R307-415-6g	Filing ID: 56124

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
David Beatty	385-306-6532	dbeatty@utah.gov

Erica Pryor	385-499-3416	epryor1@utah.gov
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:
R307-415-6g. Permit Content: Emergency Provision

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

The Environmental Protection Agency modified 40 CFR 70, published in the Federal Register / Vol. 88, No. 139 / Friday, July 21, 2023/ Rules and Regulations, with a rule effective date of 08/21/2023. The rule change removed Section 40 CFR 70.6(g). Emergency provision.

Section R307-415-6g was established under 40 CFR 70, and therefore to continue to be in alignment with the federal rule, the Division of Air Quality (Division) is proposing to remove Section R307-415-6g from Rule R307-415.

Additionally, these provisions are included in Section I of each issued Title V permit; however, the new rule allows for the individual permits to be changed over time as each permit is modified or renewed.

After this rule change becomes effective, the Division will remove Section R307-415-6g from each issued Title V permit going forward.

4. Summary of the new rule or change:

The Division is proposing to amend Rule R307-415 by removing Section R307-415-6g to align with the federal rule Section 40 CFR 70.6(g).

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 this rule will have no impact on the Department of Environmental Quality or any potentially involved parties.

B) Local governments:

This proposed rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.

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

This proposed rule change is not expected to have a fiscal impact on small businesses.

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

This proposed rule change does not have a fiscal impact on non-small businesses.

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

This proposed rule change does not have a fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

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

There are no direct 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
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Net Fiscal Benefits	\$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 Environmental Quality, Kim C. Shelley, 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 19-2-109.1.	40 CFR 70.6(g)	
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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:	12/15/2023
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9. This rule change MAY become effective on:	02/07/2024
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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:	Bryce C. Bird, Division Director	Date:	10/02/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	New		
Rule or Section Number:	R356-7	Filing ID:	56026

Agency Information

1. Department:	Governor
Agency:	Criminal and Juvenile Justice (State Commission on)
Room number:	E330
Building:	Senate Building (at State Capitol)
Street address:	350 N State Street
City, state and zip:	Salt Lake City, UT 84114

Contact persons:		
Name:	Phone:	Email:
Angelo Perillo	801-538-1047	aperillo@utah.gov
Ken Matthews	801-538-1058	kmatthews@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R356-7. Appointing a Designee, Representative, or Proxy
3. Purpose of the new rule or reason for the change:
The purpose of this rule is to establish procedures for appointing a designee, representative, or proxy to serve on a public body established in Title 63M, Chapter 7. The purpose of this rule to enact appointing a designee, representative, or proxy to serve on a public body to make it compliant with new requirements.
4. Summary of the new rule or change:
If a statute creating a public body allows a member to appoint a designee, the member may appoint a designee to represent the member when the member cannot appear at meetings by sending an email to the staff. (EDITOR'S NOTE: A corresponding emergency (120-day) Rule R356-7 that is effective as of 10/30/2023 is under ID 56027 in this issue, November 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:
This program will create no cost burden or savings for the state. This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
B) Local governments:
This program will create no cost burden or savings for local government. This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
C) Small businesses ("small business" means a business employing 1-49 persons):

This program will create no cost burden or savings for small businesses.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

This program will create no cost burden or savings for non-small businesses.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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 should be no costs or saving for other persons as a result of this rule.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

There should be no costs or saving for any affected persons as a result of this rule.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

Regulatory Impact Table			
Fiscal Cost	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 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 State Commission on Criminal and Juvenile Justice, Tom Ross, has reviewed and approved this fiscal analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection 52-4-207(2)(a)	Section 63G-3-201	

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	Tom Ross, Executive Director	Date:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R380-20	Filing ID: 55993

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Donovan Bergstrom	801-330-2699	dbergst@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R380-20. Government Records Access and Management
3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is with a repeal of Rule R495-810, Government Records Access and Management Act.
The Department will utilize Rule R380-20, Government Records Access and Management to implement and carry out responses to record requests.
4. Summary of the new rule or change:
This filing proposes adding amended provisions from Rule R495-810 to Rule R380-20.

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 the state budget as a result of this rule repeal and reenactment because this filing is technical in nature and the result of the consolidation of the Department.

B) Local governments:			
Local governments, city business licensing requirements, were considered.			
This proposed rule will not impact local governments' revenues or expenditures because this repeal and reenactment applies only to Department record requests.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This proposed rule will not impact small businesses' revenues or expenditures because this repeal and reenactment applies only to Department record requests.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This proposed rule will not impact non-small business' revenues or expenditures because this repeal and reenactment applies only to Department record requests.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
This proposed rule will not impact persons other than small businesses, non-small businesses, state, or local government entities revenues or expenditures because this repeal and reenactment applies only to Department record requests.			
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 will not impact any other entity's revenues or expenditures because this repeal and reenactment applies only to Department record requests.			
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-2-204	Section 26B-1-213

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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R380-42	Filing ID: 55970

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Donovan Bergstrom	801-330-2699	dbergst@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R380-42. Open and Public Meetings Act Electronic Meetings
3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proceeding with an amendment of Rule R380-42, Open and Public Meetings Act Electronic Meetings.
4. Summary of the new rule or change:
This filing updates outdated citations following the consolidation of the Department. Additionally, it makes nonsubstantive formatting changes to reflect current practices and ensure compliance with the Rulewriting Manual for Utah.

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 the state budget as a result of this rule amendment because this filing is technical in nature and the result of the consolidation of the Department.
B) Local governments:
Local governments, city business licensing requirements, were considered.

This proposed rule amendment will not impact local governments' revenues or expenditures because this amendment applies only to Department electronic meetings.

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

This proposed rule will not impact small businesses' revenues or expenditures because this amendment applies only to Department electronic meetings.

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

This proposed rule will not impact non-small businesses' revenues or expenditures because this amendment applies only to Department electronic meetings.

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

This proposed rule will not impact persons other than small businesses, non-small businesses, state, or local government entities revenues or expenditures because this amendment applies only to Department electronic meetings.

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 will not impact any other entity's revenues or expenditures because this amendment applies only to Department electronic meetings.

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		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/28/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R380-70	Filing ID: 56036

Agency Information

1. Department:	Health and Human Services
Agency:	Administration
Room number:	104
Building:	Martha Hughes Cannon Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116

Contact persons:		
Name:	Phone:	Email:
Valli Chidambaram	801-739-4211	vchidambaram@utah.gov

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

General Information

2. Rule or section catchline:
R380-70. Standards for Electronic Exchange of Clinical Health Information

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

Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proceeding with this amendment to update or remove outdated citations.

Additionally, the Department identifies standards incorporated by reference in this rule that are no longer publicly available and outdated.

4. Summary of the new rule or change:

Punctuation and word choice were changed to ensure consistency with the Rulewriting Manual for Utah.

Standards incorporated by reference in this rule are updated to more modern, relevant standards.

This filing also updates outdated citations following the consolidation of the Department.

Fiscal Information

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

A) State budget:
This rule filing is technical in nature, and is being processed following the consolidation and recodification of the Department's statute. It will not result in a fiscal impact or savings to the state budget.

B) Local governments:
This rule filing is technical in nature, and is being processed following the consolidation and recodification of

the Department's statute. It will not result in a fiscal impact or savings to local governments.

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

This rule filing is technical in nature, and is being processed following the consolidation and recodification of the Department's statute. It will not result in a fiscal impact or savings to small businesses.

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

This rule filing is technical in nature, and is being processed following the consolidation and recodification of the Department's statute. It will not result in a fiscal impact or savings to non-small businesses.

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

This rule filing is technical in nature, and is being processed following the consolidation and recodification of the Department's statute. It will not result in a fiscal impact or savings to persons other than small businesses, non-small businesses, state, or local government entities.

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

This rule filing is technical in nature, and is being processed following the consolidation and recodification of the Department's statute. It will not result in compliance costs.

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

Regulatory Impact Table			
Fiscal Cost	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:

Subsection 26B-1-202(43)	Section 26B-8-411	
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	HL7 Standards
Publisher	HL7 International
Issue Date	03/26/2023
Issue or Version	5

Public Notice Information

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

A) Comments will be accepted until:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R380-77	Filing ID: 56006

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Health)	
Room number:	104	
Building:	Martha Hughes Cannon Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Valli Chidambaram	801-739-4211	vchidambaram@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R380-77. Coordination of Patient Identification and Validation Services
3. Purpose of the new rule or reason for the change:
This rule is being repealed. The advisory committee that was set up to assist the Department of Health and Human Services (Department) in establishing methods to promote interagency collaboration and participation in shared patient identity services met every quarter to discuss projects, opportunities, and methods.
While the space served well for ideation, there was no funding from any of the participating organizations or the Department to support/implement the proposals. Attendance to the quarterly meetings eventually started waning.
The Division of Data, Systems and Evaluation (DSE) had a discussion with the advisory committee chairs and other

stake holders. All were in agreement that the rule could be repealed. The DSE will host the Digital Health Services Commission that will continue to provide the necessary inter-organizational collaborative space for innovative statewide project ideas and proposals.

4. Summary of the new rule or change:

Rule R380-77, Coordination of Patient Identification and Validation Services, 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 repeal will not fiscally impact the state budget, this filing is to update the Department's code with current and existing processes.

B) Local governments:

This repeal will not fiscally impact local governments, this filing is to update the Department's code with current and existing processes.

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

This repeal will not impact small businesses, this filing is to update the Department's code with current and existing processes.

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

This repeal will not impact non-small businesses, this filing is to update the Department's code with current and existing processes.

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

This repeal will not fiscally impact the persons other than small businesses, non-small businesses, state, or local government entities, this filing is to update the Department's code with current and existing processes.

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.

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:

Subsection 26B-1-202(43)		
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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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/27/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R380-80	Filing ID: 56011

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration	
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

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

General Information

2. Rule or section catchline:
R380-80. Provider Code of Conduct and Client Rights

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

The purpose of this new rule is to move the provisions of Rule R495-876, Provider Code of Conduct and Client Rights, out from under Title R495 and put it under Title R380.

Additionally, this filing updates citations in response to S.B. 38 passed 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.

Substantive changes are in response to internal departmental coordination to align the code to apply to all entities serving the consolidated Department providers

and employees. A subsequent repeal of Rule R495-876 was filed alongside this new rule.
 (EDITOR'S NOTE: The proposed repeal of Rule R495-876 is under ID 56010 in this issue, November 15, 2023, of the Bulletin.)

4. Summary of the new rule or change:

This filing proposes the provisions of Rule R495-876, Provider Code of Conduct and Client Rights, be put under Title R380.p

Changes update the definition of critical incident to apply to reporting requirements not only for human services programs, but for health care facilities as well.

Fiscal Information

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

A) State budget:

Substantive changes will only impact state employees for entities who have not required critical incident reporting in the programs they license.

It is anticipated that the additional work will be absorbed by existing staff and processes.

B) Local governments:

There will be no fiscal impact on local governments as a result of this proposed rule.

This new rule does not introduce any new processes that will incur a cost for local governments.

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

Many health and childcare facilities have not been required to report critical incidents in the past, they will now be required to do so.

The Administration Office doesn't anticipate any cost or benefit to providers with this new requirement, as the office has an online provider portal they can use to complete these reports.

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

Many health and childcare facilities have not been required to report critical incidents in the past, they will now be required to do so.

The Administration Office doesn't anticipate any cost or benefit to providers with this new requirement, as the office has an online provider portal they can use to complete these reports.

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 fiscal impact on any other persons as a result of this proposed rule.

This new rule does not introduce any new processes that will incur a cost for persons other than small, non-small, state or local government entities.

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

This rule does not introduce any new processes that will incur a compliance cost for affected persons.

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

Regulatory Impact Table

Fiscal Cost	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

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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/27/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R380-808	Filing ID: 56055

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration	
Room number:	Fourth Floor	
Building:	Multi-agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Shannon Thoman-Black	385-223-2941	sthomanblack@utah.gov

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

General Information

2. Rule or section catchline:
R380-808. Fatality Review Act

3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is repealing Rule R495-808, as the Department will be using Title R380 for Administration.

This filing proposes Rule R380-808, Fatality Review Act, alongside a repeal of Rule R495-808. The contents of Rule R495-808 are being updated to reflect the consolidated Department while being moved under Title R380.

(EDITOR'S NOTE: The proposed repeal of Rule R495-808 is under ID 56056 in this issue, November 15, 2023, of the Bulletin.)

4. Summary of the new rule or change:
This rule outlines who is responsible for reporting fatalities for individuals being served by the Department.

This rule previously existed under Title R495

Fiscal Information

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

A) State budget:
There are no anticipated cost or savings to the state budget, as this rule does not change processes or procedures from what existed within Rule R495-808. This rule is being filed alongside a repeal of Rule R495-808 to consolidate rule titles within the Department's code of administrative rules.

B) Local governments:
There are no anticipated cost or savings to the local governments, as this rule does not change processes or procedures from what existed within Rule R495-808. This rule is being filed alongside a repeal of Rule R495-808 to consolidate rule titles within the Department's code of administrative rules.

C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings to small businesses, as this rule does not change processes or procedures from what existed within Rule R495-808. This rule is being filed alongside a repeal of Rule R495-808 to

consolidate rule titles within the Department's code of administrative rules.

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

There are no anticipated costs or savings to non-small businesses, as this rule does not change processes or procedures from what existed within Rule R495-808. This rule is being filed alongside a repeal of Rule R495-808 to consolidate rule titles within the Department's code of administrative rules.

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 businesses, state, or local government entities, as this rule does not change processes or procedures from what existed within Rule R495-808. This rule is being filed alongside a repeal of Rule R495-808 to consolidate rule titles within the Department's code of administrative rules.

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; this rule does not change processes or procedures from what existed within Rule R495-808. This rule is being filed alongside a repeal of Rule R495-808 to consolidate rule titles within the Department's code of administrative rules.

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-1-2	Section 26B-1-501	Section 26B-1-602
Section 26B-1-503	Section 26B-1-504	Section 26B-1-505
Section 26B-1-506	Section 26B-1-507	

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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R383-1	Filing ID: 55868

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:
Various Rule R383-1 definitions are being removed because the Utah Department of Agriculture and Food (UDAF) now has regulatory authority over medical cannabis pharmacy agents, courier agents, medical cannabis couriers, and medical cannabis pharmacies.
This law changed during the 2023 General Session under H.B. 72. UDAF will take over regulation of these entities on 01/01/2024.
The rules applicable to these entities are Rules R383-7, R383-8, R383-9, and R383-14 and they are being repealed or amended. The corresponding definitions are removed as they are no longer mentioned in Rules R383-1 through R383-15.
The definition of QMP proxy is added as the term will be seen in Rules R383-1 through R383-15.
4. Summary of the new rule or change:
The definitions of terms for cannabis waste, cardholder area, courier agent, direct supervisor, educational event,

educational material, limited access area, LMP, PIC, public waiting area, and recreational disposition are removed.
The definition of QMP proxy is added.
The spelling of the acronym UCJIS is corrected. The subsection numbering is adjusted due to the removal of multiple definitions.
Public Hearing Information: A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT. Please click the link below to join the webinar: https://utah-gov.zoom.us/j/82967792081 Or One tap mobile : +12532158782,,82967792081

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 proposed rule changes only remove or add definitions which does not incur a fiscal impact.
B) Local governments: There is no fiscal impact on local governments as the proposed rule changes only remove or add definitions which does not incur fiscal impact.
C) Small businesses ("small business" means a business employing 1-49 persons): There is no fiscal impact on small businesses as the proposed rule changes only remove or add definitions which does not incur a fiscal impact.
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 proposed rule changes only remove or add definitions which does not incur 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): There is no fiscal impact on persons other than small businesses, non-small businesses, and state or local government entities, as the proposed rule changes only remove or add definitions which does not incur a fiscal impact.

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

There is no compliance costs for affected persons as the proposed rule changes only removes or add definitions which does not incur 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)		
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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:	12/15/2023
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B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on:	12/22/2023
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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 Gruber, Executive Director	Date:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R383-2	Filing ID: 55869

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 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 Miera	385-267-0058	jmiera@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

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

This proposed rule adds role types that need Electronic Verification System (EVS) access and removes role types that do not need access to EVS.

Language is added stipulating that anyone who has EVS access cannot share their login information. This is not allowed but was never clearly stipulated in either rule or statute.

References to the updated Utah Department of Agriculture and Food (UDAF) statute are also made due to passing of H.B. 72 during the 2023 General Session.

4. Summary of the new rule or change:

The courier agent and cannabis production establishment agent references are removed in Subsections R383-2-2(3)(d) and (e) because these agents do not need EVS access.

Subsection R383-2-3(3) is added to emphasize that individuals with EVS access cannot share their login credentials. This section is renumbered as a result.

References to UDAF statute, Title 4, Chapter 41a, are updated throughout this rule.

Public Hearing Information:

A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT.

Please click the link below to join the webinar:
<https://utah-gov.zoom.us/j/82967792081>

Or One tap mobile : +12532158782,,82967792081

Fiscal Information

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

A) State budget:

This proposed rule will not impact the state budget because the EVS software already allows QMP proxies to have EVS access.

The emphasis on EVS login information-sharing restrictions will not impact the budget because the Department of Health and Human Services (DHHS) will

not have to spend resources to further regulate these individuals as DHHS already monitors this.

B) Local governments:

This proposed rule will not impact local governments as it will not incur a financial impact because this proposed rule removes references to individuals that the DHHS no longer regulates.

The added EVS login information-sharing restrictions will not impact local governments because they will not have to adhere to any new regulations.

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

This proposed rule will not impact small businesses as it will not incur a financial impact because this proposed rule removes references to individuals that the DHHS no longer regulates.

The emphasis on EVS login information-sharing restrictions may impact small businesses such as medical cannabis pharmacies but most pharmacies already comply with this requirement.

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 will not incur a financial impact because this proposed rule removes references to individuals that the DHHS no longer regulates.

The added EVS login information-sharing restrictions may impact non-small businesses such as medical cannabis pharmacies but most pharmacies already comply with this requirement.

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

This proposed rule will not impact persons other than small businesses, non-small businesses, or state, or local government entities will not incur a financial impact because this proposed rule removes references to individuals that the DHHS no longer regulates.

The added EVS login information-sharing restrictions will not financially impact these entities because the new regulations have no financial impact.

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 will not financially impact affected persons because this proposed rule removes references to individuals that the DHHS no longer regulates.

The added EVS login information-sharing restrictions will not financially impact these entities because the new regulations will not ask the affected person to spend or incur any financial assets.

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)	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:	12/15/2023	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on: 12/22/2023

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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R383-4	Filing ID: 55870

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:
Qualified medical provider (QMP) proxies are added to various sections in this rule. A QMP proxy requires access to the electronic verification system (EVS) to assist QMPs under Subsection 26B-4-202(3). Access to the EVS requires registration, which is a similar process to the QMP registration.
4. Summary of the new rule or change:
QMP proxies are added throughout the proposed rule amendments as their registration happens to be similar to that of a QMP. Public Hearing Information: A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT. Please click the link below to join the webinar: https://utah-gov.zoom.us/j/82967792081 Or One tap mobile : +12532158782,,82967792081

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 because the registration process is already in place. The state does not need to develop a new registration process.
B) Local governments:
There is no fiscal impact on local governments as the proposed rule only adds QMP proxies to this rule. It does require local governments to change how they regulate medical cannabis.
C) Small businesses ("small business" means a business employing 1-49 persons):
It is difficult to estimate the fiscal impact to small businesses with the addition of QMP proxies to this rule. QMP proxies can be employees of small businesses, such as QMP clinics. However, it is voluntary for the QMP to designate another individual as a QMP proxy and pay the \$50 registration fee. For this reason, adding QMP proxies to this rule may have an impact on small businesses but the fiscal impact is unknown.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																												
It is difficult to estimate the fiscal impact to non-small businesses with the addition of QMP proxies to this rule. QMP proxies can be employees of non-small businesses, such as QMP clinics. However, it is voluntary for the QMP to designate another individual as a QMP proxy and pay the \$50 registration fee. For this reason, adding QMP proxies to this rule may have an impact on non-small businesses but the fiscal impact is unknown.																												
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 government entities, as the proposed rule only adds QMP proxies. It does require persons other than small businesses, non-small businesses, and state, or local government entities who work in the medical cannabis industry to adhere to these new regulations, but they will not impact them fiscally.																												
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 the affected person as the proposed rule only adds QMP proxies to this rule. It does require QMP proxies to adhere to these new regulations, but they will not impact them fiscally.																												
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> <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>	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 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: 12/15/2023

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

Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on: 12/22/2023

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:	10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R383-5	Filing ID: 55871

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:

This rule amendment adds Section R383-5-3, which was previously Section R383-7-12. This section is moved because Rule R383-7 is being repealed in its entirety as the Center for Medical Cannabis (CMC) no longer has regulating authority over that rule.

During the 2023 General Session, H.B. 72 moved the regulation authority of medical cannabis pharmacies to the Utah Department of Agriculture and Food.

Sections of Rule R383-7 are moved and consolidated to other rules. It makes logical sense for partial filling and dosing guidelines to be included in one rule since they both deal with how medical cannabis is dispensed.

(EDITOR'S NOTE: The proposed repeal of R383-7 is under ID 55872 in this issue, November 15, 2023, of the Bulletin.)

4. Summary of the new rule or change:

The title of the rule is updated to include Partial Filling. Section R383-5-3 Partial Filling is added.

Public Hearing Information:
 A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT.

 Please click the link below to join the webinar:
<https://utah-gov.zoom.us/j/82967792081>

 Or One tap mobile : +12532158782,,82967792081

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 title change and addition of Section R383-5-3 because it does not add or take away regulations.

B) Local governments:
 There is no fiscal impact on local governments because it does not add regulatory oversight to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
 There is no fiscal impact on small businesses because this rule filing only moves rule language from one rule to another.

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 addition of the partial filing section 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 added 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 added 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:		12/15/2023
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on:	12/22/2023
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:	10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R383-7	Filing ID: 55872

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:
H.B. 72 was passed during the 2023 General Session. This bill moved the regulatory authority of medical cannabis pharmacies to the Utah Department of Agriculture and Food. This rule is being repealed as the Health and Human Services (DHHS) no longer has regulatory authority over pharmacies. Section R383-7-12 is being moved to Rule R383-5, Dosing Guidelines, to eliminate the need to rename Rule R383-7. It also makes more sense for the reader to locate dosing and partial filling guidelines in one location.

4. Summary of the new rule or change:
Rule R383-7 is being repealed in its entirety. Section R383-7-12 is moved to Rule R383-5. (EDITOR'S NOTE: The proposed amendment of R383-5 is under ID 55871 in this issue, November 15, 2023, of the Bulletin.) Public Hearing Information: A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT. Please click the link below to join the webinar: https://utah-gov.zoom.us/j/82967792081 Or One tap mobile : +12532158782,,82967792081

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Any fiscal impact on the state budget is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to the state budget since it is entirely being repealed.
B) Local governments:
Any fiscal impact on local governments is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to local governments since it is entirely being repealed.
C) Small businesses ("small business" means a business employing 1-49 persons):
Any fiscal impact on small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to small businesses since it is entirely being repealed.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

Any fiscal impact on non-small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to non-small businesses since it is entirely being repealed.

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**):

Any fiscal impact on persons other than small businesses, non-small businesses, state, or local governments is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to these entities since it is entirely being repealed.

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

Any compliance costs for affected persons is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to these persons since it is entirely being 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 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: 12/15/2023

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

This Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on: 12/22/2023

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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R383-8	Filing ID: 55873

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:
Rule R383-8 is being repealed because the Utah Department of Agriculture and Food (UDAF) now has regulatory authority over medical cannabis pharmacy agents. This statute changed during the 2023 General Session with H.B. 72. UDAF will take over regulating pharmacy agents on 01/01/2024.
4. Summary of the new rule or change:
Rule R383-8 is being repealed in its entirety. Public Hearing Information: A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT. Please click the link below to join the webinar: https://utah-gov.zoom.us/j/82967792081 Or One tap mobile : +12532158782,,82967792081

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Any fiscal impact on the state budget is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result

in a fiscal impact to the state budget since it is entirely being repealed.

B) Local governments:

Any fiscal impact on local governments is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to local governments since it is entirely being repealed.

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

Any fiscal impact on small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to small businesses since it is entirely being repealed.

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

Any fiscal impact on non-small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to non-small businesses since it is entirely being repealed.

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**):

Any fiscal impact on persons other than small businesses, non-small businesses, state, or local governments is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to these entities since it is entirely being repealed.

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

Any compliance costs for affected persons is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to these persons since it is entirely being 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

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)		

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: 12/15/2023

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

Date:	Time:	Place (physical address or URL):
11/21/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on: 12/22/2023

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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R383-9	Filing ID: 55874

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:

Rule R383-9 is being repealed because the Utah Department of Agriculture and Food (UDAF) will take over regulation of medical cannabis home delivery and courier facilities and courier agents.

This change took place during the 2023 General Session with H.B. 72. UDAF will take over regulating medical cannabis courier facilities and courier agents on 01/01/2024.

4. Summary of the new rule or change:
 Rule R383-9 is being repealed in its entirety.

Public Hearing Information:
 A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT.

Please click the link below to join the webinar:
<https://utah-gov.zoom.us/j/82967792081>

Or One tap mobile : +12532158782,,82967792081

Fiscal Information

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

A) State budget:
 Any fiscal impact on the state budget is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to the state budget since it is entirely being repealed.

B) Local governments:
 Any fiscal impact on local governments is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to local governments since it is entirely being repealed.

C) Small businesses ("small business" means a business employing 1-49 persons):
 Any fiscal impact on small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to small businesses since it is entirely being repealed.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 Any fiscal impact on non-small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to non-small businesses since it is entirely being repealed.

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**):
 Any fiscal impact on persons other than small businesses, non-small businesses, state, or local governments is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to these entities since it is entirely being repealed.

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

Any compliance costs for affected persons is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result in a fiscal impact to these persons since it is entirely being 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:		12/15/2023
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on:	12/22/2023
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:	10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R383-14	Filing ID: 55875

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 144340	
City, state and zip:	Salt Lake City, UT 84114-4340	
Contact persons:		
Name:	Phone:	Email:
Jeremiah Sniffin	801-538-6504	jsniffin@utah.gov
Jordan Miera	385-267-0058	jmiera@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:
Rule R383-14 is being repealed because the Utah Department of Agriculture and Food (UDAF) now has regulatory authority over medical cannabis pharmacy agents, courier agents, medical cannabis couriers, and medical cannabis pharmacies. This regulation changed during the 2023 General Session with H.B. 72. UDAF will take over regulation of these entities on 01/01/2024. With these changes in regulation, the Department of Health and Human Services (DHHS) no longer has the ability to administer administrative penalties over medical cannabis pharmacies as this ability has shifted to UDAF.
4. Summary of the new rule or change:
Rule R383-14 is being repealed in its entirety.
Public Hearing Information:
A public hearing will be held on 11/28/2023 at 11:00 AM at the MASOB, 195 N 1950 W, Room 2125, Salt Lake City, UT. Please click the link below to join the webinar: https://utah-gov.zoom.us/j/82967792081 Or One tap mobile : +12532158782,,82967792081

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
Any fiscal impact on the state budget is prompted by H.B. 72 (2023) and is seen in the fiscal note of H.B. 72. This proposed rule does not result in a fiscal impact to the state budget since it is entirely being repealed.
B) Local governments:
Any fiscal impact on local governments is prompted by H.B. 72 (2023) and is seen in the fiscal note of H.B. 72. This proposed rule does not result in a fiscal impact to local governments since it is entirely being repealed.
C) Small businesses ("small business" means a business employing 1-49 persons):
Any fiscal impact on small businesses is seen in the fiscal note of H.B. 72 (2023). This proposed rule does not result

in a fiscal impact to small businesses since it is entirely being repealed.

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

Any fiscal impact on non-small businesses is prompted by H.B. 72 (2023) and is seen in the fiscal note of H.B. 72. This proposed rule does not result in a fiscal impact to non-small businesses since it is entirely being repealed.

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**):

Any fiscal impact on persons other than small businesses, non-small businesses, state, or local governments is prompted by H.B. 72 (2023) and is seen in the fiscal note of H.B. 72. This proposed rule does not result in a fiscal impact to these entities since it is entirely being repealed.

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

Any compliance costs for affected persons is prompted by H.B. 72 (2023) and is seen in the fiscal note of H.B. 72. This proposed rule does not result in a fiscal impact to these persons since it is entirely being 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: 12/15/2023

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

Date:	Time:	Place (physical address or URL):
11/28/2023	11:00 AM	See information in Box 4 above.

9. This rule change MAY become effective on: 12/22/2023

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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R392-702	Filing ID: 55954

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Environmental Health	
Room number:	Second Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact persons:		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R392-702. Cosmetology Facility Sanitation
3. Reason for this change:
H.B. 376, which passed in the 2023 General Session, modified Section 11-68-101 and Subsection 26A-1-114(12) to prohibit a local health department from requiring a person to obtain a health permit to engage in a practice described in Subsection 58-11a-304(5).
4. Summary of this change:
In order to avoid conflict with statute, this filing exempts from the requirements of this rule any person who engages in the practice of barbering, cosmetology/barbering, hair design, esthetics, master-level esthetics, electrology, or nail technology without compensation, as described in Subsection 58-11a-304(5).

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget, as this rule is clerical in nature and will have no impact on how the Department of Health and Human Services (Department) functions or the parties this applies to.
B) Local government:
This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures. This rule

change only clarifies pre-existing requirements for districts.

Specifically, only two of the local health departments require health permits for cosmetology facilities, and they do not require a health permit for any person who engages in the practice of barbering, cosmetology/barbering, hair design, esthetics, master-level esthetics, electrology, or nail technology without compensation, as described in Subsection 58-11a-304(5).

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

This rule change will not have a fiscal impact on small businesses because they do not engage in the practice of barbering, cosmetology/barbering, hair design, esthetics, master-level esthetics, electrology, or nail technology without compensation, as described in Subsection 58-11a-304(5).

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

This rule change will not have a fiscal impact on non-small businesses because they do not engage in the practice of barbering, cosmetology/barbering, hair design, esthetics, master-level esthetics, electrology, or nail technology without compensation, as described in Subsection 58-11a-304(5).

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

This rule change will not have a fiscal impact on persons other than small businesses, non-small businesses, or state or local government entities.

Only two of the local health departments require health permits for cosmetology facilities, and they do not require a health permit for any person who engages in the practice of barbering, cosmetology/barbering, hair design, esthetics, master-level esthetics, electrology, or nail technology without compensation, as described in Subsection 58-11a-304(5).

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

There is no anticipated cost or savings to the state budget, as this rule is clerical in nature and will have no impact on how the Department functions or the parties this applies to.

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-7-402	

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R396-100	Filing ID: 56044

Agency Information

1. Department:	Health and Human Services	
Agency:	Disease Control and Prevention, Immunization	
Room number:	2nd Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Rich Lakin	801-554-9827	rlakin@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R396-100. Immunization Rule for Students
3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proposing an amendment to update code references.
4. Summary of the new rule or change:
This filing updates the name of the Department, defines additional terms, simplifies sections by omitting birth year, and includes grades in place.
Additionally, this amendment adds language to lend clarity to the documentation of immunization.

It also updates the required reporting date from November 30 to January 30, for each year.

Fiscal Information

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

A) State budget:

These changes are technical in nature and will not affect cost or savings.

B) Local governments:

These changes are technical in nature and will not affect cost or savings for local governments.

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

These changes are technical in nature and will not affect cost or savings for small businesses.

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

These changes are technical in nature and will not affect cost or savings 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**):

These changes are technical in nature and will not affect cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

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

There are no compliance costs with these rule changes.

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

Regulatory Impact Table			
Fiscal Cost	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-7-118		
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	General Recommendations on Immunization
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	January 28, 2011
Issue or Version	60(2)

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

Official Title of Materials Incorporated (from title page)	Licensure of a Diphtheria and Tetanus Toxoids and Acellular Pertussis, Inactivated Poliovirus, <i>Haemophilus Influenzae</i> Type b Conjugate, and Hepatitis B Vaccine, and Guidance for Use in Infants
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	February 7, 2020
Issue or Version	69(5)

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

Official Title of Materials Incorporated (from title page)	Prevention of Pertussis, Tetanus, and Diphtheria with Vaccines in the United States: Recommendations of the Advisory Committee on Immunization Practices (ACIP)
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	April 27, 2018
Issue or Version	67(2)

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

Official Title of Materials Incorporated (from title page)	Use of Tetanus Toxoid, Reduced Diphtheria Toxoid and Acellular Pertussis Vaccines Among Adolescents
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	March 24, 2006
Issue or Version	55(RR03)

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

Official Title of Materials Incorporated (from title page)	Use of Tetanus Toxoid, Reduced Diphtheria Toxoid, and Acellular Pertussis Vaccines: Updated Recommendations of the Advisory Committee on Immunization Practices
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	January 24, 2020
Issue or Version	69(3)

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

Official Title of Materials Incorporated (from title page)	A Comprehensive Immunization Strategy to Eliminate Transmission of Hepatitis B Virus Infection in the United States. Part 1: Immunization of Infants, Children and Adolescents
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	December 23, 2005
Issue or Version	54(RR-16)

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

Official Title of Materials Incorporated (from title page)	Prevention of Hepatitis B Virus Infection in the United States: Recommendations of the Advisory Committee on Immunization Practices
Publisher	Centers of Disease Control and Prevention (CDC)
Issue Date	January 12, 2018
Issue or Version	67(1)

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

Official Title of Materials Incorporated (from title page)	Prevention and Control of <i>Haemophilus influenzae</i> Type b Disease: Recommendations of the Advisory Committee on Immunization Practices (ACIP) Recommendations and Reports
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	February 28, 2014
Issue or Version	63(RR01)

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

Official Title of Materials Incorporated (from title page)	Measles, Mumps, Rubella Vaccine (PRIORIX): Recommendations of the Advisory Committee on Immunization Practices
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	November 18, 2022
Issue or Version	71(46)

NOTICES OF PROPOSED RULES

J) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Prevention of Measles, Rubella, Congenital Rubella Syndrome, and Mumps, 2013 -- Summary Recommendations of the Advisory Committee on Immunization Practices (ACIP)
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	June 14, 2013
Issue or Version	62(RR04)

K) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Use of Combination Measles, Mumps, Rubella, and Varicella Vaccine--Recommendations of the Advisory Committee on Immunization Practices
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	May 7, 2010
Issue or Version	59(RR-3)

L) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Poliomyelitis Prevention in the United States
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	May 19, 2000
Issue or Version	49(RR-05)

M) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Prevention of Hepatitis A Virus Infection in the United States: Recommendations of the Advisory Committee on Immunization Practices
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	July 3, 2020
Issue or Version	69(5)

N) This rule adds, updates, or removes the following title of materials incorporated by references:	
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Official Title of Materials Incorporated (from title page)	Use of 15-Valent Pneumococcal Conjugate Vaccine Among U.S. Children: Updated Recommendations of the Advisory Committee on Immunization Practices-US
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	September 16, 2022
Issue or Version	71(37)

O) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Preventing Pneumococcal Disease Among Infants and Young Children
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	October 6, 2000
Issue or Version	49(RR-09)

P) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Meningococcal Vaccination: Recommendations of the Advisory Committee on Immunization Practices
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	September 25, 2020
Issue or Version	69(9)

Q) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Licensure of a Meningococcal Conjugate Vaccine (Menveo) and Guidance for Use--Advisory Committee on Immunization Practices (ACIP)
Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	March 12, 2010
Issue or Version	59(09)

R) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Updated Recommendations for Use of Meningococcal Conjugate Vaccines

Publisher	Centers for Disease Control and Prevention (CDC)
Issue Date	January 28, 2011
Issue or Version	60(03)

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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R398-4	Filing ID: 56061

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:
R398-4. Cytomegalovirus Public Health Initiative

3. Purpose of the new rule or reason for the change:
The reason for this change is to update statute citations and titles associated with the recodifications related to the Department of Health and Human Services (Department) consolidation and the recodification of the Department's statute in the 2023 General Session.

4. Summary of the new rule or change:
This amendment updates names, terms, and entities in the text.

Additionally, this amendment updates authorizing citations, makes technical changes and structural changes following the consolidation and recodification of the Department.

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-7-105		
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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:	12/15/2023
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9. This rule change MAY become effective on:

12/22/2023

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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R406-100	Filing ID:	55962
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Agency Information

1. Department:	Health and Human Services		
Agency:	Family Health, WIC Services		
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:	
Rick Wardle	801-580-7932	rwardle@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:
R406-100. Special Supplemental Nutrition Program for Women, Infants and Children

<p>3. Purpose of the new rule or reason for the change:</p> <p>The reason for the amendment is to update statute citations and titles associated with the recodifications related to the Department of Health and Human Services (Department) consolidation and the recodification of the Department's statute in the 2023 General Session.</p> <p>Additionally, the change updates the revision dates of incorporations by reference.</p>
<p>4. Summary of the new rule or change:</p> <p>This amendment updates names, terms, and entities in the text.</p> <p>Additionally, this amendment updates authorizing citations, makes technical changes and structural changes following the consolidation and recodification of the Department.</p> <p>This amendment also updates the revision dates of the materials incorporated by reference.</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 filing is the result of the consolidation of the Department and the recodification of the Department's statute.</p> <p>This amendment filing is technical in nature and will not result in any fiscal cost or savings to the state budget.</p>
<p>B) Local governments:</p> <p>This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute.</p> <p>This amendment filing is technical in nature and will not result in any fiscal cost or savings to local governments.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute.</p> <p>This amendment filing is technical in nature and will not result in any fiscal cost or savings to small businesses.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute.</p>

<p>This amendment filing is technical in nature and will not result in any fiscal cost or savings to non-small businesses.</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 filing is the result of the consolidation of the Department and the recodification of the Department's statute.</p> <p>This amendment filing is technical in nature and will not result in any fiscal cost or savings to persons other than small businesses, non-small businesses, or state or local government entities.</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 filing is the result of the consolidation of the Department and does not carry any compliance costs.</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> <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> </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
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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 26B-1-202	Section 26B-1-208	

Incorporations by Reference Information

7. Incorporations by Reference :	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	PART 246--SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN
Publisher	Code of Federal Regulations
Issue Date	01/01/2022
Issue or Version	01/01/2022 edition

B) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Fiscal Year 2024 Utah WIC State Plan of Program Operations and Administration
Publisher	State of Utah
Issue Date	Fiscal Year 2024
Issue or Version	2024

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:	12/15/2023
9. This rule change MAY become effective on:	12/22/2023

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:	10/22/2023
NOTICE OF PROPOSED RULE			
TYPE OF FILING: Amendment			
Rule or Section Number:	R414-22	Filing ID:	55906

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-22. Administrative Sanction Procedures and Regulations
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify the rule text as needed.
4. Summary of the new rule or change:
This amendment updates and clarifies terms within the text. 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 there are only minor changes and technical updates.			
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 this amendment only clarifies current electronic visit verification requirements, and is covered under previous appropriations for electronic visit verification compliance.			
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 fiscal analysis.

Businesses will see neither costs nor revenue as this amendment only clarifies names and terms within the text.

Citation Information

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

Section 26B-1-213	Section 26B-3-108
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Public Notice Information

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

A) Comments will be accepted until: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/23/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R414-42	Filing ID: 56049

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-42. Telehealth
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and implement by rule current telehealth policy, including the reimbursement provision for audio-only telehealth set forth in H.B. 437, passed in the 2023 General Session.
4. Summary of the new rule or change:
This amendment updates and implements by rule current telehealth policy. It also updates the authorizing citation in the rule to be in accordance with recodification requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no impact to the state budget as this change solely implements by rule current telehealth policy. It neither affects member services nor provider reimbursement.

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 this change solely implements by rule current telehealth policy. It neither affects member services nor provider reimbursement.																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																				
There is no impact on non-small businesses as this change solely implements by rule current telehealth policy. It neither affects member services nor provider reimbursement.																				
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 this change solely implements by rule current telehealth policy. It neither affects member services nor provider reimbursement.																				
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 change solely implements by rule current telehealth policy. It neither affects member services nor provider reimbursement.																				
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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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.

Businesses will see neither costs nor revenue as this change solely implements by rule current telehealth policy, and does not affect member services nor provider reimbursement.

Citation Information

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

Section 26B-1-213	Section 26B-3-108
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Public Notice Information

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

A) Comments will be accepted until: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R414-70	Filing ID: 56007

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-70. Medical Supplies, Durable Medical Equipment, and Prosthetic Devices
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify policy for Medicaid members who use durable medical equipment (DME), prosthetics, orthotics, and related supplies.
4. Summary of the new rule or change:
This amendment clarifies DME policy and updates authorizing citations in accordance with new recodification requirements.

Fiscal Information

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

A) State budget:
There is no impact to the state budget as this amendment simply clarifies existing policy and recodifies current statutes.
It neither affects member services nor payments to providers.
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 this amendment simply clarifies existing policy and recodifies current statutes.
It neither affects member services nor payments to providers.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no impact on non-small businesses as this amendment simply clarifies existing policy and recodifies current statutes.
It neither affects member services nor payments to providers.
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 this amendment simply clarifies existing policy and recodifies current statutes.
It neither affects member services nor payments to providers.
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 Medicaid provider or Medicaid member as this amendment simply clarifies existing policy and recodifies current statutes.
It neither affects member services nor payments to 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 S. Gruber, has reviewed and approved this fiscal analysis.			
Businesses will see neither costs nor revenue as this amendment only recodifies statutes. It neither affects member services nor payments to providers.			

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/27/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R414-71	Filing ID: 55964

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-71. Early and Periodic Screening, Diagnostic and Treatment Program
3. Purpose of the new rule or reason for the change:
The purpose of this change is to implement new provisions for the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) Program in accordance with federal law.
4. Summary of the new rule or change:
This amendment includes new provisions for Medicaid members who participate in qualifying clinical trials related to the EPSDT Program.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are costs associated with services outside of routine service coverage. The Department of Health and Human Services (Department), however, cannot estimate these increases without data to indicate how many clinical trials there may be.
B) Local governments:
There is no impact on local governments as they neither fund nor provide services under the EPSDT Program.
C) Small businesses ("small business" means a business employing 1-49 persons):
The Department cannot determine costs nor revenue to small businesses without data to indicate how many clinical trials there may be or which ones may be necessary.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The Department cannot determine costs nor revenue to non-small businesses without data to indicate how many clinical trials there may be or which ones may be necessary.
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 Department cannot determine costs nor revenue to other persons or entities without data to indicate how many clinical trials there may be or which ones may be necessary.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
The Department cannot determine compliance costs to a single person or entity without data to indicate how many clinical trials there may be or which ones may fall outside mandatory service coverage.
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.			
There is no data at this time to indicate business costs or revenue.			

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/28/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R414-302	Filing ID: 55966

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-302. Eligibility Requirements
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify the rule text as needed.
4. Summary of the new rule or change:
This amendment clarifies current rules and includes new provisions for individuals who reside in institutions for mental disease and psychiatric hospitals.
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 reflect only current Medicaid policy.

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 reflect only current Medicaid policy.

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 reflect only current Medicaid policy.

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 reflect only current Medicaid policy.

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 reflect only current Medicaid policy.

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 these changes reflect only current Medicaid policy.

Citation Information

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

Section 26B-1-213	Section 26B-3-108
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Public Notice Information

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

A) Comments will be accepted until:	12/15/2023
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9. This rule change MAY become effective on: 12/22/2023

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:	10/28/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R414-307	Filing ID: 55969

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-307. Eligibility for Home and Community-Based Services Waivers
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify the rule text as needed.
4. Summary of the new rule or change:
This amendment updates and clarifies eligibility requirements for home and community-based services waivers.

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 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 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 fiscal analysis.			
Businesses will see neither costs nor revenue as there are only minor changes and technical updates.			

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/28/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R414-401	Filing ID: 56054

Agency Information

1. Department:	Health and Human Services
Agency:	Integrated Healthcare
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:
R414-401. Nursing Care Facility Assessment
3. Purpose of the new rule or reason for the change:
The purpose of this change is to implement and clarify penalties and interest for nursing facilities that do not pay the facility assessment.
4. Summary of the new rule or change:
This amendment specifies penalties and interest for nursing facilities that do not pay the facility assessment.
It also includes a hearing provision, recodifies statutes, and makes other technical changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no impact to the state budget as these changes are covered under previous allocations by the Legislature.
Increases in cost are absorbed through the agency's standard budget.
B) Local governments:
There is no impact on local governments as they neither fund nor administer nursing facilities 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 are covered under previous allocations by the Legislature.

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 are covered under previous allocations by the Legislature.

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 are covered under previous allocations by the Legislature.

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 are covered under previous allocations by the Legislature.

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
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Net Fiscal Benefits	\$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 S. Gruber, has reviewed and approved this regulatory impact analysis.

Businesses will see neither costs nor revenue as these changes are covered under previous allocations by the Legislature.

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	Section 26B-3-404
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R414-508	Filing ID: 55968

Agency Information

1. Department:	Health and Human Services
Agency:	Integrated Healthcare
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:
R414-508. Requirements for Transfer of Bed Licenses
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify the rule text as needed.
4. Summary of the new rule or change:
This amendment updates and clarifies terms and entities in the text and makes other technical changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There 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 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 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 fiscal analysis.

Businesses will see neither revenue or costs as this amendment only includes minor changes and technical updates.

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	Section 26B-3-313
Section 26B-3-115		

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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/28/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R414-510	Filing ID: 56029

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R414-510. Intermediate Care Facility for Persons with Intellectual Disabilities Transition Program and Education
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify Medicaid policy for the Intermediate Care Facility for Persons with Intellectual Disabilities (ICF) Transition Program.
4. Summary of the new rule or change:
All requirements of the repealed rule are reenacted in the proposed rule.
In contrast to the repealed rule, this new rule restructures policies and includes new provisions for assisted decision-making in the ICF Transition Program.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The state will not see an impact as this update only codifies program responsibilities and policies for the transition program, and does not result in additional expenditures.
B) Local governments:
Local governments will not see an impact as they neither fund nor provide benefits under the Medicaid program.
C) Small businesses ("small business" means a business employing 1-49 persons):
Small businesses will not see an impact as this update only codifies program responsibilities and policies for the transition program, and does not result in additional expenditures for compliance.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses will not see an impact as this update only codifies program responsibilities and policies for the transition program, and does not result in additional expenditures for compliance.
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>):
Other persons or entities will not see an impact as this update only codifies program responsibilities and policies

for the transition program, and does not result in additional expenditures for compliance.

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

A single person or entity will not see an impact as this update only codifies program responsibilities and policies for the transition program, and does not result in additional expenditures for compliance.

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.

Businesses will see neither costs nor revenue, as this update only codifies program responsibilities and policies

for the transition program and does not result in additional expenditures for 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-3-108	Section 26B-6-402	Title 75, Chapter 2a
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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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/28/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R414-511	Filing ID:	56116
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Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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:
R414-511. Medicaid Accountable Care Organization Incentives to Appropriately Use Emergency Room Services
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify the rule text as needed.
4. Summary of the new rule or change:
This amendment updates and clarifies terms and entities in the text. 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 there are only minor changes and technical updates.
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 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 fiscal analysis.

Businesses will see neither costs nor revenue as this amendment only clarifies terms and entities in the text.

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	Section 26B-3-204
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/28/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R414-514	Filing ID:	55965

Agency Information

1. Department:	Health and Human Services		
Agency:	Integrated Healthcare		
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:
R414-514. Requirements for Moratorium Exception

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

The purpose of this change is to update and clarify the rule text as needed.

4. Summary of the new rule or change:

This amendment updates and clarifies terms and entities in the text.

This change also amends statutory references in this rule to coincide with the Department of Health and Human Services (Department) merger and code recodification, and makes other technical changes.

Fiscal Information

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

A) State budget:

There 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 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 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 fiscal analysis.

Businesses will see neither revenue nor costs as this amendment only includes minor changes and technical updates.

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	Section 26B-3-311
Section 26B-3-115		

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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/28/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R414-526	Filing ID: 56067

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
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
Jordan Miera	801-538-4171	jmiera@utah.gov

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

General Information

2. Rule or section catchline:
R414-526. Quality Standards for Inpatient and Outpatient Hospitals

3. Purpose of the new rule or reason for the change:
The purpose of this rule is to incorporate certain factors into the payment rate structure for accountable care

organizations, and to establish quality measures and penalties for hospitals that perform inpatient and outpatient services as directed in S.B. 126, passed in the 2023 General Session.

4. Summary of the new rule or change:

This new rule includes quality metrics and standards, requirements for data submission, and specific penalties for non-compliance, to preserve and improve access to quality hospital services.

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 expenditures to the hospital provider assessment fund of about \$278,422,600 in fiscal years (FY) 2024 and 2025, are offset by revenues of that same amount.

These estimates are set forth in the fiscal note for S.B. 126 (2023).

B) Local governments:

Local governments will see no impact as they neither fund nor provide hospital services under the Medicaid program.

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

Small businesses will see no impact as they are not subject to the quality measures and penalties set forth in this rule.

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

Hospitals will see revenues generated from the assessment fund of about \$55,197,300 in FY 2024 and \$57,211,300 in FY 2025.

These estimates are set forth in the fiscal note for S.B. 126 (2023).

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**):

Medicaid members will see no fiscal impact as they are not subject to the quality measures and penalties set forth in this rule.

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

A single Medicaid member will see no fiscal impact as the member is not subject to the quality measures and penalties set forth in 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	\$278,422,600	\$278,422,600	\$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	\$278,422,600	\$278,422,600	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$278,422,600	\$278,422,600	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$55,197,300	\$57,211,300	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$333,619,900	\$335,633,900	\$0
Net Fiscal Benefits	\$55,197,300	\$57,211,300	\$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.

Hospitals will see revenues generated from the hospital provider assessment fund.

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-3-7	Section 26B-3-108
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Public Notice Information

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

A) Comments will be accepted until:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R432-107	Filing ID: 55959

Agency Information

1. Department:	Health and Human Services	
Agency:	Health Care Facility Licensing	
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
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R432-107. Specialty Hospital-Cancer Treatment
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 to coincide with the Department of Health and Human Services (Department)

code recodification from S.B. 38 from the 2023 General Session; 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.

Additionally, this amendment updates titles and citations due to the recodification of the Department's statute and recent rule filings.

Fiscal Information

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

A) State budget:

This change will not impact the current process for licensure and re-licensure surveys.

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

There is no fiscal impact to state government resulting from the changes in this rule content.

B) Local governments:

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.

These facilities are regulated by the Department and not local governments. There will be no change in local business licensing or any other items with which local government is involved.

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

Any changes to the provisions of this rule are technical in nature and are to align the rule with the Rulewriting Manual for Utah and Department standards; these updates will not result in a fiscal impact to small businesses.

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

Any changes to the provisions of this rule are technical in nature and are to align the rule with the Rulewriting Manual for Utah and Department standards; these updates will not result in a fiscal impact to non-small businesses.

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

There will be no fiscal impact on any other persons as a result of this proposed amendment. This rule amendment does not introduce any new processes that will incur a cost for affected persons.

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

This rule amendment does not introduce any new processes that will incur a cost for affected persons.

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

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-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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R432-200	Filing ID:	56018
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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	
Kristi Grimes	385-214-9187	kristigrimes@utah.gov	

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

General Information

2. Rule or section catchline:

R432-200. Small Health Care Facility - Four to Sixteen Beds

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.

Additionally, this amendment updates citations to statute following the recodification of the Department of Health and Human Services' (Department) statute.

4. Summary of the new rule or change:

This amendment updates citations and includes specific language consistent with the Rulewriting Manual for Utah and removes incorporations that will be better represented in agency policies as recommended best practices.

Fiscal Information

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

A) State budget:

This amendment updates citations and includes specific language consistent with the Rulewriting Manual for Utah and removes incorporations that will be better represented in agency policies as recommended best practices.

These changes are to better reflect current practices, are technical in nature, and will not result in any fiscal cost or savings.

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 Small Health Care Facility Standards are regulated by the Department and not local governments. There will be no change in local business licensing or any other items with which local government is involved.

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

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

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small

businesses because this amendment modifies and replaces outdated language with the 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):

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.

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

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

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

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

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

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to compliance costs for affected persons because this amendment modifies and replaces outdated language with the 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-2-202

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023
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: 10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R433-200	Filing ID: 55924

Agency Information

1. Department:	Health and Human Services	
Agency:	Family Health, Maternal and Child Health	
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:
Nickee Andjelic	801-273-2869	npalacios@utah.gov
Alexis Weight	801-273-2956	abweight@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:
R433-200. Pharmacist Hormonal Contraception Dispensing Authority
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 (Department) consolidation and the recodification of the Department's 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 Department's 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-4-505		
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Public Notice Information

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

A) Comments will be accepted until:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/23/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R434-40	Filing ID: 55910

Agency Information

1. Department:	Health and Human Services	
Agency:	Clinical Services, Primary Care and Rural Health	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Ashley Moretz	801-350-1546	amoretz@utah.gov
Anna West	801-231-3044	awest@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R434-40. Utah Health Care Workforce Financial Assistance Program
3. Purpose of the new rule or reason for the change:
The rule is being amended to expand eligibility for the program by including dental hygienists and forensic pathologists.
The proposed amendment will shorten the service time required prior to the initial award payment.
The proposed amendment also makes changes for clarity. Old statute references are being updated with new statute references due to the passage of S.B. 137 in the 2023 General Session.
These outdated references are updated to reflect these organizational changes. The Office of Primary Care and Rural Health was restructured when the Department of Health merged with Department of Human Services UDHS in July 2022, forming the new Department of Health and Human Services (Department) and new Division of Clinical Services, Primary Care and Rural Health.
4. Summary of the new rule or change:
This proposed rule change addresses the lack of dental hygiene and forensic pathology professions by offering student loan repayment as an incentive to serve in an area of high need.
By shortening the service time required until participants become eligible for the initial disbursement, it will improve financial stewardship by ensuring more funds are disbursed in the year of the legislative appropriation.

The definition of dental hygiene is added, utilizing the same term from the American Dental Hygiene Association, as no definition could be found in statute or rule.
The definition of forensic pathology is added, utilizing the same term from the College of American Pathologists, as no definition could be found in statute or rule.
References to the Utah Department of Health are changed to the Department of Health and Human Services.
References to Family Health and Preparedness are changed to Clinical Services.

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 saving for state government due to this rule amendment. The expansion of eligibility for the program by including dental hygienists and forensic pathologists will not result in a fiscal impact.
B) Local governments:
Local governments will not receive or expend any additional funding because of the amendment.
They are not eligible to participate in the program.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings for small businesses.
Small businesses will not receive or be required to expend any funds as a result of the amendment because participation in the program is voluntary.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings for non-small businesses.
Non-small businesses will not receive or be required to expend any funds as a result of the amendment because participation in the program is voluntary.
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>):
There is no anticipated cost or savings for persons other than small businesses, non-small businesses, state, or local government entities. This is because participation in the program is voluntary.

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 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 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-4-702	Section 26B-1-419	
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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:	12/15/2023
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9. This rule change MAY become effective on:

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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R436-7	Filing ID: 55961

Agency Information

1. Department:	Health and Human Services	
Agency:	Data, Systems and Evaluation, Vital Records and Statistics	
Room number:	140	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141012	
City, state and zip:	Salt Lake City, UT 84114-1012	
Contact persons:		
Name:	Phone:	Email:
Linda S. Winger	801-538-6262	Lindaw@utah.gov

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

General Information

2. Rule or section catchline:
R436-7. Death Registration

3. Purpose of the new rule or reason for the change:
Recodification requires changes to citations and to add penalties for the violation of this rule.
4. Summary of the new rule or change:
This filing changes the citation to match the new numbering of the law.
The filing also adds a penalty for disposition of the deceased prior to death registration, death filing by funeral director more than 120 hours after death, and medical certification more than 120 hours after death.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget, as the penalty added to this rule is expected to be a deterrent to fraudulent disposition of the deceased prior to death registration, death filing by funeral director more than 120 hours after death, and medical certification more than 120 hours after death.
The change in citations is clerical.
B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures.
This rule change defines a penalty for rule violation that was previously in Rule R436-16, Penalties.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change will not have a fiscal impact on small businesses if they abide by the law.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change will not have a fiscal impact on non-small businesses if they abide by the 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 amendment only affects those people who do not abide by the law and disposition the deceased prior to death registration, funeral directors who file a death more than 120 hours after the death, and medical certifiers who certify the death more than 120 hours after the death.

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. The change adds a penalty for dispositioning a deceased person prior to death registration, and filing or certifying a death more than 120 hours after the death.			
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-8-114	Section 26B-1-224	
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R436-8	Filing ID: 55963

Agency Information

1. Department:	Health and Human Services	
Agency:	Data, Systems and Evaluation, Vital Records and Statistics	
Room number:	140	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141012	
City, state and zip:	Salt Lake City, UT 84114-1012	
Contact persons:		
Name:	Phone:	Email:
Linda S. Winingar	801-538-6262	Lindaw@utah.gov

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

General Information

2. Rule or section catchline:
R436-8. Authorization for Final Disposition of Deceased Persons

3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proceeding to update this rule and to add penalties for the violation of this rule.

4. Summary of the new rule or change:
This filing changes the citation to match the new numbering of the law, following the recodification of the Department's statute.

Additionally, this amendment states the penalty for issuing copies of all or part of a record where there is not a direct, tangible, legitimate interest.

Fiscal Information

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

A) State budget:
There is no anticipated cost or savings to the state budget, as the penalty added to this rule is expected to be a deterrent to fraudulent in the disposition of dead bodies. The change in citations is clerical.

B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures.

This rule change defines a penalty for rule violation that was previously in Rule R436-16, Penalties.

C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change will not have a fiscal impact on small businesses.

Small businesses would not be affected unless they are in violation of the law.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change will not have a fiscal impact on non-small businesses.

Non-small businesses would not be affected unless they are in violation of the law.

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

This amendment only affects those people who are in violation of the law.

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.

The change adds a penalty for transporting a dead body or fetus without a permit, noncompliance with body preservation requirements, or disinterment or reinterment without authorization.

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-8-120 | Section 26B-8-121 | Section 26B-1-224

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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R436-19	Filing ID:	55915
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Agency Information

1. Department:	Health and Human Services
Agency:	Data, Systems and Evaluation, Vital Records and Statistics
Room number:	140
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 141012
City, state and zip:	Salt Lake City, UT 84114-1012

Contact persons:		
Name:	Phone:	Email:
Linda S. Wininger	801-538-6262	Lindaw@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R436-19. Abortion Reporting
3. Purpose of the new rule or reason for the change:
The changes to this rule are to add penalties for the violation of this rule.
4. Summary of the new rule or change:
The filing changes the citation to match the new numbering of the law, following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session. Additionally, this amendment adds a penalty for failing to report an abortion performed in the state.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget, as the penalty added to this rule is expected to be a deterrent to failing to file a report of an abortion performed in the state.
B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures. This rule change defines a penalty for rule violation that was previously in Rule R436-16, Penalties.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change will not have a fiscal impact on small businesses unless they do not report abortions they perform in the state to the Department, which is a violation of the law.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change will not have a fiscal impact on non-small businesses unless they do not report abortions they

perform in the state to the Department, which is a violation of the 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 amendment only affects those people who perform an abortion in the state and do not report it to the Department, which is a violation of the law.

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. The change adds a penalty for performing an abortion in the state and not reporting it to the Department, which is a violation of the law.

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
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 76-7-313	Section 26B-1-224

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R438-13	Filing ID: 55952

Agency Information

1. Department:	Health and Human Services
Agency:	Disease Control and Prevention, Laboratory Services
Building:	Unified State Lab
Street address:	4431 S 2700 W
City, state and zip:	Taylorsville, UT 84129

Contact persons:		
Name:	Phone:	Email:
Kristin Brown	801-538-4152	kristinbrown@utah.gov
Andreas Rohrwasser	801-631-7658	arohrwasser@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R438-13. Rules for the Certification of Institutions to Obtain Impounded Animals in the State of Utah
3. Purpose of the new rule or reason for the change:
Following a review of this rule due to the recodification of the Department of Health and Human Service's statute, it was determined that this rule is no longer necessary as it has not been in use or authorized for some time.
4. Summary of the new rule or change:
This filing repeals Rule R438-13 in its entirety.

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 to the state budget due to the repeal of this rule.
This rule has remained in place, despite processes and program changes.
B) Local governments:
There is no anticipated impact to local governments due to the repeal of this rule.
This rule has remained in place, despite processes and program changes.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated impact to small businesses due to the repeal of this rule.
This rule has remained in place, despite processes and program changes.

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

There is no anticipated impact to non-small businesses due to the repeal of this rule.

This rule has remained in place, despite processes and program changes.

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

There is no anticipated impact to persons other than small businesses, non-small businesses, state, or local government entities due to the repeal of this rule.

This rule has remained in place, despite processes and program changes.

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

There are no compliance costs for any person as a result 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 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 26-26-1		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/22/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R444-1	Filing ID: 56119

Agency Information

1. Department:	Health and Human Services
Agency:	Utah Public Health Laboratory, Lab Certification Program
Building:	Unified State Lab
Street address:	4431 S 2700 W
City, state and zip:	Taylorsville, UT 84129

Contact persons:		
Name:	Phone:	Email:
Kristin Brown	801-538-4152	kristinbrown@utah.gov
Andreas Rohrwasser	801-631-7658	arohrwasser@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R444-1. Approval of Clinical Laboratories
3. Reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proceeding with an amendment to update this rule.
4. Summary of the change:
The amendment updates outdated citations and name changes following the consolidation of the Department of Health and Human Services. It also restructures the purpose and authority section of this rule.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute. This amendment filing is technical in nature and will not result in any fiscal cost or savings to the state budget.
B) Local government:
This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute. This amendment filing is technical in nature and will not result in any fiscal cost or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute.

This amendment filing is technical in nature and will not result in any fiscal cost or savings to small businesses.

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

This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute.

This amendment filing is technical in nature and will not result in any fiscal cost or savings to non-small businesses.

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

This amendment filing is the result of the consolidation of the Department and the recodification of the Department's statute.

This amendment filing is technical in nature and will not result in any fiscal cost or savings to persons other than small businesses, non-small businesses, or state or local government entities.

F) Compliance costs for affected persons:

This amendment filing is the result of the consolidation of the Department and does not carry any compliance costs.

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

Regulatory Impact Table			
Fiscal Cost	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 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		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R448-10	Filing ID: 56064

Agency Information

1. Department:	Health and Human Services	
Agency:	Disease Control and Prevention, Medical Examiner	
Building:	Utah Public Health Laboratory Phase 2	
Street address:	4451 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Erik Christensen, MD	801-816-3850	edchristensen@utah.gov
Michael Staley, PhD	801-816-3850	mstaley@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R448-10. Unattended Death and Reporting Requirements
3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proceeding to make technical and conforming changes in accordance with the recodification of the Department's statute.
Additionally, it also incorporates changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner. It aligns the definitions with Section 26B-8-201.
This rule amendment also brings the definition of a "health care provider" into conformity with other Health and Human Services statute, Subsection 26B-8-206(4).
4. Summary of the new rule or change:
This amendment aligns the definition of a health care provider with Section 26B-8-205 and unattended death with Section 26B-8-201 as one that occurs 365 days or more after a deceased person was examined or treated by a health care provider.
This extends the period that a death is considered attended from 30 days to 365 days.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
There are no anticipated costs or savings to the state budget; this filing is to update this rule in accordance with the recodification of the Department's statute, and to incorporate changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner.
B) Local governments:
This rule is not expected to have a fiscal impact on local governments' revenues or expenditures. This filing is to update this rule in accordance with the recodification of the Department's statute, and to incorporate changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings to small businesses; this filing is to update this rule in accordance with the recodification of the Department's statute, and to incorporate changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no anticipated costs or savings to non-small businesses; this filing is to update this rule in accordance with the recodification of the Department's statute, and to incorporate changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner.
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 does not affect any individual or persons as defined here. This filing is to update this rule in accordance with the recodification of the Department's statute, and to incorporate changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner.
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. This filing is to update this rule in accordance with the recodification of the Department's statute, and to incorporate changes that have taken place in Title 26B, Chapter 8, Part 2, Utah Medical Examiner.
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-8-201	Section 26B-8-205
Section 26B-8-206		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R448-20	Filing ID: 56052

Agency Information

1. Department:	Health and Human Services	
Agency:	Disease Control and Prevention, Medical Examiner	
Building:	Utah Public Health Laboratory Phase 2	
Street address:	4451 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Erik Christensen, MD	801-816-3850	edchristensen@utah.gov
Michael Staley, PhD	801-816-3860	mstaley@utah.gov

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

General Information

2. Rule or section catchline:
R448-20. Access to Medical Examiner Reports
3. Purpose of the new rule or reason for the change:
The Office of the Medical Examiner is authorized by statute (Section 26B-8-217) to release medical examiner records to certain government agencies and health care providers, including attending physicians, public education authorities, and local health departments, for professional and/or public health purposes.
However, these and other agencies are often unaware that a patient, resident, or student within their care or jurisdiction has died. This lack of notification of death prevents these agencies from engaging in postvention, a key strategy in suicide prevention, as well as engaging in practices related to quality improvement and assurance.

This amendment implements a notification process that will eliminate this blind spot and allow for these agencies to respond in a timely, informed, and professional manner that serves the public health and professional purposes of the authorizing statute.

This amendment also clarifies the circumstances that constitute an "issue of public health or safety."

Further, this amendment ensures the safeguarding of sensitive information by stipulating the conditions by which the OME may notify and release protected information to health care providers, educational authorities, and local health departments.

The filing also amends Rule R448-20 to further define "immediate relatives" as it relates to the authority to request a medical examiner record.

Additionally, this filing brings Rule R448-20 into conformity with current Utah Code by making technical changes.

4. Summary of the new rule or change:

This filing:
 1) defines an "issue of public health or safety";
 2) implements a process for the OME to push information about a death to local education authorities, health care providers, and local health departments, as provided under written agreements, when the death is possibly an "issue of public health or safety";
 3) clarifies the definition of "immediate family"; and
 4) makes technical and conforming changes.

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. Despite updates to the process, existing processes will be able to handle these changes with no impact.

B) Local governments:

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.

This rule only clarifies pre-existing requirements for certain government agencies, and further clarifies definitions.

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

This rule change does not impact small businesses.

This rule only impacts the Department and the named government agencies.

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

This rule change does not impact non-small businesses.

This rule only impacts the Department and the named government agencies.

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

This rule change allows a grandparent of a natural or adopted grandchild, or a grandchild, either natural or adopted, to request a medical examiner record.

Such a request must be accompanied by the \$10 fee, which is assessed to all family requestors of medical examiner reports. It is inestimable to know exactly how many requests would stem from this change.

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 expected with this rule change.

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

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-8-217	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:	12/15/2023
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9. This rule change MAY become effective on: 12/22/2023

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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R455-18	Filing ID:	56025
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Agency Information

1. Department:	Cultural and Community Engagement
Agency:	History
Street address:	3760 S Highland Drive
City, state and zip:	Millcreek, UT 84106

Contact persons:		
Name:	Phone:	Email:
Kristin Mead	218-393-2995	kristinmead@utah.gov
Alycia Rowley	801-245-7266	aaldrich@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R455-18. Policy for Deaccessioning of Artifacts and Documentary Materials for Education and Cultural Use
3. Purpose of the new rule or reason for the change:
This rule is in response to a new statute: Subsection 9-8-203(2), H.B. 302 passed in the 2023 General Session.
4. Summary of the new rule or change:
This rule sets guidelines for the deaccessioning process for artifacts and documentary materials according to Section 9-8-203.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule will not create new budget costs as the disposition of items deaccessioned from the Historical Society will not need to go through Surplus Property.
There may be savings in that deaccessioned items will not need to be processed by Surplus Property and the cost inherent in this process.
The insurance coverage for the Utah Historical Society (UHS) collections from Risk Management may be affected by deaccessioning a high value object, but this has never been done before.
The savings from lower insurance coverage on the collection would be a case-by-case situation and not known at this time.
B) Local governments:
This rule will have no anticipated fiscal impact on local governments.
The deaccession of items from the UHS collections has not created any financial gain or loss in the past. Deaccessioned items have a stringent set of internal

procedures and the items are usually destroyed or transferred.
Finding the best home to transfer objects that are deaccessioned is the preferred action and UHS has not realized any financial cost. Collection stewardship is the work done by the UHS employees, so the cost of taking care of collections is inherent to the work.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule will have no fiscal impact on small businesses.
This rule does not apply to small businesses as it only affects the UHS. Collection stewardship is the work done by the UHS employees, so the cost of taking care of collections is inherent to the work.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule will have no fiscal impact on non-small businesses.
This rule does not apply to non-small businesses as it only affects the UHS. Collection stewardship is the work done by the UHS employees, so the cost of taking care of collections is inherent to the work.
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 does not apply to persons other than small businesses, non-small businesses, state, or local government entities so there will be no fiscal impact.
This rule only affects the UHS. Collection Stewardship is the work done by the UHS employees, so the cost of taking care of collections is inherent to the work.
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 extra compliance costs for affected persons as the rule affects the UHS and Collection Stewardship is the work done by UHS employees.
The cost of taking care of collections is inherent to the work currently and historically performed.
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 Cultural and Community Engagement, Jill Love, 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 9-8-203(2)		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	Jill Love, Executive Director	Date:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R495-808	Filing ID: 56056

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Human Services)	
Room number:	Fourth Floor	
Building:	Multi-agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Shannon Thoman-Black	385-223-2941	sthomanblack@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R495-808. Fatality Review Act
3. Purpose of the new rule or reason for the change:
This repeal is needed to move Rule R495-808 into the correct section of administrative rule due to the consolidation of Department of Health and Department of Human Services into the Department of Health and Human Services (Department).
4. Summary of the new rule or change:
This change repeals Rule R495-808 in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:			
There is no anticipated cost or savings to the state budget, as this rule had no cost attached.			
The repeal is clerical in nature and will have no impact on how the Department functions or the parties this applies to.			
B) Local governments:			
This rule repeal is not expected to have a fiscal impact on local governments' revenues or expenditures.			
This repeal is clerical in nature and only pertains to the staff of the Department.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule repeal will not have a fiscal impact on small businesses. This rule only affects the Department.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The proposed rule repeal does not have a fiscal impact on non-small businesses nor will a service be required of them to implement the amendments.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
The proposed rule repeal does not have a fiscal impact on any persons or entities.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no compliance costs for affected persons.			
The repeal is clerical in nature and will have no impact on how the Department functions or the parties this applies to.			
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 62A-1-111	Section 62A-16-202	Section 2A-16-204
Section 62A-16-101	Section 62A-16-203	Section 62A-16-301
Section 62A-16-201	Section 62A-16-203	Section 62A-16-301

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:	12/15/2023
9. This rule change MAY become effective on:	12/22/2023

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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R495-810	Filing ID: 56057

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Human Services)	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Donovan Bergstrom	801-330-2699	dbergst@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R495-810. Government Records Access and Management Act
3. Purpose of the new rule or reason for the change:
Following the recodification of the Department of Health and Human Services (Department) statute in the 2023 General Session, the Department is proceeding with a repeal of Rule R495-810, Government Records Access and Management Act.
The Department will utilize Rule R380-20, Government Records Access and Management, to implement and carry out responses to records requests and compliance with the Government Records Access and Management Act (GRAMA).
4. Summary of the new rule or change:
This filing repeals this rule in its entirety.

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 the state budget as a result of this rule repeal because this filing is technical in nature and the result of the consolidation of the Department of Health and the Department of Human Services.
B) Local governments:
Local governments, city business licensing requirements, were considered.
This proposed rule repeal will not impact local governments' revenues or expenditures because this amendment applies only to Department record requests.
C) Small businesses ("small business" means a business employing 1-49 persons):
This proposed rule repeal will not impact small businesses' revenues or expenditures because this amendment applies only to Department record requests.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This proposed rule repeal will not impact non-small businesses' revenues or expenditures because this amendment applies only to Department record requests.
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 repeal will not impact persons other than small businesses, non-small businesses, state, or local government entities revenues or expenditures because this amendment applies only to Department record requests.
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 repeal will not impact any other entity's revenues or expenditures because this amendment applies only to Department record requests.
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		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R495-876	Filing ID: 56010

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Human Services)	
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
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R495-876. Provider Code of Conduct
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to repeal the Department of Health and Human Services code of conduct and create a new Departmental code of conduct under the Department of Health and Human Services (DHHS) rule under Title R380 (Rule R380-80).
4. Summary of the new rule or change:
This filing repeals the outdated Rule R495-876 in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
No changes to the state budget are anticipated from this repeal.
The contents of this rule are being simultaneously proposed under Title R380 (Rule R380-80).
B) Local governments:
Local government will not be impacted by this repeal.
The contents of this rule are being simultaneously proposed under Title R380 (Rule R380-80).
C) Small businesses ("small business" means a business employing 1-49 persons):
Small businesses won't be impacted by this repeal, as the content is being reenacted in a new rule.
The contents of this rule are being simultaneously proposed under Title R380 (Rule R380-80).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses won't be impacted by this repeal, as the content is being reenacted in a new rule.
The contents of this rule are being simultaneously proposed under Title R380 (Rule R380-80).
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 fiscal impacts on any other persons as a result of this repeal, as the content is being reenacted in a new rule.
The contents of this rule are being simultaneously proposed under Title R380 (Rule R380-80).
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 does not introduce any new processes that will incur a cost for affected persons.
The contents of this rule are being simultaneously proposed under Title R380 (Rule R380-80).
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		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/27/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R495-879	Filing ID: 56009

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

General Information

2. Rule or section catchline:
R495-879. Parental Support for Children in Care
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
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 R527-220 found in the Recovery Services rules (Title R527).
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This rule is being repealed in its entirety and will be proposed as a new rule in Title R527, Recovery Services.

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 R527-220, 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 R527-220, 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 R527-220, 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 R527-220, 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 R527-220, 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 R527-220, 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:

Section 62A-1-111	Section 62A-5-109	Section 63G-4-102
Section 78A-6-104	Section 78A-6-356	Section 78B-12-106
Section 78B-12-108	Title 78B, Chapter 12, Parts 2 and 3	Rule R527-200
Section R495-883-3		

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:	12/15/2023
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9. This rule change MAY become effective on:

12/22/2023

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:	10/27/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Repeal
Rule or Section Number:	R495-880
Filing ID:	55908

Agency Information

1. Department:	Health and Human Services	
Agency:	Administration (Human Services)	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@utah.gov

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

General Information

2. Rule or section catchline:
R495-880. Adoption Assistance

3. Purpose of the new rule or reason for the change:
The Department of Health and Human Services is proceeding with the repeal of this rule because the contents and provisions of adoption assistance are already established in Rule R512-43, Adoption Assistance.

4. Summary of the new rule or change:
This filing repeals Rule R495-880, Adoption Assistance, in its entirety.

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 associated with this filing as the provisions are covered in Rule R512-43.

B) Local governments:
There is no anticipated cost or savings associated with this filing as the provisions are covered in Rule R512-43.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings associated with this filing as the provisions are covered in Rule R512-43.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings associated with this filing as the provisions are covered in Rule R512-43.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
There is no anticipated cost or savings associated with this filing as the provisions are covered in Rule R512-43.

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 filing as the provisions are covered in Rule R512-43.

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 62A-4a-902		
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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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/22/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R500-1	Filing ID: 56065

Agency Information

1. Department:	Health and Human Services	
Agency:	Ombudsman (Office of)	
Room number:	MASOB 1091	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Angie McCourt	385-505-3502	amccourt@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R500-1. Processing Complaints Regarding the Utah Division of Child and Family Services
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to move this rule from Title R515, Human Services, Ombudsman (Office of), to Title R500 as a new rule, Rule R500-1, Processing Complaints Regarding the Utah Division of Child and Family Services.
The Department of Health and Human Services (Department) has simultaneously filed a proposed repeal for Rule R515-1.

This is in an effort to consolidate rule titles within the Department and allow all of the Office of Ombudsman's rules to exist under a single title.

4. Summary of the new rule or change:

This filing proposes an amended version of Rule R515-1 as a new rule, under Title R500. Changes to the rule are to reflect a consolidated Department and update code citations following the recodification of the Department's statute in the 2023 General Session.
(EDITOR'S NOTE: The proposed repeal of Rule R515-1 is under ID 56066 in this issue, November 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 to this rule.

B) Local governments:

There is no impact on local governments as the provisions of this rule have not changed from what currently exists in under Rule R515-1.

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 on non-small businesses 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 is no impact on non-small businesses 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

NOTICES OF PROPOSED RULES

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 80-2-1104

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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	Tray S. Gruber, Executive Order	Date:	10/28/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R501-14	Filing ID:	56048

Agency Information

1. Department:	Health and Human Services		
Agency:	Human Services Program Licensing		
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	

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

General Information

2. Rule or section catchline:
R501-14. Human Service Program Background Screening

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.

Additionally, this amendment updates titles and citations due to the recodification of the Department of Health and Human Services' (Department) statute.

Fiscal Information

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

A) State budget:

This change will not impact the current process for licensure and re-licensure surveys.

No change to the state budget is expected because no new processes or requirements are introduced and this amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no fiscal impact to state government resulting from the changes in this rule content.

B) Local governments:

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.

These facilities are regulated by the Department and not local governments. There will be no change in local business licensing or any other items with which local government is involved.

There is no anticipated fiscal impact to local governments resulting from the changes in this rule content.

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

No change to small businesses is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no anticipated fiscal impact to small businesses resulting from the changes in this rule content.

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

No change to non-small businesses is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no anticipated fiscal impact to non-small businesses resulting from the changes in this rule content.

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

No change for other persons is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no anticipated fiscal impact to other persons resulting from the changes in this rule content.

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

No compliance costs for affected persons are expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

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

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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-2-104	Section 26B-2-120	Section 26B-2-121
Section 26B-2-122		

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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R501-19	Filing ID: 56053

Agency Information

1. Department:	Health and Human Services
Agency:	Human Services Program Licensing
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
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R501-19. Residential Treatment Programs

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.
Additionally, this amendment updates titles and citations due to the recodification of the Department of Health and Human Services' (Department) statute.

Fiscal Information

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

A) State budget:
This change will not impact the current process for licensure and re-licensure surveys.
No change to the state budget is expected because no new processes or requirements are introduced and this amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no fiscal impact to state government resulting from the changes in this rule content.

B) Local governments:
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.
These facilities are regulated by the Department and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.

There is no anticipated fiscal impact to local governments resulting from the changes in this rule content.

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

No change to small businesses is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no anticipated fiscal impact to small businesses resulting from the changes in this rule content.

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

No change to non-small businesses is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

There is no anticipated fiscal impact to non-small businesses resulting from the changes in this rule content.

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

No change for other persons is expected because no new processes or requirements are introduced.

This amendment only updates titles and statutory citations and ensures compliance with the Rulewriting Manual for Utah standards.

There is no anticipated fiscal impact to other persons resulting from the changes in this rule content.

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

No compliance costs for affected persons are expected because no new processes or requirements are introduced and this amendment only updates titles and statutory citations and ensures compliance 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 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-2-104		
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Public Notice Information

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

A) Comments will be accepted until:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R501-21	Filing ID: 55926

Agency Information

1. Department:	Health and Human Services	
Agency:	Human Services Program Licensing	
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
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R501-21. Outpatient Treatment Programs
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of this amendment is to modify and replace outdated language and citations with the Rulewriting Manual for Utah standards, comply with recodification citations introduced in S.B. 38 of the 2023 General Session, and align with federal and industry standards.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The revisions include more specific language and formatting consistent with the Rulewriting Manual for Utah.
Additionally, it removes outdated citations and aligns with changes to the federal terminology and requirements

medically assisted treatment (now medication for opioid use disorder).

Substantive changes to substance use disorder content were made with stakeholder and OSUMH collaboration and approval.

Fiscal Information

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

A) State budget:

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

No change to the state budget is expected because this amendment modifies and replaces outdated language and citations, most of the stricken content is now located in Rule R501-1.

New content aligns with federal and industry standards already in practice.

B) Local governments:

Local governments, 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 Day Treatment Programs are regulated by the Department and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.

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

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

Impact to small businesses will be insignificant, as the new rule content was specifically tailored to address small businesses who operate distinct versions of Day Treatment. These entities have always fit into the statutory definition requiring licensure, so the new content just better addresses their services and clarifies and guides them toward compliance.

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

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

Impact to non-small businesses will be insignificant, as the new rule content was specifically tailored to address non-small businesses who operate distinct versions of Day Treatment. These entities have always fit into the statutory definition requiring licensure, so the new content just better addresses their services and clarifies and guides them toward compliance.

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

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

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

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

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

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

This rule amendment does not introduce any new processes that will incur a cost for affected persons.

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

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-2-104		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/15/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R501-22	Filing ID: 55927

Agency Information

1. Department:	Health and Human Services	
Agency:	Health Care Facility Licensing	
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
Carmen Richins	385-242-6354	crichins@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R501-22. Residential Support Programs
3. Purpose of the new rule or reason for the change:
This rule amendment is being filed to comply with H.B. 499 passed in the 2023 General Session. It additionally updates citations in response to S.B. 38 passed in the 2023 General Session for statute recodification, and re-title rules to the new division titles with content consistent with the Rulewriting Manual for Utah. Other substantive changes align content with other rules within human services licensing and industry standards.
4. Summary of the new rule or change:
H.B. 499 (2023) amended statute to create a "code blue alert" whereby homeless shelters can increase capacity during these events and other entities are exempt from licensing requirements in order to provide shelter during code blue cold weather events. The Office of Licensing licenses homeless shelters and needs to amend this rule in order to comply with the new law. The entity within the Department of Health and Human Services (Department) who will be issuing the alerts is Population Health. The Office of Licensing collaborated with Population Health on drafting this rule. Population Health's rule addressing these alerts (Rule R380-67) is being filed simultaneously with this filing. That filing is being pushed to the December 1, 2023, Bulletin. (EDITOR'S NOTES: The proposed new Rule R380-67, ID 55994, will be published in the December 1, 2023, issue of the Bulletin.

However, a corresponding emergency (120-day) Rule R380-67, ID 55803, that was effective as of 10/01/2023 is available on OAR's website: <https://adminrules.utah.gov/public/search/R380-67/Emergency%20Rules> and it was published in the October 15, 2023, issue of the Bulletin.

The Administration agency under the Department (Title R380) has filed a second emergency Rule R380-67, ID 56177, that supersedes ID 55803 and is effective as of 11/09/2023. It is available on the adminrules.utah.gov website and will be published in the December 1, 2023, issue of the Bulletin.)

Fiscal Information

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

A) State budget:

This change will not impact the current process for licensure and re-licensure surveys.

No change to the state budget is expected because this filing does not introduce any changes to the licensure or oversight process.

B) Local governments:

This proposed rule amendment should not impact local governments' revenues or expenditures because these facilities are regulated by the Department and not local governments.

There will be no change in local business licensing or any other items with which local governments are involved.

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

There are no costs or savings to small businesses resulting from the changes in this proposed rule because these non-profit providers are federally funded to provide these services.

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

There are no costs or savings to non-small businesses resulting from the changes in this proposed rule because these non-profit providers are federally funded to provide these services.

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 costs or savings to other entities resulting from the changes in this proposed rule because these non-profit providers are federally funded to provide these services.

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

This rule amendment does not introduce any new processes that will incur a cost for affected persons.

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

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-2-104

Public Notice Information

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

A) Comments will be accepted until: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/24/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R510-302	Filing ID:	56063
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Agency Information

1. Department:	Health and Human Services		
Agency:	Aging and Adult Services		
Building:	Cannon Health Building		
Street address:	288 N1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Contact persons:			
Name:	Phone:	Email:	
Jean Boyack	801-538-4263	jboyack@utah.gov	
Nan Mendenhall	801-538-4591	nmendenha@utah.gov	

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

General Information

2. Rule or section catchline:
R510-302. Adult Protective Services

3. Purpose of the new rule or reason for the change:
The integration of the Departments of Health and Human Services resulted in renumbering combined codes and clarification of intake ineligibility for out-of-state victims.

4. Summary of the new rule or change:

The integration of the Departments of Health and Human Services resulting in renumbering combined codes and a clarification of intake ineligibility for out-of-state victims which is not new but has not been clearly understood.

This amendment also modifies and replaces outdated language with the Rulewriting Manual for Utah standards.

Fiscal Information

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

A) State budget:

There is no anticipated cost or savings to the state budget, as this rule change is clerical in nature and will have no impact on how the Department of Health and Human Services functions.

B) Local government:

No change to local governments is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

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

No change to small business is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

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

No change to non-small business is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

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

No change for other persons is expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

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

No compliance costs for affected persons are expected because no new processes or requirements are introduced.

This amendment only modifies and replaces outdated language with the Rulewriting Manual for Utah standards and updates statutory citations where applicable.

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-6-202		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R512-43	Filing ID:	55905
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Agency Information

1. Department:	Human Services		
Agency:	Child and Family Services		
Building:	Multi-Agency State Office Building		
Street address:	120 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Contact persons:			
Name:	Phone:	Email:	
Carol Miller	801-557-1772	carolmiller@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R512-43. Adoption Assistance

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

The purpose of this rule filing is to bring this rule in-line with H.B. 365 passed in the 2021 General Session, State Agency Realignment of the Departments of Health and Human Services.

4. Summary of the new rule or change:

This rule has been updated to change references from the Department of Human Services to the Department of Health and Human Services, correct references to citations, and to bring this rule in-line with the Rulewriting Manual for Utah.

Fiscal Information

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

A) State budget:

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to the state budget.

B) Local governments:

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to local governments.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to non-small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

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

There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal 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 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 80-2-301	Section 80-2-302	Section 80-2-801
Section 80-2-806	Section 80-2-807	42 USC 673
42 USC 675		

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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/23/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R512-80	Filing ID: 56038

Agency Information

1. Department:	Human Services	
Agency:	Child and Family Services	
Building:	Multi-Agency State Office Building	
Street address:	120 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@utah.gov

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

General Information

2. Rule or section catchline:
R512-80. Definitions of Abuse, Neglect, and Dependency
3. Purpose of the new rule or reason for the change:
The purpose of this rule filing is to bring this rule in-line with H.B. 365 passed in the 2021 General Session, State Agency Realignment of the Departments of Health and Human Services.
4. Summary of the new rule or change:
This rule has been updated to change references from the Department of Human Services to the Department of Health and Human Services, correct references to citations, and to bring this rule in-line with the Rulewriting Manual for Utah.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to the state budget.
B) Local governments:
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to non-small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

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

There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal 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

NOTICES OF PROPOSED RULES

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 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 53G-6-210	Section 76-5-109	Section 76-5-112
Section 76-5-112.5	Sections 76-10-1201 through 76-10-1206	Section 78B-7-102
Section 80-1-102	Section 80-2-302	Section 80-4-302
Section 80-4-502		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R512-202	Filing ID: 55987

Agency Information

1. Department:	Health and Human Services
Agency:	Child and Family Services
Building:	Multi-Agency State Office Building
Street address:	120 N 1950 W

City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R512-202. Child Protective Services, General Allegation Categories
3. Purpose of the new rule or reason for the change:
The purpose of this rule filing is to bring this rule in-line with H.B. 365 passed in the 2021 General Session, State Agency Realignment of the Departments of Health and Human Services.
4. Summary of the new rule or change:
This rule has been updated to change references from the Department of Human Services to the Department of Health and Human Services, correct references to citations, and to bring this rule in-line with the Rulewriting Manual for Utah.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to the state budget.
B) Local governments:
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to non-small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

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

There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal 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 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 76-5-109	Section 76-5-112	Section 76-5-112.5
Sections 76-10-1201 through 76-10-1206	Section 78B-24-202	Section 78B-24-203
Section 80-1-102	Section 80-2-301	Section 80-2-302
Section 80-3-304	Section 80-4-203	Section 80-4-502

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:	12/15/2023
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9. This rule change MAY become effective on:

12/22/2023
 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:	10/25/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R512-306	Filing ID: 55989

Agency Information

1. Department:	Health and Human Services	
Agency:	Child and Family Services	
Building:	Multi-Agency State Office Building	
Street address:	120 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@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:
R512-306. Out-of-Home Services, Transition to Adult Living Services, Education and Training Voucher Program
3. Purpose of the new rule or reason for the change:
The purpose of this rule filing is to bring this rule in-line with H.B. 365 passed in the 2021 General Session, State Agency Realignment of the Departments of Health and Human Services.
4. Summary of the new rule or change:
This rule has been updated to change references from the Department of Human Services to the Department of Health and Human Services, correct references to citations, and to bring this rule in-line with the Rulewriting Manual for Utah.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.
It is not anticipated that this amendment would create a fiscal cost or savings to the state budget.

B) Local governments:			
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.			
It is not anticipated that this amendment would create a fiscal cost or savings to local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.			
It is not anticipated that this amendment would create a fiscal cost or savings to small businesses.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.			
It is not anticipated that this amendment would create a fiscal cost or savings to non-small businesses.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):			
The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.			
It is not anticipated that this amendment would create a fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal 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 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 63G-4-201	Section 80-2-301	Section 80-2-302
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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:	10/27/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R512-308	Filing ID: 55988

Agency Information

1. Department:	Health and Human Services	
Agency:	Child and Family Services	
Building:	Multi-Agency State Office Building	
Street address:	120 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carol Miller	801-557-1772	carolmiller@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:
R512-308. Out-of-Home Services, Guardianship Services and Placements
3. Purpose of the new rule or reason for the change:
The purpose of this rule filing is to bring this rule in-line with H.B. 365 passed in the 2021 General Session, State Agency Realignment of the Departments of Health and Human Services.
4. Summary of the new rule or change:
This rule has been updated to change references from the Department of Human Services to the Department of Health and Human Services, correct references to citations, and to bring this rule in-line with the Rulewriting Manual for Utah.

Fiscal Information

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to the state budget.

B) Local governments:

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to local governments.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to non-small businesses.

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

The amendment to this rule is due to H.B. 365 (2021). It is technical in nature and does not reflect substantive changes to current practices or procedures.

It is not anticipated that this amendment would create a fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

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

There are no compliance costs for affected persons associated with implementing this rule because these changes are not fiscal 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 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 80-1-102 Section 80-2-301 Section 80-2-302

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: 12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/27/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R515-1	Filing ID: 56066

Agency Information

1. Department:	Health and Human Services	
Agency:	Child Protection Ombudsman (Office of)	
Room number:	MASOB 1091	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Angie McCourt	385-505-3502	amccourt@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R515-1. Processing Complaints Regarding the Utah Division of Child and Family Services
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to repeal this rule entirely and remove Title R515, Human Services, Ombudsman (Office of) from the Departments' administrative code.
This rule, R515-1 Processing Complaints Regarding the Utah Division of Child and Family Services, will now exist under Title R500, as R500-1 Processing Complaints Regarding the Utah Division of Child and Family Services.
The Department of Health and Human Services (Department) has simultaneously filed proposed Rule R500-1. This is in an effort to consolidate rule titles within the Department and allow all of the Office of Ombudsman's rules to exist under a single title.

4. Summary of the new rule or change:
This filing repeals Rule R515-1, as the Department has opted to propose the content of this rule as a new rule, under Title R500.
(EDITOR'S NOTE: The proposed new Rule R500-1 is under ID 56065 in this issue, November 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 the provisions of this rule are being moved and are not being changed in any way that would result in a fiscal impact.
B) Local governments:
There is no impact on local governments as the provisions of this rule are being moved and are not being changed in any way that would result in a fiscal impact.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no impact on small businesses as the provisions of this rule are being moved and are not being changed in any way that would result in a fiscal impact.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no impact on non-small businesses as the provisions of this rule are being moved and are not being changed in any way that would result in 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):
There is no impact on non-small businesses as the provisions of this rule are being moved and are not being changed in any way that would result in a fiscal impact.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There is no impact on affected persons as the provisions of this rule are being moved and are not being changed in any way that would result in compliance costs.
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	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 80-2-1104		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R523-1	Filing ID: 56051

Agency Information

1. Department:	Health and Human Services	
Agency:	Substance Use and Mental Health	
Building:	Cannon Health Building	
Street address:	288 N 1460 W, 3rd Floor	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Thomas Dunford	801-538-4181	tdunford@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R523-1. General Provisions
3. Purpose of the new rule or reason for the change:
This rule is now redundant because the provisions of this rule are already specified in statute, other rules, or are incorporated in the office directives and contracting process.
4. Summary of the new rule or change:
Rule R523-1 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:

Repeal of this rule does not change any of the services described within this rule, therefore, no cost savings or increases are expected.

B) Local governments:

Local governments will still be required to meet all the programmatic service standards established in this rule, so no additional cost or savings will be realized from the repeal of this rule.

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

Repeal of this rule does not change any of the services described within this rule, therefore, no cost savings or increases to small businesses are expected.

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

Repeal of this rule does not change any of the services described within this rule, therefore, no cost savings or increases to non-small businesses are expected.

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**):

Repeal of this rule does not change any of the services described within this rule, therefore, no cost savings or increases to persons other than small businesses, non-small businesses, state, or local government entities are expected.

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

Repeal of this rule does not change any of the services described within this rule, therefore, no cost savings or increases are expected.

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 62A-15-105		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R547-13	Filing ID: 55914

Agency Information

1. Department:	Health and Human Services	
Agency:	Juvenile Justice and Youth Services	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Reg Garff	801-602-6261	rgarff@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R547-13. Guidelines for Admission to Secure Youth Detention Facilities
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule aligns the standards and practices for admission to secure youth detention facilities with the current statute.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This amendment will bring this rule up-to-date with current statute.
These changes also bring this rule in-line with the Rulewriting Manual for Utah.

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 because these changes will not impact existing operations.
This repeal and reenact will not substantively impact existing operations.
B) Local governments:

There are no anticipated costs or savings because these changes do not impact local governments.

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

There are no anticipated costs or savings because these changes do not impact small businesses.

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

There are no anticipated costs or savings because these changes do 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 **agency**):

There are no anticipated compliance costs for affected persons.

These changes will not substantively impact existing operations.

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 for affected persons.

These changes will not substantively impact existing operations.

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 80-5-202

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023
 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: 10/22/2023

NOTICE OF PROPOSED RULE		
TYPE OF FILING:	Repeal and Reenact	
Rule or Section Number:	R590-238	Filing ID: 56020

Agency Information

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

General Information

2. Rule or section catchline:
 R590-238. Captive Insurance Companies

3. Purpose of the new rule or reason for the change:
 This rule is being changed in compliance with Executive Order No. 2021-12.
 During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.

4. Summary of the new rule or change:
 The majority of the changes are being done to fix style issues to bring this rule text more in line with the Rulewriting Manual for Utah standards.
 Other changes make the language of this rule more clear, and update the Severability section (new R590-238-20) to use the Department's current language.
 The changes do not add, remove, or change any regulations or requirements.

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.
 The changes are largely clerical in nature, and will not change how the Department functions.

B) Local governments:			
There is no anticipated cost or savings to local governments.			
The changes are largely clerical in nature, and will not affect local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no anticipated cost or savings to small businesses.			
The changes are largely clerical in nature, and will not affect small businesses.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no anticipated cost or savings to non-small businesses.			
The changes are largely clerical in nature, and will not affect non-small businesses.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
There is no anticipated cost or savings to any other persons.			
The changes are largely clerical in nature.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no compliance costs for any affected persons.			
The changes are largely clerical in nature.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	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 Insurance, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 31A-2-201	Section 31A-37-106	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	Steve Gooch, Public Information Officer	Date:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R590-267	Filing ID: 55862

Agency Information

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

General Information

2. Rule or section catchline:
R590-267. Personal Injury Protection Relative Value Study Rule
3. Purpose of the new rule or reason for the change:
This change updates the conversion factors and publications for use in 2024 and 2025.
4. Summary of the new rule or change:
The change adds conversion factors and publications for physicians, dentists, and chiropractors to use when determining the reasonable value of services provided to patients on or after 01/01/2024, and removes the factors and publications that were to be used through 2021.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The list price for the RVP 2023 is \$1,100 and for the 2023 RVD is \$600. The Department has arranged a 50% discount for purchasers with a Utah address.
The Department will be required to purchase two electronic copies of the RVP 2023 at \$550 each and two electronic copies of the RVD 2023 at \$300 each. These publications are incorporated by reference. One copy will

be maintained by the Department and one copy will be maintained by the Office of Administrative Rules, per rulemaking requirements. The state budget includes an annual appropriation of \$119,000 per year for the Relative Value Study.

Estimated cost to State Government: \$119,000 for state budget appropriations + 2 purchases of RVP (\$550) + 2 purchases of RVD (\$300) = \$120,700.

B) Local governments:

There will be no cost or savings to local governments.

This rule covers the method by which providers determine the reasonable value of services they provide to consumers.

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

Medical, dental, and chiropractic offices that provide services for individuals insured in auto accidents may purchase the RVP 2023 or RVD 2023 publication that is incorporated by reference in this rule. The list price for the RVP 2023 is \$1,100 and for the 2023 RVD is \$600.

The Department has arranged a 50% discount for purchasers with a Utah address. The cost of the RVP 2023 is \$550 for an electronic copy. The cost of the RVD 2023 is \$300 for an electronic copy. Hard copies are no longer available.

By using the publication with the conversion factors in this rule, they will be able to determine the reasonable charges or services they provide to those injured in automobile accidents.

Estimated costs to small businesses: Purchases of RVP (\$550) x 2,703 Physician and Chiropractor Offices + Purchases of RVD (\$300) x 2,049 Dental Offices = \$2,101,350.

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

Medical, dental, and chiropractic offices that provide services for individuals insured in auto accidents may purchase the RVP 2023 or RVD 2023 publication that is incorporated by reference in this rule. The list price for the RVP 2023 is \$1,100 and for the 2023 RVD is \$600.

The Department has arranged a 50% discount for purchasers with a Utah address. The cost of the RVP 2023 is \$550 for an electronic copy. The cost of the RVD 2023 is \$300 for an electronic copy. Hard copies are no longer available.

By using the publication with the conversion factors in this rule, they will be able to determine the reasonable charges or services they provide to those injured in automobile accidents.

Estimated costs to non-small businesses: Purchases of RVP (\$550) x 115 Physician Offices + Purchases of RVD (\$300) x 6 Dental Offices = \$65,050.

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**):

Auto insurers, or those they contract with to service their claims, and health care providers may purchase the RVP 2023 or RVD 2023 publication that is incorporated by reference in the rule. The list price for the RVP 2023 is \$1,100 and for the 2023 RVD is \$600.

The Department has arranged a 50% discount for purchasers with a Utah address. The cost of the RVP 2023 is \$550 for an electronic copy. The cost of the RVD 2023 is \$300 for an electronic copy. Hard copies are no longer available.

By using the publication with the conversion factors in this rule, they will be able to determine the reasonable charges of medical and dental services they are required to reimburse providers for treatment under personal injury protection coverage in Utah.

Estimated costs to Auto Insurers = Purchases of both RVP and RVD (\$850) x 172 Property and Casualty Insurers = \$146,200.

Optum, the company that sells the RVP 2023 and RVD 2023, will benefit from increased sales of these products.

Estimated sales to Optum: Purchases of RVP (\$550) x 2,992 Physician, Chiropractor, and Insurer businesses + Purchases of RVD (\$300) x 2,229 Dental and Insurer businesses = \$2,314,300.

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

Affected persons may purchase the RVP 2023 or RVD 2023 publication that is incorporated by reference in this rule.

The Department is sensitive to this compliance cost and has arranged a 50% discount for purchasers with a Utah address, as has been arranged in prior years, to help ameliorate any adverse costs on small businesses. The cost of the RVP 2023 is \$550 for an electronic copy, while the RVD 2023 is \$300 for an electronic copy. Hard copies are no longer available.

Additionally, as required by rulemaking guidelines, both publications will be available for review by affected persons at the Insurance Department or the Office of Administrative Rules at no charge.

Small businesses (physicians, dentists, chiropractors) are likely to purchase one publication or the other, depending on their specialization. The net one-time cost for small businesses as a whole may be \$2,101,350.

The net one-time cost for non-small businesses as a whole may be \$65,050.

Other persons (auto insurers) may purchase both publications. The net one-time cost for other persons may be \$146,200.

The net one-time cost for all affected persons (small businesses and non-small businesses and insurers) may be \$2,433,300.

It is also important to note that the Department makes its copies of the RVD and RVP available to any affected parties for free viewing in the Department's offices.

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	\$120,700	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$2,101,350	\$0	\$0
Non-Small Businesses	\$65,050	\$0	\$0
Other Persons	\$146,200	\$0	\$0
Total Fiscal Cost	\$2,433,300	\$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	\$2,314,300	\$0	\$0
Total Fiscal Benefits	\$2,314,300	\$0	\$0
Net Fiscal Benefits	-\$119,000	\$0	\$0

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

The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 31A-2-201		
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	Relative Values for Dentists
Publisher	Optum
Issue or Version	2023

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

Official Title of Materials Incorporated (from title page)	Relative Values for Dentists
Publisher	Optum
Issue or Version	2021

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

Official Title of Materials Incorporated (from title page)	Relative Values for Physicians
Publisher	Optum
Issue or Version	2023

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

Official Title of Materials Incorporated (from title page)	Relative Values for Physicians
Publisher	Optum
Issue or Version	2021

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:	12/01/2023
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9. This rule change MAY become effective on:	12/08/2023
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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:	Steve Gooch, Public Information Officer	Date:	10/16/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R612-200-6	Filing ID:	56016
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Agency Information

1. Department:	Labor Commission
Agency:	Industrial Accidents
Room number:	3rd Floor
Building:	Heber Wells Building
Street address:	160 E 300 S, 3rd Floor
City, state and zip:	Salt Lake City, UT 84111

Contact persons: Ronald Dressler

Name:	Phone:	Email:
Ronald Dressler	801-530-6844	rdressler@utah.gov
Chris Hill	801-530-6113	chill@utah.gov

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

General Information

2. Rule or section catchline:
R612-200-6. Burial Expenses

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

The Commission adopts this rule pursuant to authority granted by Section 34A-2-418 of the Utah Workers' Compensation Act.

4. Summary of the new rule or change:
 If death results from a work injury, burial expenses up to \$12,500 shall be paid. The amended rule increases the paid amount from \$9,000 to \$12,500.

Fiscal Information

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

A) State budget:

There may be minimal fiscal impact since burial benefits are an extremely small percentage of overall workers' compensation benefits which oftentimes may be passed along to the insured employer.

B) Local governments:

There may be minimal fiscal impact since burial benefits are an extremely small percentage of overall workers' compensation benefits which oftentimes may be passed along to the insured employer.

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

There may be minimal fiscal impact since burial benefits are an extremely small percentage of overall workers' compensation benefits which oftentimes may be passed along to the insured employer.

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

There may be minimal fiscal impact since burial benefits are an extremely small percentage of overall workers' compensation benefits which oftentimes may be passed along to the insured employer.

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 fiscal impact since burial benefits are paid by insurance carriers and burial benefits are an extremely small percentage of overall workers' compensation benefits.

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

There may be minimal fiscal impact since burial benefits are an extremely small percentage of overall workers' compensation benefits which oftentimes may be passed along to the insured employer.

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 Utah Labor Commission, Jaceson Maughan, has reviewed and approved this regulatory impact analysis since burial benefits are an extremely small percentage of overall workers' compensation benefits which oftentimes may be passed along to the insured employer.

Citation Information

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

Section 34A-2-101 et seq.	Section 34A-3-101 et seq.	Section 34A-1-104
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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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	Jacson R. Maughan, Commissioner	Date:	10/30/2023
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NOTICE OF PROPOSED RULE			
TYPE OF FILING: Amendment			
Rule or Section Number:	R612-300-4	Filing ID:	56019

Agency Information

1. Department:	Labor Commission		
Agency:	Industrial Accidents		
Room number:	3rd Floor		
Building:	Heber Wells Building		
Street address:	160 E.300 S, 3rd Floor		
City, state and zip:	Salt Lake City, UT 84111		
Mailing address:	PO Box 146610		
City, state and zip:	Salt Lake City, UT 84114-6610		
Contact persons: Ronald Dressler			
Name:	Phone:	Email:	
Ronald Dressler	801-530-6841	rdressler@utah.gov	
Chris Hill	801-530-6113	chill@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R612-300-4. General Method for Computing Medical Fees
3. Purpose of the new rule or reason for the change:
The purpose of this amendment is to adopt, with modifications, the Optum 2023 Essential Resource-Based

Relative Value Schedule (RBRVS), 2023 1st Quarter Update and to adjust procedures to increase conversion factors.
4. Summary of the new rule or change:
The amendment incorporates by reference current versions of the Resource-Based Relative Value Scale (RBRVS) and increases the conversion factors for Anesthesiology, Medicine, Pathology, radiology, restorative services and surgery.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The National Council on Compensation Insurance projects that overall workers' compensation costs will increase by 0.7% as a result of adoption of the new conversion factors. This represents a \$3,300,000 increase to the system.
The Commission presumes that this increase will be passed on to the state budget in increased workers' compensation insurance premiums.
B) Local governments:
The National Council on Compensation Insurance projects that overall workers' compensation costs will increase by 0.7% as a result of adoption of the new conversion factors. This represents a \$3,300,000 increase to the system.
The Commission presumes that this increase will be passed on to the local governments in increased workers' compensation insurance premiums.
C) Small businesses ("small business" means a business employing 1-49 persons):
The National Council on Compensation Insurance projects that overall workers' compensation costs will increase by 0.7% as a result of adoption of the new conversion factors. This represents a \$3,300,000 increase to the system.
The Commission presumes that this increase will be passed on to small businesses in increased workers' compensation insurance premiums.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The National Council on Compensation Insurance projects that overall workers' compensation costs will increase by 0.7% as a result of adoption of the new conversion factors. This represents a \$3,300,000 increase to the system.
The Commission presumes that this increase will be passed on to non-small businesses in increased workers' compensation insurance premiums.

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**):

Because persons other than small businesses, non-small businesses, state or local government entities is a small percentage of those impacted by this 0.7% increase, the cost to them is anticipated to be very small (almost none).

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 since these charges will be incorporated into already existing systems.

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

Regulatory Impact Table			
Fiscal Cost	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 Utah Labor Commission, Jaceson Maughan, 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 34A-1-104	Section 34A-2-201	
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	Current Procedural Coding Expert
Publisher	Optum
Issue or Version	2023

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

Official Title of Materials Incorporated (from title page)	The Essential RBRVS Data File User Guide
Publisher	Optum
Issue or Version	2022

Public Notice Information

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

A) Comments will be accepted until:	12/15/2023
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9. This rule change MAY become effective on: 01/01/2024

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:	Jaceson R. Maughan, Commissioner	Date:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R612-400-5	Filing ID: 56017

Agency Information

1. Department:	Labor Commission	
Agency:	Industrial Accidents	
Room number:	3rd Floor	
Building:	Heber Wells Building	
Street address:	160 E 300 S, 3rd Floor	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146610	
City, state and zip:	Salt Lake City, UT 84114-6610	
Contact persons: Ronald Dressler		
Name:	Phone:	Email:
Ronald Dressler	801-530-6841	rdressler@utah.gov
Chris Hill	801-530-6113	chill@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R612-400-5. Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund
3. Purpose of the new rule or reason for the change:
This filing amends the effective date year from 2023 to 2024.
4. Summary of the new rule or change:
The effective date will be amended from 01/01/2023, to 01/01/2024.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget, as this rule is clerical in nature and will have no impact on how the Labor Commission Department (Department) functions or the parties this applies to.
B) Local governments:

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures as the rate is staying the same. This rule change only clarifies pre-existing requirements for districts.

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

This rule change will not have a fiscal impact on small businesses. This rule only affects the Department.

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

The proposed rule changes do not have a fiscal impact on non-small businesses, nor will a service be required of them to implement the amendments.

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 because the rates have stayed the same for the next year.

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 changes simply add clarification to requirements and policy with no fiscal 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 Commissioner of the Utah Labor Commission, Jaceson Maughan, 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		
59-9-101(2)		

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:	12/15/2023
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9. This rule change MAY become effective on:

01/01/2024

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:	Jaceson R. Maughan, Commissioner	Date:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	New	
Rule or Section Number:	R650-413	Filing ID: 55864

Agency Information

1. Department:	Natural Resources	
Agency:	Outdoor Recreation	
Street address:	1594 W North Temple, Suite 100	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Chase Pili	801-707-5359	cpili@utah.gov
JC Bailey	801-538-7361	jcbailey@utah.gov

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

General Information

2. Rule or section catchline:

R650-413. Display of OHV License Plate and Registration Decal

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

Section 41-22-5.1 provides that the Division of Outdoor Recreation (Division) shall make rules for the display of an off-highway license plate and registration decal on an off-highway vehicle in accordance with Section 41-22-3.

4. Summary of the new rule or change:

This rule governs the display of off-highway vehicle license plates and registration decals.

Fiscal Information

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

A) State budget:

There is no anticipated cost or savings to the state budget, as this rule is instructional in nature and will have no impact on how the Division functions or the parties this applies to.

B) Local governments:

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.

This rule change only sets out requirements for displays of OHV license plates and registration decals.

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' revenues or expenditures.

This rule change only sets out requirements for displays of OHV license plates and registration decals.

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' revenues or expenditures.

This rule change only sets out requirements for displays of OHV license plates and registration decals.

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 persons other than small businesses', non-small businesses', state, or local government entities' revenues or expenditures.

This rule change only sets out requirements for displays of OHV license plates and registration decals.

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 changes simply provide instructions on how to display OHV license plates and registration decals.

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

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

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

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

The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this 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 41-22-5.1	Section 41-22-3	
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	10/17/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R850-70	Filing ID: 56114

Agency Information

1. Department:	School and Institutional Trust Lands	
Agency:	Administration	
Room number:	Suite 600	
Building:	102 Tower	
Street address:	102 S 200 E	
City, state and zip:	Salt Lake City, UT 84111	
Contact persons:		
Name:	Phone:	Email:
Chris Fausett	801-538-5139	chrisfausett@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R850-70. Sale of Forest Products From Trust Lands Administration Lands
3. Purpose of the new rule or reason for the change:
The current Sale of Forest Products From Trust Lands Administration Lands rule needs clarification and reorganization so that it is consistent with other agency administrative rules, particularly the new Sale of Plants and Wildland Seed (Rule R850-75) that is being considered under a separate rule filing.
This revised rule provides additional options for the agency to market forest products, streamline contracting processing, and update outdated language to adapt to changing markets.
The sale of wildland seed and wildland plants has also been separated from the Sales of Forest Products rules as those commodities are not typically considered forest products.
4. Summary of the new rule or change:
The repeal and reenact of Rule R850-70 removes the sales of plants and wildland seed from this rule into its own defined rule, updates the definitions for certain forest products, provides additional options for the sale of forest products, and streamlines contracting processes for stewardship contracts.
The catchline name will change from "Sale of Forest Products From Trust Lands Administration Lands" to "Sales of Forest Products" for a more concise title.

(EDITOR'S NOTE: The proposed new Rule R850-75 is under ID 56115 in this issue, November 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:
The agency is not anticipating there would be additional cost or savings to the state budget as a result of the revised rules.
Changes to this rule will only impact internal technical aspects regarding the processing of forest products sales and will have no impact on how the agency functions outside the agency.
B) Local governments:
This rule change is not expected to have a fiscal impact on local governments' revenue or expenditures.
This rule change only impacts internal agency procedures regarding the sale of forest products.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change will not have a fiscal impact on small businesses.
This rule only affects internal agency processes for the sale of forest products and does not change any fees or prices charged by the agency for forest products.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule changes do not have a fiscal impact on non-small businesses nor will any service be required of them to implement the revised rules.
This rule only affects internal agency processes and procedures.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
The proposed rule change only affects internal agency processes and procedures and will not have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.
There are no additional fees or costs to outside entities resulting from this rule change.

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.

This rule does not impose any additional regulatory or compliance requirements upon any entity or person, it simply adds clarification to internal agency processes and procedures for the sale of forest products.

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 Director of School and Institutional Trust Lands Administration, Michelle McConkie, 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:

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Articles X, XVIII, and XX
	Subsection 53C-2-201(1)(a)	

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: 12/15/2023

9. This rule change MAY become effective on: 01/01/2024

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:	Michelle McConkie, SITLA Director	Date:	11/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	New
Rule or Section Number:	R850-75
Filing ID:	56115

Agency Information

1. Department:	School and Institutional Trust Lands	
Agency:	Administration	
Room number:	Suite 600	
Building:	102 Tower	
Street address:	102 S 200 E	
City, state and zip:	Salt Lake City, UT 84111	
Contact persons:		
Name:	Phone:	Email:
Chris Fausett	801-538-5139	chrisfausett@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov

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

General Information

2. Rule or section catchline:

R850-75. Sale of Plants and Wildland Seed

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

The purpose of the new Rule R850-75 is to differentiate from the repeal and reenact of Rule R850-70, as these commodities are not typically considered forest products.

Separating these two commodities into their own separate rules will better align and clarify the sale of the products procedures benefiting the agency, as well as the public.

4. Summary of the new rule or change:

This new rule defines the sale of plants and wildland seed separate from the sale of forest products as listed in the current Rule R850-70. Wildland plants and seed are not typically considered forest products, so this new rule will reduce confusion between commodity types.

This new rule also clarifies processes and procedures for the sale of these commodities.

(EDITOR'S NOTE: The proposed repeal and reenact of Rule R850-70 is under ID 56114 in this issue, November 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 costs or savings to the state budget as this new rule is largely clerical in nature and will have no impact on how the agency functions.

B) Local governments:

This rule is not expected to have a fiscal impact on local governments' revenues or expenditures.

The rule change is only technical in nature and is intended to reduce confusion between commodity types offered for sale on state trust lands and clarify internal processes and procedures.

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

This rule change will not have a fiscal impact on small businesses.

This rule change is technical in nature and only affects internal agency processes. There are no additional fees or costs associated with this new rule.

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

The proposed rule change does not have a fiscal impact on non-small businesses, nor will any service be required of them to implement this new 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):

The proposed rule change is technical in nature and only affects internal agency processes and will not have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

There are no additional fees or costs to outside entities resulting from this new 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 compliance costs for affected persons.

This new rule does not create any additional regulatory or compliance requirements. This rule simply separates the rules governing the sale of wildland plants and seed from the rules governing the sale of forest products and clarifies certain internal procedures relating to the sale of these commodities.

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 Director of School and Institutional Trust Lands Administration, Michelle McConkie, 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:

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Articles X, XVIII, and XX
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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:	12/15/2023
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9. This rule change MAY become effective on:

01/01/2024

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:	Michelle McConkie, SITLA Director	Date:	11/01/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R884-24P-53	Filing ID: 55866

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-53. 2023 Guides for Valuation of Land Subject to the Farmland Assessment Act Pursuant to Utah Code Ann. Section 59-2-515

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

Section 59-2-515 authorizes the State Tax Commission to make rules necessary to effectuate the Farmland Assessment Act.

Section 59-2-514 creates the State Farmland Advisory Committee and requires a person appointed by the Commission to serve as chair. This committee reviews several classifications of land in agricultural use in the various areas of the state and recommends a range of values for each of the classifications based upon productive capabilities of the land when devoted to agricultural use. The recommendations are then submitted to the commission for approval and publication in rule.

This proposed rule represents the committee's recommendations.

4. Summary of the new rule or change:

The amendment provides 2024 updates for a range of values for classifications of agricultural land throughout the state based upon productive capabilities of the land when devoted to agricultural use.

Fiscal Information

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

A) State budget:

The aggregate anticipated cost or savings to the state budget is undetermined. However, based on available information, the overall aggregate anticipated cost or

savings to the state budget is expected to be minimal as a result of this amendment.

The Education Fund receives revenue based on increased or decreased real and personal property valuation, including property assessed under the FAA.

Property valuation changes have been recommended by class and by county.

No total cost or savings can be calculated without an exhaustive study of farmland acreage in each county by class and a listing of property newly qualifying or no longer qualifying for FAA assessment in the coming year.

B) Local governments:

The aggregate anticipated cost or savings to local governments is undetermined. However, based on available information, the overall aggregate anticipated cost or savings to local governments is expected to be minimal.

Local governmental entities receive tax revenue based on increased or decreased property valuation, including property assessed under FAA.

Property valuation changes have been recommended by class and by county.

No total cost or savings can be calculated without an exhaustive study of farmland acreage in each county by class and a listing of property newly qualifying or no longer qualifying for FAA assessment in the coming year.

Additionally, county assessors' offices statewide will be required to input the new value indicators into their systems to be applied against the acreage for individual properties. This input process is easily accomplished on an annual basis and represents no significant cost in time or money to the assessors' offices.

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

The aggregate anticipated costs or savings to small businesses is undetermined. However, based on available information, the aggregate costs or savings to small businesses as a cohort is expected to be minimal.

Each individual small business with property eligible for assessment under the FAA may see a change in value which may result in costs or savings. The extent of these costs or savings are subject to the specific small businesses' unique mix of property class and situs county.

No total cost or savings can be calculated without an exhaustive study of farmland acreage in each county by class and a listing of property newly qualifying or no longer qualifying for FAA assessment in the coming year.

Additionally, any cost or savings estimate will be further altered by changes to local property tax rates.

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

The aggregate anticipated costs or savings to non-small businesses is undetermined. However, based on available information, the aggregate costs or savings to non-small businesses as a cohort is expected to be minimal.

Each individual non-small business with property eligible for assessment under the FAA may see a change in value which may result in costs or savings. The extent of costs or savings are subject to the specific non-small businesses' unique mix of property class and situs county.

No total cost or savings can be calculated without an exhaustive study of farmland acreage in each county by class and a listing of property newly qualifying or no longer qualifying for FAA assessment in the coming year.

Additionally, any cost or savings estimate will be further altered by changes to local property tax rates.

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 aggregate anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities ("persons") is undetermined. However, based on available information, the aggregate costs or savings to persons as a cohort is expected to be minimal.

Each person with property eligible for assessment under the FAA may see a change in value which may result in costs or savings. The extent of costs or savings are subject to the specific person's unique mix of property class and situs county.

No total cost or savings can be calculated without an exhaustive study of farmland acreage in each county by class and a listing of property newly qualifying or no longer qualifying for FAA assessment in the coming year.

Additionally, any cost or savings estimate will be further altered by changes to local property tax rates.

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

County assessors' offices statewide will be required to input the new value indicators into their systems to be applied against the acreage for individual properties. This input process is easily accomplished on an annual basis

and represents no significant compliance cost in time or money to the assessors' offices.

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 59-2-515		

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:	12/15/2023
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9. This rule change MAY become effective on: 12/22/2023

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 L. Rockwell, Commissioner	Date:	10/19/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R982-111	Filing ID: 56034

Agency Information

1. Department:	Workforce Services	
Agency:	Administration	
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:
R982-111. Adoption Tax Credit

<p>3. Purpose of the new rule or reason for the change:</p> <p>H.B. 130, Adoption Tax Credit, passed during the 2023 General Session, requires the Department of Workforce Services (Department) to issue certifications related to the adoption tax credit.</p> <p>This new rule clarifies the certification process established in Section 35A-1-111 and describes the adjudicative proceedings process.</p>
<p>4. Summary of the new rule or change:</p> <p>This new rule:</p> <ol style="list-style-type: none"> 1) lists the information an applicant must submit to apply for certification; 2) details the application review and certification process; 3) sets forth the right to appeal a denial of certification; 4) describes the formal adjudicative hearing procedure for considering such an appeal; and 5) describes the procedures for reconsideration and judicial review.

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 new rule is not expected to have any fiscal impact on state government revenues or expenditures beyond any impact addressed in the fiscal note of H.B. 130 (2023).</p> <p>There are no additional state employees or resources needed to oversee the certification process or anticipated appeals. This new rule will not increase the Department's workload and can be carried out with existing budget.</p>
<p>B) Local governments:</p> <p>There are no anticipated costs or savings to local governments.</p> <p>This new rule requires no action or expenditure by local governments.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>There are no anticipated costs or savings to small businesses.</p> <p>This new rule requires no action or expenditure by small businesses.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>There are no anticipated costs or savings to non-small businesses.</p> <p>This new rule requires no action or expenditure by non-small businesses.</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>There are no anticipated costs to other persons as this new rule requires no action or expenditure by any person.</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 for affected persons as there are no fees associated with this new rule.</p> <p>The application for certification will be available to the public on the Department's website. The application only requires applicants to provide their identification information and upload a copy of the certified finalized adoption decree.</p> <p>The Department believes applicants are likely to have a copy of the decree or can readily obtain the decree as adoptive parents.</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.)

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-1-111		

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:	12/15/2023

9. This rule change MAY become effective on:	12/22/2023
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:	10/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R982-302	Filing ID: 56033

Agency Information

1. Department:	Workforce Services
Agency:	Administration
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:
R982-302. Intergenerational Poverty Solution, Education Saving Incentive Program
3. Purpose of the new rule or reason for the change:
This new rule implements a new incentive program providing matching funds for eligible families to invest in 529 Educational Savings accounts, H.B. 116 passed in the 2023 General Session.
4. Summary of the new rule or change:
This new rule implements Section 35A-9-603, Education Savings Incentive Program, which provides matching funds for eligible families experiencing intergenerational poverty to invest in 529 Education Savings Accounts.

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 have any fiscal impact on state government revenues or expenditures beyond any impact addressed in the fiscal note for H.B. 116 (2023).
B) Local governments:
This new rule 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):
There are no anticipated costs or savings to non-small businesses.
This new rule requires no action or expenditure by non-small businesses
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no anticipated costs or savings to non-small businesses.

This new rule requires no action or expenditure by 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 new rule does not impose additional costs or expenditures on other persons.

Qualifying families may receive up to \$300 to match funds invested in a 529 Educational Savings Account. The savings accounts may be used for a child's educational expenses, in an effort to improve their earning capacity and so lift themselves from poverty.

This new rule is not expected to have any fiscal impact on other persons beyond any impact addressed in the fiscal note for H.B. 116 (2023).

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 families who qualify to receive the matching funds.

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:

Subsection		
35A-9-603(4)		

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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	Casey Cameron, Executive Director	Date:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R988-400	Filing ID:	56031
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Agency Information

1. Department:	Workforce Services
Agency:	Homeless Services
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:
R988-400. Homeless Shelter Cities Mitigation Restricted Account
3. Purpose of the new rule or reason for the change:
The passage of H.B. 499 in the 2023 General Session requires the Office of Homeless Services to define "full capacity" related to determining an eligible municipality's need for access to the mitigation restricted account. There is also a need to clarify application requirements for funds.
4. Summary of the new rule or change:
This rule change defines full capacity, clarifies application requirements, and makes other clerical changes necessitated by amendments made to Title 35A, Chapter 16, Office of Homeless Services, in H.B. 499 (2023).

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 government revenues or expenditures beyond any impact addressed in the fiscal note of H.B. 499 (2023). There are no additional state employees or resources needed to oversee this rule change. This rule change will not increase the Department's workload and can be carried out with existing budget.
B) Local governments:
This rule change is not expected to have any fiscal impact on local governments' revenues or expenditures beyond any impact addressed in the fiscal note of H.B. 499 (2023). The rule change does not affect the amount of mitigation funds available to local governments and does not alter the requirements for eligible municipalities.
C) Small businesses ("small business" means a business employing 1-49 persons):

There are no anticipated costs or savings to small businesses. This amendment requires no action or expenditure by small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no anticipated costs or savings to non-small businesses. This amendment requires no action or expenditure by non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There are no anticipated costs to other persons as the amendment requires no action or expenditure by any person.
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 changes add clarification to requirements and policy with no fiscal impact beyond any impact addressed in the fiscal note of H.B. 499 (2023).

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 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-16-401	Section 35A-16-403	
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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: 12/15/2023

9. This rule change MAY become effective on: 12/22/2023

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:	10/30/2023
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R988-500	Filing ID: 56032

Agency Information

1. Department:	Workforce Services	
Agency:	Homeless Services	
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:
R988-500. Overflow Plan Requirements
3. Purpose of the new rule or reason for the change:
Section 35A-16-502 requires county task forces to submit a winter response plan (overflow plan) to the office. This rule change clarifies the process for submitting an overflow plan.
4. Summary of the new rule or change:
This rule change clarifies the overflow plan review process and updates references to the Utah code.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget, as this rule change is clerical in nature and only clarifies existing processes and procedures.
B) Local governments:
This rule change is not expected to have any fiscal impact on local governments' revenues or expenditures because it simply clarifies the process for councils of governments to submit an overflow plan to the office.
C) Small businesses ("small business" means a business employing 1-49 persons):

There are no anticipated costs or savings to small businesses.

This rule change requires no action or expenditure by small businesses.

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

There are no anticipated costs or savings to non-small businesses.

This rule change requires no action or expenditure by non-small businesses.

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

There are no anticipated costs to other persons as the rule change requires no action or expenditure by any person.

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 or requirements 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 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-16-503		
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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:	12/15/2023
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9. This rule change MAY become effective on:	12/22/2023
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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:	Casey Cameron, Executive Director	Date:	10/30/2023
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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:	R356-7	Filing ID: 56027
Effective Date:	10/30/2023	

Agency Information

1. Department:	Governor	
Agency:	Criminal and Juvenile Justice (State Commission on)	
Room number:	E330	
Building:	Senate Building (Capitol Complex)	
Street address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Mailing address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Contact persons:		
Name:	Phone:	Email:
Angelo Perillo	801-538-1047	aperillo@utah.gov
Ken Matthews	801-538-1058	kmatthews@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R356-7. Appointing a Designee, Representative, or Proxy
3. Purpose of the new rule or reason for the change:
This proposed rule is to establish procedures for appointing a designee, representative, or proxy to serve on a public body established in Title 63M, Chapter 7.
The purpose of this rule is to enact appointing a designee, representative, or proxy to serve on a public body to make it compliant with new requirements.
4. Summary of the new rule or change:
If a statute creating a public body allows a member to appoint a designee, the member may appoint a designee to represent the member when the member cannot appear at meetings by sending an email to the staff. (EDITOR'S NOTE: A corresponding proposed new Rule R356-7 is under ID 56026 in this issue, November 15, 2023, of the Bulletin.)
5A) The agency finds that regular rulemaking would:
<input type="checkbox"/> cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/> cause an imminent budget reduction because of budget restraints or federal requirements; or
<input checked="" type="checkbox"/> place the agency in violation of federal or state law.
B) Specific reasons and justifications for this finding:
Without this rule, which allows the members of a public body under Commission on Criminal and Juvenile Justice

NOTICES OF 120-DAY (EMERGENCY) RULES

(CCJJ) to appoint a designee or proxy to attend a meeting on their behalf, these public bodies will be unable to meet the requirement that they have a quorum present at their meeting and will be unable to fulfill their statutory duties, see Subsection 52-4-201(2) and Section 52-4-207.

Fiscal Information

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

A) State budget:

This program will create no cost burden or savings for the state.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

B) Local governments:

This program will create no cost burden or savings for local governments.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

This program will create no cost burden or savings for small businesses.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

There should be no costs or saving for other persons as a result of this rule.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

There should be no costs or saving for any affected persons as a result of this rule.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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):

This program will create no cost burden or savings for businesses.

This new rule will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs. Tom Ross, Executive Director

Citation Information

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

Subsection 52-4-201(2)	Section 52-4-207	
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Agency Authorization Information

Agency head or designee and title:	Tom Ross, Executive Director	Date:	10/30/2023
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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:	R58-20	Filing ID: 55321
Effective Date:	10/20/2023	

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal 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:
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Amber Brown	385-245-5222	ambermbrown@utah.gov
Leann Hunting	385-977-2158	leannhunting@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R58-20. Elk Ranches
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3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Per Section 4-39-106, the Department of Agriculture and Food (Department) is authorized to make rules that specify procedures for applications and renewal of licenses for domesticated elk facilities; governing the disposal of a domesticated elk; set standards and requirements for operating a facility; set health requirements and standards for health inspections; and govern the possession, transportation, and accompanying documents of a domesticated elk carcass.

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 on this rule.

Rule R58-20 was heavily revised in June 2023 because of H.B. 45 passed in the 2023 General Session and subsequent changes to Title 4, Chapter 39, Domesticated Elk Act.

The revised rule was presented to the Utah Elk Breeders Association, as well as the Domesticated Elk Advisory Council. The verbal comments and suggestions provided by the elk breeders and the Domesticated Elk Advisory Council were incorporated into this rule on 06/13/2023.

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

Since no comments were received the Department does not agree or disagree with comments.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

This rule needs to remain active because it provides procedures for current practices and establishes health requirements and standards for operating on Elk ranches and domesticated elk facilities in the state. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	10/17/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R70-630	Filing ID:	50173
Effective Date:	10/17/2023		

Agency Information

1. Department:	Agriculture and Food		
Agency:	Regulatory Services		
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:	
Travis Waller	801-982-2250	twaller@utah.gov	
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov	
Amber Brown	385-245-5222	ambermbrown@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R70-630. Water Vending Machine
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Per Title 4, Chapter 5, Utah Wholesome Act, the Department of Agriculture and Food (Department) has the authority to implement rules pertaining to water vending machines to ensure machines are delivering the amount

of water; the quality of water; and the equipment is installed, operated, and maintained to protect the health, safety, and welfare of the consuming public.

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 public comments were received during the last five years about this rule.

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

The Department has determined that this rule is necessary to regulate water vending machines in Utah and provide guidance to those who operate the machines, in an effort to protect the health, safety, and welfare of the consuming public. Therefore, this rule should be continued.

Since no public comments were received, the department does not agree or oppose any comments.

Agency Authorization Information

Agency head or designee and title:	Craig Buttars, Commissioner	Date:	10/17/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R307-101	Filing ID:	53312
Effective Date:	11/01/2023		

Agency Information

1. Department:	Environmental Quality		
Agency:	Air Quality		
Building:	MASOB		
Street address:	195 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 144820		
City, state and zip:	Salt Lake City, UT 84114-4820		
Contact persons:			
Name:	Phone:	Email:	
Erica Pryor	385-499-3416	epryor1@utah.gov	
Becky Close	801-536-4013	bclose@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R307-101. General Requirements
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 19-2-104(1)(a) authorizes the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources...."
Rule R307-101 includes definitions used throughout all the rules contained in Title R307 that are written under Section 19-2-104. Without these definitions, the remaining rules would be unenforceable.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received on this rule since the previous five-year review in 2018.
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 R307-101-2 includes all the definitions that apply throughout all the rules contained in Title R307. Without them, the remaining rules would be unenforceable. Therefore, this rule should be continued.
Section R307-101-3 incorporates by reference the most current version of the Code of Federal Regulations cited in many of the Air Quality Rules.
In addition, R307-101 is also a component of Utah's State Implementation Plan, which has been federally approved.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Division Director	Date:	09/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R307-150	Filing ID:	52815
Effective Date:	11/01/2023		

Agency Information

1. Department:	Environmental Quality
Agency:	Air Quality
Building:	MASOB
Street address:	195 N 1950 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Erica Pryor	385-499-3416	epryor1@utah.gov
Greg Mortensen	385-226-6171	gmortensen@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R307-150. Emission Inventories
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 19-2-104(1)(c) allows the Air Quality Board to make rules "...requiring persons engaged in operations which result in air pollution to ...file periodic reports containing information relating to the rate, period of emission, and composition of the air contaminant...."
Rule R307-150 implements that statute by specifying the sources that must submit information, the information that must be submitted, and the due date for submissions.
Rule R307-150 meets the requirements of the federal Consolidated Emissions Reporting Rule (CERR), 40 CFR 51.30(e) (67 FR 39602).
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received on this rule since its previous five-year review in 2018.
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 state of Utah is required under the federal CERR, 40 CFR 51.30(e), to submit inventories of emissions from a variety of sources to the federal Environmental Protection Agency on a schedule specified in the federal rule.
Rule R307-150 specifies the kinds of sources that must submit inventory information to the state in order for the state to meet its responsibilities under the CERR.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

In addition, the inventory information is required in order to determine the fees paid by sources subject to 40 CFR Part 70 and Rule R307-415, the Operating Permit Program, and for determining where emission reductions can be achieved if needed for Utah to remain in attainment of the federal health standards for air quality.

Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Division Director	Date:	09/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R307-405	Filing ID:	52599
Effective Date:	11/01/2023		

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Erica Pryor	385-499-3416	epryor1@utah.gov
Jon Black	801-536-4047	jblack@utah.gov

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

General Information

2. Rule catchline:
R307-405. Permits: Major Sources in Attainment or Unclassified Areas (PSD)

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 19-2-108 states that, "Notice shall be given to the director by any person planning to construct a new installation which will or might reasonably be expected to be a source or indirect source of air pollution or to make

modifications to an existing installation which will or might reasonably be expected to increase the amount of or change the character or effect of air contaminants discharged...."

Rule R307-405 implements the federal Prevention of Significant Deterioration (PSD) permitting program for major sources and major modifications in attainment areas and maintenance areas as required by 40 CFR 51.166.

Subsection 19-2-104(3)(q) states that the Air Quality Board may meet the requirements of federal laws.

Rule R307-405 is also required by Section VIII, Prevention of Significant Deterioration of the State Implementation Plan. This plan is required under Clean Air Act (CAA), 42 U.S.C. 7410 and 40 CFR 51.166.

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

No written comments have been received on this rule since its previous five-year review in 2018.

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

Rule R307-405 is required by Section 19-2-108.

Rule R307-405 is also required by Section VIII, Prevention of Significant Deterioration of the State Implementation Plan, which is incorporated by reference under Rule R307-110. This plan is required under the CAA, 42 U.S.C. 7410 and 40 CFR 51.166. Without this plan, the Environmental Protection Agency would be required to impose a federal implementation plan.

Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Division Director	Date:	09/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R307-840	Filing ID:	53562
Effective Date:	11/01/2023		

Agency Information

1. Department:	Environmental Quality
Agency:	Air Quality
Building:	MASOB
Street address:	195 N 1950 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Erica Pryor	385-499-3416	epryor1@utah.gov
Leonard Wright	801-707-8032	leonardwright@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R307-840. Lead-Based Paint Program Purpose, Applicability, and Definitions
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Rule R307-840 is one of three Air Quality rules that implements Subsection 19-2-104(1)(i) which authorizes the Air Quality Board to make rules to "implement the lead-based paint requirements for training, certification, and performance of 15 U.S.C. 2601 et seq., Toxic Substances Control Act, Subchapter IV--Lead Exposure Reduction, Sections 402 and 404."
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received on this rule since its previous five-year review in 2018.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Without Rule R307-840, Utah would not have authority to implement the federal requirements; implementation would be carried out by the Environmental Protection Agency. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Division Director	Date:	09/27/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R623-1	Filing ID: 52262
Effective Date:	10/10/2023	

Agency Information

1. Department:	Lieutenant Governor	
Agency:	Elections	
Room number:	220	
Building:	Capitol	
Street address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 142325	
City, state and zip:	Salt Lake City, UT 84114-2325	
Contact persons:		
Name:	Phone:	Email:
Ryan Cowley	801-538-1041	elections@utah.gov
Shelly Jackson	801-538-1041	elections@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R623-1. Lieutenant Governor's Procedure for Regulation of Lobbyist Activities
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Section 36-11-404, which provides the director of elections rulemaking authority in regards to the appointment of an administrative law judge to adjudicate alleged violations and to impose penalties under Title 36, Chapter 11, Lobbyist Disclosure and Regulation Act.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received on this administrative rule since the last five-year review either in support or opposition.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

This rule is still necessary as an administrative law judge is required to adjudicate alleged violations under the Lobbyist Disclosure and Regulation Act. The agency has received no comments, so no disagreements were made.

Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Ryan Cowley, Director of Elections	Date:	10/10/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R728-503	Filing ID:	51951
Effective Date:	10/18/2023		

Agency Information

1. Department:	Public Safety	
Agency:	Peace Officer Standards and Training	
Street address:	410 W 9800 S	
City, state and zip:	Sandy, UT 84070	
Contact persons:		
Name:	Phone:	Email:
Marcus Yockey	801-965-4275	myockey@agutah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R728-503. Utah Minimum Standards for All Emergency Pursuit Policies to be Adopted by Public Agencies that Operate Authorized Emergency Pursuit Vehicles
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Section 41-6a-212, which requires the Department of Public Safety to make rules providing minimum standards for all emergency pursuit policies that are adopted by public agencies authorized to operate emergency pursuit vehicles.

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

There have not been any comments received during or since the last five-year review of this rule.

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

This rule is necessary in order to provide minimum standards for all emergency pursuit policies that are adopted by public agencies authorized to operate emergency pursuit vehicles. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Travis Rees, Director	Date:	10/18/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R850-61	Filing ID:	52051
Effective Date:	10/17/2023		

Agency Information

1. Department:	School and Institutional Trust Lands	
Agency:	Administration	
Room number:	Suite 600	
Building:	Tower 102	
Street address:	102 S 200 E	
City, state and zip:	Salt Lake City, UT 84111	
Contact persons:		
Name:	Phone:	Email:
Mike Johnson	801-538-5180	mjohnson@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R850-61. Native American Grave Protection and Repatriation

<p>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</p> <p>Subsections 53C-1-302(1)(a)(ii) and 53C-2-201(1)(a) authorize the Director of the School and Institutional Trust Lands Administration to prescribe the management of cultural resources on trust lands.</p> <p>Subsection 53C-1-201(5)(b) directs that the agency provide policies for the ownership and control of Native American remains, as defined in Section 9-9-402, that are discovered or excavated on School and Institutional Trust Lands.</p>
<p>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:</p> <p>No written comments have been received by the agency concerning this rule since the previous Five-Year Notice of Review and Statement of Continuation.</p>
<p>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</p> <p>As the agency continues to develop uses for the lands and resources granted to the various trusts, proper handling of cultural resources located on those trust lands is of great importance. This rule, which outlines the manner by which the agency handles the ownership and control of Native American remains and artifacts discovered on trust lands, continues to be of great importance.</p> <p>Therefore, this rule should be continued.</p>

Agency Authorization Information

Agency head or designee and title:	Michelle McConkie, Director	Date:	10/17/2023
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R850-110	Filing ID: 52046
Effective Date:	10/17/2023	

Agency Information

1. Department:	School and Institutional Trust Lands
Agency:	Administration
Room number:	Suite 600
Building:	Tower 102
Street address:	102 S 200 E
City, state and zip:	Salt Lake City, UT 84111

Contact persons:		
Name:	Phone:	Email:
Mike Johnson	801-538-5180	mjohnson@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

<p>2. Rule catchline:</p> <p>R850-110. Motor Vehicle Travel Designations</p>
<p>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</p> <p>Subsections 53C-1-302(l)(a)(ii) and 53C-2-30(l)(g) authorize the Director of the School and Institutional Trust Lands Administration to establish rules consistent with general policies prescribed by the board of trustees, and regulate the unauthorized use or occupation of trust lands.</p> <p>Subsection 41-22-10.1(2) authorizes the agency to designate trails, streets, or highways as open to off-highway vehicle use.</p>
<p>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:</p> <p>No written comments have been received concerning this rule since the previous Five-Year Notice of Review and Statement of Continuation.</p>
<p>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</p> <p>Off-highway vehicle usage is a rapidly increasing recreational past-time. This rule is crucial to the effective management of this usage on trust lands in order to protect the environment and the value of these lands.</p> <p>This rule contains guidelines establishing routes, usage, signage, types of vehicles, route widths, and restrictions. Therefore, this rule should be continued.</p>

Agency Authorization Information

Agency head or designee and title:	Michelle McConkie, Director	Date:	10/17/2023
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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:	R438-13	Filing ID: 51120
New Deadline Date:	03/06/2024	

Agency Information

1. Department:	Health and Human Services	
Agency:	Utah Public Health Laboratory	
Building:	Unified State Lab	
Street address:	4431 South 2700 West	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Kristin Brown	801 538- 4152	kristinbrown@utah.gov
Andreas Rohrwasser	801 631- 7658	arohrwasser@utah.gov

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

General Information

2. Rule catchline:
R438-13. Rules for the Certification of Institutions to Obtain Impounded Animals in the State of Utah
3. Reason for requesting the extension:
The Department of Health and Human Services (Department) recently filed a repeal of this rule and is proceeding with an extension to allow the Department time to appropriately repeal the rule filing.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	10/30/2023
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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

Plant Industry

No. 55707 (Amendment) R68-9: Utah Noxious Weed Act
Published: 09/15/2023
Effective: 10/30/2023

No. 55653 (Amendment) R68-25: Industrial Hemp Program
- Cannabinoid Product Processors
Published: 09/01/2023
Effective: 10/17/2023

No. 55652 (Amendment) R68-26: Cannabinoid Product
Registration and Labeling
Published: 09/01/2023
Effective: 10/17/2023

No. 55669 (Amendment) R68-28: Cannabis Processing
Published: 09/15/2023
Effective: 10/30/2023

Corrections

Administration

No. 55547 (Amendment) R251-107: Executions
Published: 09/01/2023
Effective: 11/07/2023

No. 55546 (Amendment) R251-108: Adjudicative
Proceedings
Published: 09/01/2023
Effective: 11/07/2023

No. 55544 (Amendment) R251-705: Inmate Mail
Procedures
Published: 09/01/2023
Effective: 11/07/2023

No. 55549 (Amendment) R251-707: Legal Access
Published: 09/01/2023
Effective: 11/07/2023

No. 55545 (Amendment) R251-708: Perimeter Patrol
Published: 09/01/2023
Effective: 11/07/2023

No. 55597 (Amendment) R251-711: Admission and Intake
Published: 09/01/2023
Effective: 11/07/2023

Education

Administration

No. 55739 (Amendment) R277-406: Early Learning
Program and Benchmark Assessments
Published: 10/01/2023
Effective: 11/07/2023

No. 55743 (Amendment) R277-415: School Nurses
Matching Funds
Published: 10/01/2023
Effective: 11/07/2023

No. 55740 (Amendment) R277-419: Pupil Accounting
Published: 10/01/2023
Effective: 11/07/2023

No. 55747 (New Rule) R277-439: Block Grant Funding for
Prevention Programs in Public Education
Published: 10/01/2023
Effective: 11/07/2023

No. 55748 (Amendment) R277-474: School Instruction and
Sex Education
Published: 10/01/2023
Effective: 11/07/2023

No. 55744 (Amendment) R277-484: Data Standards
Published: 10/01/2023
Effective: 11/07/2023

NOTICES OF RULE EFFECTIVE DATES

No. 55741 (Amendment) R277-489: Kindergarten Programs and Assessment
Published: 10/01/2023
Effective: 11/07/2023

No. 55745 (Amendment) R277-552: Charter School Timelines and Approval Processes
Published: 10/01/2023
Effective: 11/07/2023

No. 55749 (Amendment) R277-620: Suicide Prevention Programs
Published: 10/01/2023
Effective: 11/07/2023

No. 55750 (Amendment) R277-629: Paid Professional Hours for Educators
Published: 10/01/2023
Effective: 11/07/2023

No. 55752 (Amendment) R277-701: Early College Programs
Published: 10/01/2023
Effective: 11/07/2023

No. 55753 (Amendment) R277-922: Digital Teaching and Learning Grant Program
Published: 10/01/2023
Effective: 11/07/2023

No. 55742 (Amendment) R277-927: Teacher and Student Success Act (TSSA) Program
Published: 10/01/2023
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Environmental Quality

Air Quality

No. 55324 (Amendment) R307-110-17: Section IX, Control Measures for Area and Point Sources, Part H, Emission Limits
Published: 06/01/2023
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No. 55324 (Change in Proposed Rule) R307-110-17: Section IX, Control Measures for Area and Point Sources, Part H, Emission Limits
Published: 10/01/2023
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Health and Human Services

Child Care Center Licensing

No. 55690 (Amendment) R381-40: Commercial Preschool Programs
Published: 09/15/2023
Effective: 11/09/2023

No. 55615 (Amendment) R381-60: Hourly Child Care Centers
Published: 09/01/2023
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No. 55691 (Amendment) R381-70: Out of School Time Child Care Programs
Published: 09/15/2023
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No. 55614 (Amendment) R381-100: Child Care Centers
Published: 09/01/2023
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Center for Medical Cannabis

No. 55700 (Amendment) R383-1: Definitions
Published: 09/15/2023
Effective: 10/23/2023

No. 55717 (Amendment) R383-2: Electronic Verification System and Inventory Control System
Published: 09/15/2023
Effective: 10/23/2023

No. 55714 (Amendment) R383-4: Qualified Medical Providers
Published: 09/15/2023
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No. 55694 (Amendment) R383-5: Dosing Guidelines
Published: 09/15/2023
Effective: 10/23/2023

No. 55695 (Amendment) R383-6: Pharmacy Medical Providers
Published: 09/15/2023
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No. 55698 (Amendment) R383-7: Medical Cannabis Pharmacy
Published: 09/15/2023
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No. 55699 (Amendment) R383-8: Medical Cannabis Pharmacy Agent
Published: 09/15/2023
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No. 55697 (Amendment) R383-9: Home Delivery and Courier
Published: 09/15/2023
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No. 55701 (Repeal) R383-11: Agreement With a Tribe
Published: 09/15/2023
Effective: 10/23/2023

No. 55710 (Repeal) R383-12: Administrative Hearing Procedures
Published: 09/15/2023
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No. 55716 (Repeal and Reenact) R383-13: Compassionate Use Board
Published: 09/15/2023
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No. 55711 (Amendment) R383-14: Administrative Penalties
Published: 09/15/2023
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No. 55715 (New Rule) R383-15: Compassionate Use
Board Administrative Hearing Procedure
Published: 09/15/2023
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Integrated Healthcare

No. 55496 (Amendment) R414-8: Electronic Personal
Medical Records for the Medicaid Program
Published: 07/01/2023
Effective: 10/26/2023

No. 55497 (Amendment) R414-12: Laboratory Services
Published: 07/01/2023
Effective: 10/30/2023

No. 55498 (Amendment) R414-502: Nursing Facility Levels
of Care
Published: 08/01/2023
Effective: 10/30/2023

No. 55693 (Amendment) R414-515: Long Term Acute Care
Published: 09/15/2023
Effective: 11/01/2023

No. 55616 (Amendment) R414-522: Electronic Visit
Verification Requirements for Personal Care and Home
Health Care Services
Published: 09/01/2023
Effective: 10/26/2023

Residential Child Care Licensing

No. 55618 (Amendment) R430-50: Residential Certificate
Child Care
Published: 09/01/2023
Effective: 11/09/2023

No. 55619 (Amendment) R430-90: Licensed Family Child
Care
Published: 09/01/2023
Effective: 11/09/2023

Health Care Facility Licensing

No. 55686 (Amendment) R432-12: Small health Care
Facility (Four to Sixteen Beds) Construction Rule
Published: 09/15/2023
Effective: 11/09/2023

No. 55539 (Repeal and Reenact) R432-101: Specialty
Hospital - Psychiatric
Published: 08/15/2023
Effective: 11/01/2023

No. 55504 (Amendment) R432-201: Mental Retardation
Facility: Supplement A to the Small Health Care Facility Rule
Published: 08/01/2023
Effective: 10/26/2023

No. 55593 (Amendment) R432-270: Assisted Living Facility
Published: 09/01/2023
Effective: 11/09/2023

Human Services Program Licensing

No. 55600 (New Rule) R501-3: Inspection and
Enforcement
Published: 09/01/2023
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Recovery Services

No. 55676 (New Rule) R527-57: Kinship Locate
Published: 09/15/2023
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No. 55682 (New Rule) R527-221: Children in Care Support
Services
Published: 09/15/2023
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Higher Education (Utah Board of) Administration

No. 55702 (New Rule) R765-606: USHE Employee Partner
Scholarship
Published: 09/15/2023
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No. 55703 (New Rule) R765-607: PRIME Program Grant
Published: 09/15/2023
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No. 55704 (New Rule) R765-617: Karen Mayne Public
Safety Officer Scholarship Program
Published: 09/15/2023
Effective: 10/30/2023

Lieutenant Governor

Elections

No. 55535 (New Rule) R623-9: Ballot Printing, Handling,
and Envelope Standards
Published: 09/01/2023
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No. 55536 (New Rule) R623-10: Voter Registration
Database Security and Voter List Maintenance
Published: 09/01/2023
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Natural Resources

Outdoor Recreation

No. 55589 (New Rule) R650-302: Utah Outdoor Recreation
Infrastructure Grant
Published: 09/01/2023
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No. 55590 (New Rule) R650-303: Restoration Recreation
Infrastructure Grant Program
Published: 09/15/2023
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No. 55673 (New Rule) R650-304: Utah Children's Outdoor Recreation and Education Grant Program
Published: 09/15/2023
Effective: 10/24/2023

State Parks

No. 55647 (Amendment) R651-700: Administrative Procedures for Real Property Management
Published: 09/15/2023
Effective: 10/24/2023

Public Service Commission

Administration

No. 55689 (New Rule) R746-316: Electrical Power Delivery Quality Plans
Published: 09/15/2023
Effective: 10/26/2023

Tax Commission

Property Tax

No. 55713 (Amendment) R884-24P-29: Construction Work in Progress Pursuant to Utah Constitution Art. XIII, Section 2 and Utah Code Ann. Sections 59-2-201 and 59-2-301
Published: 09/15/2023
Effective: 10/27/2023

No. 55708 (Amendment) R884-24P-33: 2023 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-107
Published: 09/15/2023
Effective: 10/27/2023

Transportation Commission

Administration

No. 55692 (Amendment) R940-3: State Infrastructure Bank Fund, Prioritization process, Procedures, and Standards for Making Loans or Providing Infrastructure Assistance
Published: 09/15/2023
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UTech Board of Trustees

Administration

No. 55719 (Repeal) R945-1: UTech Technical College Scholarship
Published: 10/01/2023
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Workforce Services

Housing and Community Development

No. 55712 (Amendment) R990- 200: Private Activity Bonds
Published: 09/15/2023
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End of the Notices of Rule Effective Dates Section