

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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EXECUTIVE DOCUMENTS

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

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

PROCLAMATION

WHEREAS, since the close of the 2024 General Session of the 65th Legislature of the state of Utah, certain matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by virtue of the authority vested in me by the Constitution and Laws of the state of Utah, do by this Proclamation call the Senate only of the 65th Legislature of the state of Utah into the Seventh Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 17th day of April 2024, at 4:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the state of Utah since the close of the 2024 General Session of the Legislature of the state of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, this 16th day of April 2024

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2024-07E

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between April 02, 2024, 12:00 a.m., and April 15, 2024, 11:59 p.m. are included in this, the May 01, 2024, 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 May 31, 2024. 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 August 29, 2024, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R35-1	Filing ID: 56410

Agency Information

1. Department:	Government Operations	
Agency:	Records Committee	
Street address:	346 S Rio Grande Street	
City, state and zip:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	801-531-3851	rshaw@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R35-1. State Records Committee Appeal Hearing Procedures
3. Reason for this change:
The reason for the change is to ensure the Records Committee (Committee) has everything they need five business days before the hearing while they review the appeal before the meeting. The goal is also to add clarity to processes when a party needs to postpone a hearing, when previously the request needed to come only from the petitioner.
4. Summary of this change:
An addition to Section R35-1-1 and a change to Subsection R35-1-2(5) provides the same deadline to all participating parties. The Chair has discretion on the time for presentation, but the time for respondent and petitioner must be equal. Subsection R35-1-2(11) is moved up to Section R35-1-1 so it's easier to find. There are also some changes to allow either party to request a hearing be postponed to a later meeting. Lastly, Subsection (g) was added to Section R35-1-5 so participants are aware this is also an order the Committee may issue.

Fiscal Information

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

A) State budget:
There are no substantive changes being made regarding the fiscal impact of this rule. The changes are meant to clarify or improve procedures. The first improvement requires all parties to submit materials to the Executive Secretary five business days before the hearing. This change will allow the Committee more time to prepare for the hearing. There is no fiscal impact to this change as the time it takes parties to prepare for their presentation will remain the same. The second improvement allows the Chair to dictate presentation time. This will allow the Committee to operate more efficiently. There will be no fiscal impact as a party may request the Chair if they require more time to present their case and all parties will have equal time. All other changes to the rule are clarifying in nature.
B) Local government:
There are no substantive changes being made regarding the fiscal impact of this rule. The changes are meant to clarify or improve procedures. The first improvement requires all parties to submit materials to the Executive Secretary five business days before the hearing. This change will allow the Committee more time to prepare for the hearing. There is no fiscal impact to this change as the time it takes parties to prepare for their presentation will remain the same. The second improvement allows the Chair to dictate presentation time. This will allow the Committee to operate more efficiently. There will be no fiscal impact as a party may request the Chair if they require more time to present their case and all parties will have equal time. All other changes to the rule are clarifying in nature.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no substantive changes being made regarding the fiscal impact of this rule. The changes are meant to clarify or improve procedures. The first improvement requires all parties to submit materials to the Executive Secretary five business days before the hearing. This change will allow the Committee more time to prepare for the hearing. There is no fiscal impact to this change as the time it takes parties to prepare for their presentation will remain the same. The second improvement allows the Chair to dictate presentation time. This will allow the Committee to operate more efficiently. There will be no fiscal impact as a party may request the Chair if they require more time to present their case and all parties will have equal time.

All other changes to the rule are clarifying in nature.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes are meant to clarify or improve procedures.

The first improvement requires all parties to submit materials to the Executive Secretary five business days before the hearing. This change will allow the Committee more time to prepare for the hearing. There is no fiscal impact to this change as the time it takes parties to prepare for their presentation will remain the same.

The second improvement allows the Chair to dictate presentation time. This will allow the Committee to operate more efficiently. There will be no fiscal impact as a party may request the Chair if they require more time to present their case and all parties will have equal time.

All other changes to the rule are clarifying in nature.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes are meant to clarify or improve procedures.

The first improvement requires all parties to submit materials to the Executive Secretary five business days before the hearing. This change will allow the Committee more time to prepare for the hearing. There is no fiscal impact to this change as the time it takes parties to prepare for their presentation will remain the same.

The second improvement allows the Chair to dictate presentation time. This will allow the Committee to operate more efficiently. There will be no fiscal impact as a party may request the Chair if they require more time to present their case and all parties will have equal time.

All other changes to the rule are clarifying in nature.

F) Compliance costs for affected persons:

There are no substantive changes being made regarding the fiscal impact of this rule. The changes are meant to clarify or improve procedures.

The first improvement requires all parties to submit materials to the Executive Secretary five business days before the hearing. This change will allow the Committee more time to prepare for the hearing. There is no fiscal impact to this change as the time it takes parties to prepare for their presentation will remain the same.

The second improvement allows the Chair to dictate presentation time. This will allow the Committee to operate more efficiently. There will be no fiscal impact as a party may request the Chair if they require more time to present their case and all parties will have equal time.

All other changes to the rule are clarifying 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 Government Operations, Marvin Dodge, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 63G-2-502(2)		
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Public Notice Information

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

A) Comments will be accepted until: 05/31/2024

9. This rule change MAY become effective on: 06/07/2024

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:	Kenneth Williams, Director and State Archivist	Date:	04/02/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R66-36	Filing ID: 56433

Agency Information

1. Department:	Agriculture and Food	
Agency:	Medical Cannabis and Industrial Hemp	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
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
Brandon Forsyth	801-710-9945	bforsyth@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:
R66-36. Transport of Transportable Industrial Hemp Concentrate

3. Purpose of the new rule or reason for the change:
A new rule is needed to implement statutory changes passed during the 2024 General Session in H.B. 52, Industrial Hemp Amendments.

The bill defines transportable industrial hemp concentrate and allows it to be transported according to rules written by the Department of Agriculture and Food (Department).

4. Summary of the new rule or change:
This rule sets the transportation requirements for transportable industrial hemp concentrate, including Department notification, approval, and record keeping requirements, testing requirements, and rules that allow the Department to inspect facilities and order destruction of non-compliant products.

Fiscal Information

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

A) State budget:
This new program will incur some costs for the state, including approximately \$5,500 in inspection costs (staff time and equipment) and \$7,600 in administrative costs for the industrial hemp program to process transportation approvals and denials.

This estimate is based on the program's expectation of how many licensees will be interested in transporting transportable industrial hemp concentrate multiplied by the Department's estimate of the staff time that will be needed to administer and inspect each participant. This is a total cost of \$13,100 for FY 25 and FY 26 and \$3,275 for the remainder of FY 24.

The Department estimates a reduced cost in FY 2024 based on the number of months left in 2024. The Department laboratory will incur additional testing costs of \$13,500 which will be equally offset by approximately \$13,500 in additional revenue brought in through testing fees paid by licensees. Approximately 25% of this cost and benefit will be borne in FY 24 based on the number of months remaining in FY 24.

B) Local governments:
Local governments do not regulate hemp producers and are not licensed to produce hemp products and would not be impacted by this rule.

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

Licenses that participate in this program will incur an additional cost of \$350 per licensee for required testing for a total of \$13,500. The \$350 estimate is based on the tests that will be required under this rule and the current cost for each test.

Approximately 75% off this cost will be borne by small businesses or \$10,125 per year with 25% costs for the remainder of FY 24 due to the months that will be remaining in the year when this rule is effective.

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

Licenses that participate in this program will incur an additional cost of \$350 per licensee for required testing for a total of \$13,500. The \$350 estimate is based on the tests that will be required under this rule and the current cost of each test.

Approximately 25% off this cost will be borne by non-small businesses or \$3,375 per year with 25% cost for the remainder of FY 24 due to the months that will be remaining in the year when the rule is effective.

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 are not licensed under or administer the program and will not be impacted by 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?):

Affected licenses will be required to pay approximately \$350 for required testing to transport transportable industrial hemp concentrate under 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	\$6,650	\$26,600	\$26,600
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Cost	\$6,650	\$26,600	\$26,600
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$3,375	\$13,500	\$
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$3,375	\$13,500	\$13,500
Net Fiscal Benefits	\$(3,375)	\$(13,100)	\$(13,100)

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

The Commissioner of the Utah Department of Agriculture and Food, Craig W. 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:

Section 4-41-103.1		
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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:	05/31/2024
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9. This rule change MAY become effective on:

06/07/2024
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:	Craig W. Buttars, Commissioner	Date:	04/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-108	Filing ID: 56422

Agency Information

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

General Information

2. Rule or section catchline:
R277-108. Annual Assurance of Compliance by Local School Boards
3. Purpose of the new rule or reason for the change:
This rule is being updated to simplify the Local Education Agency (LEA) compliance and Assurance Checklist incorporated by reference document.
4. Summary of the new rule or change:
The amendments specifically add oversight categorization information, eliminate certain assurances that are not needed due to other oversight activities, and also update the incorporated by reference documents publication date and website link. The assurance document, incorporated by reference, was updated to eliminate some assurances and organize the assurances with new headers identifying the assurances required by federal law separately from those required by state law.

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 fiscal impacts on state government revenues or expenditures. The changes to update the LEAs compliance and assurance document

do not add costs for the Utah State Board of Education (USBE) or any other state agency.

LEAs attest to compliance with state and federal regulations. This rule change does not require any expenditures or create any measurable savings.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

The updated document and annual assurances serve the purpose of LEAs attesting to compliance with state and federal regulations. Certain of these assurances were removed as they are already monitored in other areas by existing USBE staff and processes. Therefore, there are no added costs or measurable savings for USBE or LEAs.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The changes to update the LEA compliance and assurance document do not add costs for LEAs or other local governments.

LEAs will continue to attest to compliance with state and federal regulations. This rule change does not require any LEA expenditures or create any measurable cost savings. The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

The updated document and annual assurances serve the purpose of LEAs attesting to compliance with state and federal regulations. Certain of these assurances were removed as they are already monitored in other areas by existing USBE staff and processes. Therefore, there are no added costs or measurable savings for USBE or LEAs.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This rule change only affects USBE and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not

account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule change only affects USBE and LEAs.

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 does not create any additional costs for USBE or LEAs.

LEAs attest to compliance with state and federal regulations. The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

The updated document and annual assurances serve the purpose of LEAs attesting to compliance with state and federal regulations. Certain of these assurances were removed as they are already monitored in other areas by existing USBE staff and processes. Therefore, there are no added costs or measurable savings for USBE or LEAs.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:

Article X, Section 3	Subsection 53E-3-401(4)	
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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)	Local Education Agency (LEA) Compliance and Assurance Checklist
Publisher	Utah State Board of Education
Issue Date	April 5, 2024
Issue or Version	2024-2025 school year

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:	05/31/2024
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9. This rule change MAY become effective on:	06/07/2024
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-404	Filing ID: 56423

Agency Information

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

General Information

2. Rule or section catchline:
R277-404. Requirements for Assessments of Student Achievement
3. Purpose of the new rule or reason for the change:
This rule is being amended to make updates to the document "Standard Test Administration and Testing Ethics Policy for Utah Educators" that is incorporated in this rule.

4. Summary of the new rule or change:
The amendments specifically add oversight categorization information, and also update the incorporated by reference documents publication date and website link.
The updated testing policy includes technical updates and updated requirements for proctoring statewide assessments.

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 fiscal impact on state government revenues or expenditures. The changes add the Utah State Board of Education (USBE) oversight categorization information from Rule R277-111 and update the website link for the Standard Test Administration and Testing Ethics Policy for Utah Educators.
These changes do not add costs or savings for USBE or Local Education Agencies (LEAs). The prior testing ethics policy did have the requirement for two proctors being actively involved. The new policy adds instruction and guidance on how the proctors should accomplish their duties by circulating through the room and monitoring student behavior. This updated guidance does not add any measurable costs for USBE or LEAs but allows test proctors to be better equipped to monitor students.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The changes add the USBE oversight categorization information from Rule R277-111 and update the website link for the Standard Test Administration and Testing Ethics Policy for Utah Educators.
These changes do not add costs or savings for USBE or LEAs. The prior testing ethics policy did have the requirement for two proctors being actively involved. The new policy adds instruction and guidance on how the proctors should accomplish their duties by circulating through the room and monitoring student behavior. This updated guidance does not add any measurable costs for USBE or LEAs but allows test proctors to be better equipped to monitor students.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This rule change only impacts USBE and LEAs.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The changes add the USBE oversight categorization information from Rule R277-111 and update the website link for the Standard Test Administration and Testing Ethics Policy for Utah Educators. These changes do not add costs or savings for USBE, LEAs, or educators.

The prior testing ethics policy did have the requirement for two proctors being actively involved. The new policy adds instruction and guidance on how the proctors should accomplish their duties by circulating through the room and monitoring student behavior. This updated guidance does not add any measurable costs for USBE or LEAs but allows test proctors to be better equipped to monitor students.

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 the USBE oversight categorization information from R277-111 and update the website link for the Standard Test Administration and Testing Ethics Policy for Utah Educators. These changes do not add costs or savings for USBE or LEAs.

The prior testing ethics policy did have the requirement for two proctors being actively involved. The new policy adds instruction and guidance on how the proctors should accomplish their duties by circulating through the room and monitoring student behavior. This updated guidance does not add any measurable costs for USBE or LEAs but allows test proctors to be better equipped to monitor students.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

Citation Information

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

Section 53E-3-401	Section 53E-4-302	Subsection 53G-6-803(9)(b)
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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)	Standard Test Administration and Testing Ethics Policy
Publisher	Utah State Board of Education

Issue Date	April 4, 2024
Issue or Version	May 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:	05/31/2024

9. This rule change MAY become effective on:	06/07/2024
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-406	Filing ID: 56424

Agency Information

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

General Information

2. Rule or section catchline:
R277-406. Early Learning Program and Benchmark Assessments

3. Purpose of the new rule or reason for the change:
This rule is being updated to provide additional clarification related to literacy instruction in the early grades and to update the rule following the passage of S.B. 2 during the 2024 General Session.
4. Summary of the new rule or change:
The amendments specifically add a definition for "Reading on Grade Level" or "ROGL" for third grade.
The amendments also add Section R277-406-3, which specifies incorporation by reference documents "Science of Reading Evidence Informed Core Criteria Checklist" and "Evidence Criteria for Evidence-Based Curriculum".
These resources provide guidance to LEAs on selection of science of reading curriculum.
In addition, the amendments also make updates to the requirements related to Early Learning Plan accountability and reporting.

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 fiscal impact on state government revenues or expenditures. The changes respond to legislative changes from S.B. 2 (2024).
The appropriation for Early Literacy funding for Local Education Agencies (LEAs) has been removed and this rule is updated accordingly.
The Utah State Board of Education (USBE) does not estimate a fiscal impact outside the fiscal note for S.B. 2 (2024). There are no costs or savings for USBE or other state agencies associated with this rule change.
B) Local governments:
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The changes respond to legislative changes from S.B. 2 (2024). The appropriation for Early Literacy funding for LEAs has been removed and this rule is updated accordingly. The fiscal note from S.B. 2 (2024) captures these fiscal impacts to LEAs.
Regarding the literacy instruction clarifications, LEAs without evidence-based curriculum may need to review and update their curriculum. USBE considers this to be an existing legislative requirement and does not have knowledge of any LEAs not using evidence-based curriculum. USBE does not estimate any measurable costs or savings associated with this rule change for LEAs.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures.

This only affects USBE and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities.

This only affects USBE and LEAs.

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 respond to legislative changes from S.B. 2 (2024).

The appropriation for Early Literacy funding for LEAs has been removed and the rule is updated accordingly. The fiscal note from S.B. 2 (2024) captures these fiscal impacts to LEAs.

Regarding the literacy instruction clarifications, LEAs without evidence-based curriculum may need to review and update their curriculum. USBE considers this to be an existing legislative requirement and does not have knowledge of any LEAs not using evidence-based curriculum. USBE does not estimate any measurable costs or savings associated with this rule change for LEAs or USBE.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:

Article X, Section 3	Subsection 53E-3-401(4)	Section 53E-3-521
Section 53E-4-307	Section 53E-4-307.5	Subsection 53F-2-503(14)(a)
Section 53G-7-203		

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)	Science of Reading Evidence Informed Core Criteria Checklist
Publisher	Utah State Board of Education
Issue Date	April 4, 2024

B) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Evidence Criteria for Evidence-Based Curriculum
Publisher	Utah State Board of Education
Issue Date	April 4, 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:	05/31/2024

9. This rule change MAY become effective on:	06/07/2024
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R277-462	Filing ID: 56425

Agency Information

1. Department:	Education
Agency:	Administration
Building:	Board of Education
Street address:	250 E 500 S
City, state and zip:	Salt Lake City, UT 84111
Mailing address:	PO Box 144200

City, state and zip:	Salt Lake City, UT 84114-4200	
Contact persons:		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R277-462. School Counseling Program
3. Purpose of the new rule or reason for the change:
This rule is being amended to make updates to the incorporated by reference document "Utah K-12 Comprehensive School Counseling Program Components Document", and also to make updates that align with current practices.
4. Summary of the new rule or change:
The amendments specifically add oversight categorization information and make updates to the incorporated by reference documents publication date and website link.
In addition, the amendments clarify the requirements related to the school counseling program and approval criteria and the allowable use of funds. The incorporated document was changed to simplify and consolidate language and requirements for Local Education Agencies (LEAs).
Changes also provide flexibility for programming at the LEA level.

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 fiscal impact on state government revenues or expenditures. The changes to the school counseling document, oversight framework categorization, and clarification on school counseling programs do not add any measurable costs or savings for the Utah State Board of Education (USBE).
Clarity on not using school counseling funds for a separate matching requirement does not add any costs or savings for USBE.
The updated documents and clarification on school counseling programs provide a framework for best practices in school counseling. This does not add any measurable costs because it provides guidelines and information for school counselors and school administrators to better provide the services they are

already providing. It does not create new services or add counselors, other staff, or other resources.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The changes to the school counseling document, oversight framework categorization, and clarification on school counseling programs do not add any measurable costs or savings for Local Education Agencies (LEAs). Clarity on not using school counseling funds for a separate matching requirement does not add any costs or savings for LEAs.

The school counseling funds have been restricted for school counseling purposes and this is not a change of practice. The updated documents and clarification on school counseling programs provide a framework for best practices in school counseling. This does not add any measurable costs because it provides guidelines and information for school counselors and school administrators to better provide the services they are already providing. It does not create new services or add counselors, other staff, or other resources.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USBE and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-

small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities.

This only affects USBE and LEAs.

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 to the school counseling document, oversight framework categorization, and clarification on school counseling programs do not add any measurable costs or savings for USBE or LEAs. Clarity on not using school counseling funds for a separate matching requirement does not add any costs or savings for USBE or LEAs.

The updated documents and clarification on school counseling programs provide a framework for best practices in school counseling. This does not add any measurable costs because it provides guidelines and information for school counselors and school administrators to better provide the services they are already providing. It does not create new services or add counselors, other staff, or other resources.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-2-304(2)(b)
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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 K-12 Comprehensive School Counseling Model
Publisher	Utah State Board of Education
Issue Date	April 4, 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:	05/31/2024
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9. This rule change MAY become effective on:	06/07/2024
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R277-464	Filing ID: 56426

Agency Information

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

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

General Information

2. Rule or section catchline:
R277-464. School Counselor Direct and Indirect Services
3. Purpose of the new rule or reason for the change:
This rule is being updated to make updates to the incorporated by reference document "School Counselor Services Document", and also to make updates that align with current practices.
4. Summary of the new rule or change:
The amendments specifically add oversight categorization information and make updates to the incorporated by reference documents publication date and website link.
Incorporated documents were amended to align with new code and the new due dates.

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 fiscal impact on state government revenues or expenditures. The rule changes to add oversight categorization information and the School Counselor Services Document does not add measurable costs for the Utah State Board of Education (USBE) or Local Education Agencies (LEAs).

The updated document provides best practices for school counseling services. This does not add any measurable costs because it simply provides guidelines and information for school counselors and school administrators to better provide the services they are already providing. It does not create new services or add counselors, other staff, or other resources.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The rule changes to add oversight categorization information and the School Counselor Services Document does not add measurable costs for USBE or LEAs. The updated document provides best practices for school counseling services. This does not add any measurable costs because it simply provides guidelines and information for school counselors and school administrators to better provide the services they are already providing. It does not create new services or add counselors, other staff, or other resources.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USBE and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities.

This only affects USBE and LEAs.

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 rule changes add oversight categorization information and the School Counselor Services Document does not add measurable costs for USBE or LEAs. The updated document provides best practices for school counseling services. This does not add any measurable costs because it simply provides guidelines and information for school counselors and school administrators to better provide the services they are already providing. It does not create new services or add counselors, other staff, or other resources.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:

Article X, Section 3	Subsection 53E-3-401(4)	Section 53E-3-518
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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)	School Counselor Services Document
Publisher	Utah State Board of Education
Issue Date	February 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:	05/31/2024
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9. This rule change MAY become effective on:	06/07/2024
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R277-631	Filing ID: 56427

Agency Information

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

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

General Information

2. Rule or section catchline:
R277-631. Student Toilet Training Requirements
3. Purpose of the new rule or reason for the change:
This new rule is being created as a result of the passage of H.B. 331 during the 2024 General Session.
4. Summary of the new rule or change:
This new rule is necessary to establish requirements regarding toilet training for incoming kindergartners.

Fiscal Information

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

A) State budget:

This new rule is not expected to have fiscal impact on state government revenues or expenditures.

The fiscal note to H.B. 331 (2024) captured any fiscal impacts and this rule does not add any additional fiscal requirements for the Utah State Board of Education (USBE) or Local Education Agencies (LEAs).

B) Local governments:

This new rule is not expected to have fiscal impact on local governments' revenues or expenditures. The fiscal note to H.B. 331 (2024) captured any fiscal impacts and this rule does not add any additional fiscal requirements for USBE or LEAs.

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

This new rule is not expected to have fiscal impact on small businesses' revenues or expenditures.

This only affects USBE and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed new rule is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This new rule is not expected to have fiscal impacts on revenues or expenditures for persons other than small businesses, businesses, or local government entities.

This only affects USBE and LEAs.

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 fiscal note to H.B. 331 (2024) captured any fiscal impacts and this rule does not add any additional fiscal requirements for USBE or LEAs.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:

Article X, Section 3	Subsection 53E-3-401(4)	Section 53G-7-203
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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: 05/31/2024

9. This rule change MAY become effective on: 06/07/2024

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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R277-700	Filing ID:	56428
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Agency Information

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

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

General Information

2. Rule or section catchline:
R277-700. The Elementary and Secondary General Core

3. Purpose of the new rule or reason for the change:
This rule is being amended to update the high school credit requirements.

4. Summary of the new rule or change:

The amendments specifically add oversight categorization information, and also provide the requirement for LEAs to recognize high school student credits that are earned before the student starts Grade 9.

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 fiscal impact on state government revenues or expenditures. The oversight categorization information does not add costs or savings for the Utah State Board of Education (USBE) or Local Education Agencies (LEAs).

The requirements to recognize high school credits for credits earned prior to grade 9 is changed to include additional sources besides the Statewide Online Education Program (SOEP). This is not estimated to have a measurable fiscal impact on USBE or LEAs.

USBE does not currently have data on how many high school credits are earned prior to grade 9 by students but does not believe it to be an impactful amount. Those few students completing high school credits prior to grade 9 outside of the SOEP program will now be able to receive credit on their high school transcripts for those efforts. USBE does not anticipate a measurable change in graduation rates associated with this change, or any need for additional staff or resources.

This does not add costs as LEAs already have processes in place to record outside credit.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself.

B) Local governments:

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The oversight categorization information does not add costs or savings for USBE or LEAs.

The requirements to recognize high school credits for credits earned prior to grade 9 are changed to include additional sources besides the Statewide Online Education Program. This is not estimated to have a measurable fiscal impact on USBE or LEAs. USBE does not currently have data on how many high school credits are earned prior to grade 9 by students but does not believe it to be an impactful amount. Those few students completing high school credits prior to grade 9 outside of

the SOEP program will now be able to receive credit on their high school transcripts for those efforts. USBE does not anticipate a measurable change in graduation rates associated with this change, or any need for additional staff or resources.

This does not add costs as LEAs already have processes in place to record outside credit.

The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USBE and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities.

This only affects USBE and LEAs.

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 oversight categorization information does not add costs or savings for USBE or LEAs.

The requirements to recognize high school credits for credits earned prior to grade 9 are changed to include additional sources besides the Statewide Online

Education Program. This is not estimated to have a measurable fiscal impact on USBE or LEAs.

USBE does not currently have data on how many high school credits are earned prior to grade 9 by students but does not believe it to be an impactful amount. Those few students completing high school credits prior to grade 9 outside of the SOEP program will now be able to receive credit on their high school transcripts for those efforts.

This does not add costs as LEAs already have processes in place to record outside credit.

USBE does not anticipate a measurable change in graduation rates associated with this change, or any need for additional staff or resources. The oversight framework categorization is part of USBE's effort through Rule R277-111 to categorize each rule into an oversight framework category, or to delineate for stakeholders what type of monitoring or oversight is required by USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself.

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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:		
Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(1)(b)
Section 53E-4-202		

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:	05/31/2024

9. This rule change MAY become effective on:	06/07/2024
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R313-28-20	Filing ID: 56419

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Radiation
Room number:	2nd Floor
Building:	MASOB
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R313-28-20. Definitions
3. Purpose of the new rule or reason for the change:
During recent discussions with an x-ray registrant, it was suggested that a definition of the term "Healing Arts" was needed in the x-ray rules to assist the regulated community in understanding what is covered under the rules for use of x-rays in the healing arts.
4. Summary of the new rule or change:
This amendment adds a definition of the term "Healing Arts" to the definitions contained in Section R313-28-20.

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 amendment adds a definition to this rule to clarify a term and does not add, remove, or change any requirements found in this rule. The amendment will have no impact on how the Division of Waste Management and Radiation Control, Radiation functions.
B) Local governments:
This rule amendment is not expected to have a fiscal impact on local governments because it only clarifies pre-existing requirements for entities regulated by this rule and does not add, remove, or change any requirements.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule amendment is not expected to have a fiscal impact on small businesses because it only clarifies pre-existing requirements for entities regulated by this rule and does not add, remove, or change any requirements.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule amendment is not expected to have a fiscal impact on non-small businesses because it only clarifies pre-existing requirements for entities regulated by this rule and does not add, remove, or change any 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 amendment is not expected to have a fiscal impact on persons other than small businesses, non-small businesses, state or local governments because it only clarifies pre-existing requirements for entities regulated by this rule and does not add, remove, or change any requirements.

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 with this rule amendment. The amendment clarifies pre-existing requirements for entities regulated by this rule and does not add, remove, or change any 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, Kimberly 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 19-3-104	Section 19-6-107	
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Public Notice Information

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

A) Comments will be accepted until:	05/31/2024
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9. This rule change MAY become effective on: 06/17/2024

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:	Douglas J. Hansen, Director	Date:	04/11/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R315-309	Filing ID:	56420
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Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room number:	2nd Floor
Building:	MASOB
Street address:	195 N 1950 W

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R315-309. Financial Assurance
3. Purpose of the new rule or reason for the change:
The Division of Waste Management and Radiation Control, Waste Management (Division) is amending this rule to correct rule references that have changed due to other rule and statute amendments and providing clarifying language. The Division is also correcting typographical and rule formatting errors.
4. Summary of the new rule or change:
Clarifying language is being added in Subsection R315-309-1(1). The language makes it clear that financial assurance is required for any solid waste facility subject to the requirements of Subsection R315-310(1)(a). There are some approvals such as a plan of operation that are considered a permit by definition but are not routinely subject to financial assurance. Additional language was added to this rule to give the director of the Division some discretion to require financial assurance for other facility types if necessary. The rule citation to Subsections R315-309-3(6)(b) and (c) was corrected to Subsections R315-309-9(6)(b) and (c).

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no cost or savings to the state budget due to this rule amendment because it does not change any rule requirements, only clarifies existing requirements.
B) Local governments:
There is no cost or savings to local governments due to this rule amendment because it does not change any rule requirements, only clarifies existing requirements.

C) Small businesses ("small business" means a business employing 1-49 persons):																																				
There is no cost or savings to small businesses due to this rule amendment because it does not change any rule requirements, only clarifies existing requirements.																																				
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																																				
There is no cost or savings to non-small businesses due to this rule amendment because it does not change any rule requirements, only clarifies existing 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 <i>agency</i>):																																				
There is no cost or savings to persons other than small businesses, non-small businesses, state or local government entities due to this rule amendment because it does not change any rule requirements, only clarifies existing requirements.																																				
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 existing requirements with no fiscal impact.																																				
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																																				
Regulatory Impact Table																																				
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <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> </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 Benefits	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0
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State Government	\$0	\$0	\$0																																	

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
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 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 19-6-105		
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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:	05/31/2024
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9. This rule change MAY become effective on: 06/17/2024

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:	Douglas J. Hansen, Division Director	Date:	04/11/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R315-310	Filing ID: 56421

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room number:	2nd Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov

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

General Information

2. Rule or section catchline:
R315-310. Permit Requirements for Solid Waste Facilities

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

The Division of Waste Management and Radiation Control, Waste Management (Division) is amending this rule to correct rule references that are incorrect, providing clarifying language, and amending rule language in accordance with legislation.

The Division is also correcting typographical and rule formatting errors.

4. Summary of the new rule or change:

Language was added to Section R315-310-1 to clarify that facility types not addressed specifically in sections of Rule R315-310 and to also require permits as found in other applicable parts of the rules.

The amendment prevents disagreement between Section R315-310-1 and other parts of the rules, including the definition of "permit" in Subsection R315-301-2(55).

The change will require compost facilities, transfer stations, recycling facilities, and waste pile facilities to apply for renewal of their permit every 10 years.

The citations to Subsection R315-310-1(a) found in Subsection R315-310-1(5) are being changed to the correct citation to Subsection R315-310-1(1).

Language is being added to Section R315-310-3 as required by H.B. 357 that was passed during the 2013 General Session of the Utah Legislature. The language

details the financial information that local governments must submit with a permit application for a new facility.

Language has been deleted from Subsection R315-310-2(2) which required two copies of a permit application to be submitted to the director. Permit applications are now being received electronically and duplicate copies are not needed.

Language has been added to Subsection R315-310-3(1)(b) that extends the exemption for engineer signatures on designs and drawings to facility types not listed in Subsection R315-310-1(1)(b).

The citation to Subsection R315-310-3(3)(a)(i) found in Subsection R315-310-3(2)(a)(ii) and Subsection R315-310-3(2)(b) is being changed to the correct citation to Subsection R315-310-3(2)(a)(i).

Language has been added to Subsection R315-310-3(3)(a) to clarify that information to demonstrate that the requirements of Subsection 19-6-108(11) have been satisfied must be included with the permit application for a Commercial Solid Waste Disposal facility.

The citation to Subsections R315-310-3(2)(a), (b), and (c) found in Subsection R315-310-3(3)(d) is being changed to the correct citation to Subsections R315-310-3(3)(a), (b), and (c).

Language is being added to Subsection R315-310-3(3)(e) as required by S.B. 68 that was passed during the 2011 General Session of the Utah Legislature. The language clarifies that the governor's and legislature's approvals may be automatically revoked in accordance with the Utah Code.

Language has been added to Subsection R315-310-10(1) that consolidates the information requirements for a post-closure care permit into one location to make it easier for applicants to locate the requirements. The language contains citations to the various sections of the solid waste rules where each of the requirements can be found.

A new requirement for operators of waste piles was added at Subsection R315-310-10(1)(e) that requires these operators to submit the information required by Subsection R315-314-2(2)(f).

Fiscal Information

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

A) State budget:

It is not anticipated that there will be any cost or savings to the state budget based on these amendments. The majority of the changes are clarifications and corrections.

New requirements that may have a cost impact include a permit renewal requirement for compost facilities, transfer

stations, recycling facilities, and waste pile facilities. The state does not currently operate any of these and it is not anticipated that it will in the future so there are no costs to the state budget due to these requirements.

Additionally, the amendments include a requirement for certain types of waste pile facilities to provide information and any costs that may be associated with gathering the information would be minimal and not measurable. The state does not operate an affected waste pile facility.

B) Local governments:

The majority of the changes are clarifications and corrections.

However, there are 23 facilities operated by local governments that will now be required to apply for a permit renewal every 10 years. The facilities affected include compost facilities, transfer stations, recycling facilities, and waste pile facilities. It is typical for these facilities to make corrections or updates to their permits as needed. These facility types currently make changes to their plans of operation on an as-needed basis depending on changes to business practices, and occasional changes that improve compliance and implement best management practices. The efforts to make such changes are currently absorbed in the budgets of these facilities. It cannot be estimated whether the renewal of these plans of operation on a 10-year basis will increase costs.

Additionally, the amendments include a requirement for certain types of waste pile facilities to provide information and any costs that may be associated with gathering the information would be minimal and not measurable. No local governments currently operate an affected waste pile facility.

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

The majority of the changes are clarifications and corrections.

However, there are 13 facilities operated by small businesses that will now be required to apply for a permit renewal every 10 years. The facilities affected include compost facilities, transfer stations, recycling facilities, and waste pile facilities. These facility types currently make changes to their plans of operation on an as-needed basis depending on changes to business practices, and occasional changes that improve compliance and implement best management practices. The efforts to make such changes are currently absorbed in the budgets of these facilities. It cannot be estimated whether the renewal of these plans of operations on a 10-year basis will increase costs.

Additionally, the amendments include a requirement for certain types of waste pile facilities to provide information and any costs that may be associated with gathering the information would be minimal and not measurable.

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

The majority of the changes are clarifications and corrections.

However, there are 10 facilities operated by non-small businesses that will now be required to apply for a permit renewal every 10 years. The facilities affected include compost facilities, transfer stations, recycling facilities, and waste pile facilities. These facility types currently make changes to their plans of operation on an as-needed basis depending on changes to business practices, and occasional changes that improve compliance and implement best management practices. The efforts to make such changes are currently absorbed in the budgets of these facilities. It cannot be estimated whether the renewal of these plans of operations on a 10-year basis will increase costs.

Additionally, the amendments include a requirement for certain types of waste pile facilities to provide information and any costs that may be associated with gathering the information would be minimal and not measurable.

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 majority of the changes are clarifications and corrections.

However, there is 1 waste pile facility operated by a person other than a small business, non-small business, state, or local government that will now be required to apply for a permit renewal every 10 years. These facility types currently make changes to their plans of operation on an as-needed basis depending on changes to business practices, and occasional changes that improve compliance and implement best management practices. The efforts to make such changes are currently absorbed in the budgets of these facilities. It cannot be estimated whether the renewal of these plans of operations on a 10-year basis will increase costs.

Additionally, the amendments include a requirement for certain types of waste pile facilities to provide information and any costs that may be associated with gathering the information would be minimal and not measurable.

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

The amendments include new requirements for compost facilities, transfer stations, recycling facilities, and waste pile facilities to apply for a permit renewal every 10 years. These facility types currently make changes to their plans of operation on an as-needed basis depending on changes to business practices, and occasional changes that improve compliance and implement best

management practices. The efforts to make such changes are currently absorbed in the budgets of these facilities. It cannot be estimated whether the renewal of these plans of operations on a 10-year basis will increase 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 Environmental Quality, Kim 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 19-6-105	Section 19-6-108	Section 19-6-109
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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: 05/31/2024

9. This rule change MAY become effective on: 06/17/2024

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:	Douglas J. Hansen, Division Director	Date:	04/11/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R426-5	Filing ID:	56430
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Agency Information

1. Department:	Health and Human Services		
Agency:	Population Health, Emergency Medical Services		
Room number:	2438		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 142004		
City, state and zip:	Salt Lake City, UT 84114-2004		
Contact persons:			
Name:	Phone:	Email:	
Dean Penovich	801-913-2621	dpenovich@utah.gov	
Mariah Noble	385-214-1150	mariahnoble@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R426-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards

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

The purpose of this amendment is to update it to comply with changes in national educational and licensure standards.

The agency's staff reviewed changes with the national registry of EMTs and determined it was necessary to update this rule to ensure Utah requirements mirror national standards and that this rule addresses Emergency Medical Services (EMS) professionalism.

4. Summary of the new rule or change:

This change updates EMS education requirements in accordance with the national standard.

It also addresses and updates the Department of Health and Human Services (DHHS) EMS training practices and policies to better serve the EMS community and system.

It removes EMT-IA from this rule, as DHHS no longer licenses those.

Additionally, it adds a professional conduct and code of ethics for EMS personnel to the rule through an incorporation by reference.

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 it clarifies updates to pre-existing requirements that are already in practice but does not add to those requirements.

Furthermore, DHHS has not been licensing EMT-IAs and therefore the removal of EMT-IA from this rule will not result in a cost or savings to the state budget.

B) Local governments:

This rule proposal is not expected to have a fiscal impact on local governments' revenues or expenditures, as it primarily clarifies updates to pre-existing requirements that are already in practice for districts but does not add to those requirements.

Any other changes to this rule do not apply to local governments.

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

This rule proposal is not expected to have a fiscal impact on small businesses' revenues or expenditures, as it primarily clarifies updates to pre-existing requirements that are already in practice but does not add to those requirements. Any other changes to this rule do not apply to small businesses.

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

This rule proposal is not expected to have a fiscal impact on non-small businesses' revenues or expenditures, as it primarily clarifies updates to pre-existing requirements that are already in practice but does not add to those requirements.

Any other changes to this rule do not apply 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 proposal is not expected to have a fiscal impact on other persons, as it primarily clarifies updates to pre-existing requirements that are already in practice but does not add to those requirements.

Any other changes to this rule do not apply to other persons.

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 rule proposal primarily clarifies updates to pre-existing requirements that are already in practice but does not add to those requirements.

Any other changes to this rule do not apply.

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-4-101	Section 26B-4-102	
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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)	Course Coordinator Manual
Publisher	Utah Department of Health and Human Services
Issue Date	March 2023

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

Official Title of Materials Incorporated (from title page)	EMT Student Handbook
Publisher	Utah Department of Health and Human Services
Issue Date	July 2023

C) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Recertification Guide
Publisher	National Registry of Emergency Medical Technicians
Issue Date	February 1, 2023
Issue or Version	Version 4

D) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Standards and Guidelines for the Accreditation of Educational Programs in the Emergency Medical Services Professions
Publisher	Commission on Accreditation of Allied Health Education Programs (CAAHEP)
Issue Date	2023

E) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Training Officer Manual
Publisher	Utah Department of Health and Human Services
Issue Date	July 2023

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:	05/31/2024
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9. This rule change MAY become effective on:	06/07/2024
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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:	Tracy S. Gruber, Executive Director	Date:	04/15/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R426-8	Filing ID: 56431

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:
R426-8. Emergency Medical Services Ground Ambulance Rates and Charges

3. Purpose of the new rule or reason for the change:
Section 26B-4-152 mandates the Department of Health and Human Services (Department) to set ground ambulance rates, which is done annually and must be made effective on the first day of the new fiscal year, July 1, 2024, according to Medicaid payment schema.

The purpose of this change is to update the maximum allowable charges for ground ambulance providers.

4. Summary of the new rule or change:
This amendment updates maximum allowable charges for ground ambulance providers and corrects department reference language.

It also clarifies what costs are included in base EMS transport rates.

It clarifies what can be charged by EMS for transports, as well as scene care when EMS treats an individual but does not provide transport.

The rates set in Subsections R426-8-200(6)(a) through (e) have undergone a 7.9% increase.

Additionally, the amendment removes an antiquated line about older EMT-IA agencies.

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.

The amendments do not affect costs or revenues since the state does not provide ground ambulance services.

B) Local governments:

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

Anticipated revenues for local governments that provide ground ambulance services will have a net increase of 4.13% based on a gross rate increase of 7.9% for base rates. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans Administration, non-payments, negotiated payments, and private insurance payments. Financial data is obtained directly from all ground ambulance providers.

Local government-operated ground ambulance patient transports total is estimated at 103,699 transports based on the previous reported calendar year.

Increased rates will require additional costs for local governments to the State EMS Medicaid fund of an additional estimate of \$2.66 per transport. 103,699 (total estimated transports) x \$2.66 (EMS Medicaid assessment rate increase) = \$275,839 (estimated local government costs).

Gross billed charges for local governments are estimated from past annual fiscal reports and billing data. Gross billed charge estimates from patient transports for local government providers were \$231,568,028. \$231,568,028 x 7.9% raise in rate = \$18,293,874 increased gross billed charges.

Net payments for local governments are estimated from past annual fiscal reports and billing data. Net payments from patient transport for local governments was \$95,565,843. \$95,565,843 x 4.13% (net effect of 7.9% raise in rate) = \$3,946,869 increased net payments.

Net revenues for local governments are calculated as follows: \$3,946,869 (increased net payments) - \$275,839 (Medicaid assessment increase) = \$3,671,030 (net revenue or benefit for local governments).

As this rule is expected to be made effective July 1, 2024, it is not anticipated to have any fiscal impact during FY2024.

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

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

Anticipated revenues for small businesses that provide ground ambulance services will have a net increase of 4.13% based on a gross rate increase of 7.9%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans Administration, non-payments, negotiated payments, and private insurance payments. Financial data is obtained directly from all ground ambulance providers.

Small business operated ground ambulance patient transports total is estimated at 411 transports based on the previous reported calendar year.

Increased rates will require additional costs for small businesses to the State EMS Medicaid fund of an additional estimate of \$2.66 per transport. 411 (total estimated transports) x \$2.66 (EMS Medicaid assessment rate increase) = \$1,093 (estimated small business costs).

Gross billed charges for small businesses are estimated from past annual fiscal reports and billing data. Gross billed charge estimates from patient transport for small businesses were \$917,795. \$917,795 x 7.9% rise in rate = \$72,506 increased gross billed charges.

Net payments for small businesses are estimated from past annual fiscal reports and billing data. Net payments from patient transport for small businesses was \$378,765. \$378,765 x 4.13% (net effect of 7.9% raise in rate) = \$15,643 increased net payments.

Net revenues for small businesses are calculated as follows: \$15,643 (increased net payments) - \$1,093 (Medicaid assessment increase) = \$14,550 (net revenue or benefit for small businesses).

As this rule is expected to be made effective July 1, 2024, it is not anticipated to have any fiscal impact during FY2024.

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

There are two non-small businesses that provide ground ambulance services based licensed issued by the Department.

Anticipated revenues for non-small businesses that provide ground ambulance services will have a net increase of 4.13% based on a gross rate increase of 7.9%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans Administration, non-payments, negotiated payments, and private insurance payments. Financial data is obtained directly from all ground ambulance providers.

Non-small business operated ground ambulance patient transports total is estimated at 59,623 transports based on the previous reported calendar year.

Increased rates will require additional costs for non-small businesses to the State EMS Medicaid fund of an additional estimate of \$2.66 per transport. 59,623 (total estimated transports) x \$2.66 (EMS Medicaid assessment rate increase) = \$158,597 (estimated non-small business costs).

Gross billed charges for non-small businesses are estimated from past annual fiscal reports and billing data. Gross billed charge estimates from patient transports for non-small businesses was \$133,142,851. \$133,142,851 x 7.9% rise in rate = \$10,518,285 increased gross billed charges.

Net payments for non-small businesses are estimated from past annual fiscal reports and billing data. Net payments from patient transport for non-small businesses was \$54,946,743. \$54,946,743 x 4.13% (net effect of 7.9% raise in rate) = \$2,269,300 increased net payments.

Net revenues for non-small businesses are calculated as follows: \$2,269,300 (increased net payments) - \$158,597 (Medicaid assessment increase) = \$2,110,703 (net revenue or benefit for non-small businesses).

As this rule is expected to be made effective July 1, 2024, it is not anticipated to have any fiscal impact during FY2024.

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 seven agencies that fall into this category.

Anticipated revenues for this other category that provide ground ambulance services will have a net increase of

4.13% based on a gross rate increase of 7.9%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections.

Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans Administration, non-payments, negotiated payments, and private insurance payments.

Financial data is obtained directly from all ground ambulance providers. This other category operated ground ambulance patient transports total is estimated at 2,915 transports based on the previous reported calendar year.

Increased rates will require additional costs for this other category to the State EMS Medicaid fund of an additional estimate of \$4 per transport. 2,915 (total estimated transports) x \$2.66 (EMS Medicaid assessment rate increase) = \$7,754 (estimated other category costs).

Gross revenues for this other category are estimated from past annual fiscal reports and billing data. Gross revenue estimate from patient transport for this other category is \$6,509,424. \$6,509,424 x 7.9% raise in rate = \$514,245 increase gross billing estimate.

Net payments for this other category are estimated from past annual fiscal reports and billing data. Net payments from patient transports for this other category was \$2,686,375. \$2,686,375 x 4.13% (net effect of 7.9% raise in rate) = \$110,947 increased net payments.

Net revenues for this other category are calculated as follows: \$110,947 (net revenue increase estimate) - \$7,754 (Medicaid assessment increase) = \$103,193 (net revenue or benefit for this other area).

As this rule is expected to be made effective July 1, 2024, it is not anticipated to have any fiscal impact during FY2024.

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 remain unchanged.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$275,839	\$275,839

Small Businesses	\$0	\$1,093	\$1,093
Non-Small Businesses	\$0	\$158,597	\$158,597
Other Persons	\$0	\$7,754	\$7,754
Total Fiscal Cost	\$0	\$443,284	\$443,284
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$3,946,869	\$3,946,869
Small Businesses	\$0	\$15,643	\$15,643
Non-Small Businesses	\$0	\$2,269,300	\$2,269,300
Other Persons	\$0	\$110,947	\$110,947
Total Fiscal Benefits	\$0	\$6,342,760	\$6,342,760
Net Fiscal Benefits	\$0	\$5,899,476	\$5,899,476
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-4-152	Section 26B-4-102	

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:	05/31/2024

9. This rule change MAY become effective on:	06/07/2024
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:	Tracy S. Gruber, Executive Director	Date:	04/15/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R547-13	Filing ID:	56432

Agency Information

1. Department:	Health and Human Services	
Agency:	Juvenile Justice and Youth Services	
Room number:	3rd Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Brett Peterson	385-394-4407	brett@utah.gov
Reg Garff	801-602-6261	rgarff@utah.gov
Mariah Noble	385-214-1150	mariahnoble@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:
The Department of Health and Human Services (Department) identified a gap in required oversight in uncommon instances in which a minor under the age of ten may need to be detained in order to preserve public safety and the safety of the minor. As a result, the Department is filing this proposed rule change.
4. Summary of the new rule or change:
These amendments would allow the director to detain minors under the age of ten in limited circumstances and in cooperation with the juvenile courts.

This amended rule also updates the number sequencing and makes style and formatting changes in accordance 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 is no anticipated cost or savings to the state budget, as the director of the agency is already responsible for the oversight of detained minors, and while this rule change extends that oversight to minors under ten, the responsibility remains the same. As such events have been uncommon in the past, they are not anticipated to add a significant or estimable fiscal burden or benefit to the state.

B) Local governments:

This rule change is not anticipated to have a fiscal impact on local governments' revenues or expenditures, as detention oversight applies only to state entities.

Local law enforcement may detain minors for questioning, but this is not anticipated to introduce a cost or savings to local governments as those processes are already in practice.

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

This rule change is not anticipated to have a fiscal impact on small businesses, as this amendment only affects state entities, with a small potential for local government involvement, and no service is required of small businesses with regard to detention of minors under ten.

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

This rule change is not anticipated to have a fiscal impact on non-small businesses, as this amendment only affects state entities, with a small potential for local government involvement, and no service is required of non-small businesses with regard to detention of minors under ten.

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 not anticipated to have a fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities. This amendment only affects state entities, with a small potential for local government involvement, and no service is required of other persons with regard to detention of minors under ten.

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 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
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	FY2024	FY2025	FY2026
	\$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 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: 05/31/2024

9. This rule change MAY become effective on: 06/07/2024

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: Tracy S. Gruber, Executive Director **Date:** 04/15/2024

NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number: R590-190-11 **Filing ID:** 56414

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:

R590-190-11. Standards for Prompt, Fair, and Equitable Settlement for Automobile Insurance

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

The rule is being amended to ensure that an auto insurer fully compensates the owner of a vehicle that is totaled as a result of an accident.

4. Summary of the new rule or change:

The change adds language to Subsection R590-190-11(2)(a) to make it clear that a total loss settlement shall include taxes and fees. This language was included in the previous version of the rule but was mistakenly left out of a recent amendment.

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. This rule directs the activities of an insurer related to their insureds and does not require the state's involvement.

B) Local governments:

There is no anticipated cost or savings to local governments. This rule directs the activities of an insurer related to their insureds and does not require any local government's involvement.

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

There is no anticipated cost or savings to small businesses. This rule directs the activities of an insurer related to their insureds and does not require any small business' involvement.

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

There is no anticipated cost or savings to any non-small business. All insurers operating in Utah are non-small businesses. The language in this change -- requiring inclusion of taxes and fees in a total loss settlement -- is industry best practice and insurers have continued operating under this best practice despite the omission in the previous amendment of this rule.

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

There is no anticipated cost or savings to any other person. This rule directs the activities of an insurer related to their insureds and does not require the involvement of any other 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 any affected persons. Insurers affected by this rule change have continued operating under the previous language as an industry best practice.

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-21-312	Section 31A-26-301
Section 31A-26-303		

Public Notice Information

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

A) Comments will be accepted until: 05/31/2024

9. This rule change MAY become effective on: 06/07/2024

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:	Steve Gooch, Public Information Officer	Date:	04/09/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R590-200	Filing ID: 56415

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:

R590-200. Diabetes Treatment and Management
3. Purpose of the new rule or reason for the change:
This rule is being changed to update the rounding methodology for the insulin prescription cap calculation, which will save programming costs for health insurers and provide savings to individuals who purchase insulin.
This rule is also being changed to fix a numbering issue in this rule.
4. Summary of the new rule or change:
The change alters the rounding methodology for the insulin prescription cap to round down to the nearest five-dollar increment. It also fixes the rule's numbering scheme, which inadvertently left out Section R590-200-4 in a previous amendment.

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 calculations to achieve the insulin prescription cap are all done by the insurer, not the state. The state will not need to take any action as a result of this rule.
B) Local governments:
There is no anticipated cost or savings to local governments. The change to this rule governs the relationship between the state and its licensees and does not involve local governments in any way.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. No small businesses will be affected by this rule.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The health insurers operating in Utah -- all of which are non-small businesses -- will save money on programming costs. However, the amount will vary by insurer depending on each insurer's process and the Department of Insurance (Department) cannot estimate the aggregate savings.
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 see minimal savings as a result of this change. An insured who purchases insulin will see a

savings of \$3.10 to \$3.68 per month on their insulin prescriptions. The Department does not know the number of insulin users in Utah, and so cannot estimate the aggregate savings for these persons.

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 limited compliance costs for affected health insurers. These insurers will need to change their programming methods to accommodate the changes. The Department cannot estimate the impact of these costs because they will depend on each insurer's process. However, the costs are expected to be minimal.

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-22-626	

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:	05/31/2024

9. This rule change MAY become effective on:	06/07/2024
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:	Steve Gooch, Public Information Officer	Date:	04/09/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R590-230-5	Filing ID: 56417

Agency Information

1. Department:	Insurance
Agency:	Administration
Room number:	Suite 2300
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state and zip:	Taylorville, 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:
R590-230-5. Producer Training
3. Purpose of the new rule or reason for the change:
This section is being changed to update a date by which a producer must meet an annuity suitability training requirement.
4. Summary of the new rule or change:
The changes allow for a producer who completed an annuity suitability training course before July 1, 2024, to be considered as having met the training requirements in certain circumstances.

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 to the state budget. The change merely gives agents a larger window to complete required training. It does not involve any additional work or cost on the part of the state.
B) Local governments:
There is no anticipated cost or savings to local governments. This rule governs the relationship between the Department of Insurance (Department) and its licensees, and does not involve local governments in any way.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or saving to small businesses.
The actual requirement to complete the training is in the existing version of the rule and requires agents to take the training within the year after July 1, 2024. This change simply allows agents to take the training "early" from January 1, 2024, to July 1, 2024.
Or in other words, agents now have a larger window to complete the required training. It does not involve any additional work or cost on the part of any small business.

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

There is no anticipated cost or saving to non-small businesses. The actual requirement to complete the training is in the existing version of the rule and requires agents to take the training within the year after July 1, 2024. This change simply allows agents to take the training "early" from January 1, 2024, to July 1, 2024.

Or in other words, agents now have a larger window to complete the required training. It does not involve any additional work or cost on the part of any non-small business.

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 saving to any other persons. The actual requirement to complete the training is in the existing version of the rule and requires agents to take the training within the year after July 1, 2024. This change simply allows agents to take the training "early" from January 1, 2024, to July 1, 2024.

Or in other words, agents now have a larger window to complete the required training. It does not involve any additional work or cost on the part of 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 any affected persons. The change merely gives agents a larger window to complete required training.

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-22-425	
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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:	05/31/2024
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9. This rule change MAY become effective on:	06/07/2024
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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:	Steve Gooch, Public Information Officer	Date:	04/09/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R592-6	Filing ID: 56416

Agency Information

1. Department:	Insurance	
Agency:	Title and Escrow Commission	
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:
R592-6. Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business
3. Purpose of the new rule or reason for the change:
The Title and Escrow Commission determined that changes to this rule were necessary to make this rule match current market conditions and practices. It worked with the industry and public to amend the rule to that end.
4. Summary of the new rule or change:
This rule makes several changes that bring this rule more into line with current business practices and permit certain activities that were previously prohibited. It also clarifies the definition of "client", removes the "Permitted Methods of Competition" section because two methods were removed, and the other was inserted as an exception to the prohibitions section.

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 Department of Insurance (Department) will continue regulating the industry as usual.

B) Local governments:
There is no anticipated cost or savings to local governments. This rule governs the relationship between the Department and its title insurance licensees and does not involve local government in any way.
C) Small businesses ("small business" means a business employing 1-49 persons):
The rule amendments include increases in the limits on which the Department's licensees may spend money in marketing and promoting themselves. The limits were raised for gifts, business meals, refreshments at meetings, and self-promotional items.
For this reason, the Department believes that licensees -- including small businesses -- may spend more with the amendments in place.
However, the Department is not able to estimate the extent to which the licensees will increase their spending under the new limits.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The rule amendments include increases in the limits on which the Department's licensees may spend money in marketing and promoting themselves. The limits were raised for gifts, business meals, refreshments at meetings, and self-promotional items. For this reason, the Department believes that licensees -- including non-small businesses -- may spend more with the amendments in place.
However, the Department is not able to estimate the extent to which the licensees will increase their spending under the new limits.
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 rule amendments include increases in the limits on which the Department's licensees may spend money in marketing and promoting themselves. The limits were raised for gifts, business meals, refreshments at meetings, and self-promotional items. For this reason, the Department believes that licensees -- including individual title insurance licensees -- may spend more with the amendments in place.
However, the Department is not able to estimate the extent to which the licensees will increase their spending under the new limits.
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. This rule is being changed to permit certain marketing activities that were previously prohibited, but there is no requirement that any title insurance licensee perform those activities. The spending thresholds are being increased, but each licensee is able to make a business decision according to their needs and abilities. A licensee may spend up to the limits outlined but is by no means required 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 Commissioner of 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:

Subsection 31A-2-404(2)		
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Public Notice Information

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

A) Comments will be accepted until:	05/31/2024
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9. This rule change MAY become effective on:	06/07/2024
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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:	Steve Gooch, Public Information Officer	Date:	04/09/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R746-8-301	Filing ID: 56434

Agency Information

1. Department:	Public Service Commission	
Agency:	Administration	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S, 4th Floor	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 4558	
City, state and zip:	Salt Lake City, UT 84114-4558	
Contact persons:		
Name:	Phone:	Email:
John Delaney	801-530-6724	jdelaney@utah.gov

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

General Information

2. Rule or section catchline:
 R746-8-301. Calculation and Application of UUSF Surcharge

3. Purpose of the new rule or reason for the change:
 The purpose of this rule amendment is to ensure the Utah Universal Public Telecommunications Service Support Fund (UUSF) meets the fund's statutory obligations and does not incur deficits beyond those obligations.

As provided in Subsection 54-8b-15(2), the UUSF provides a funding mechanism for qualifying telecommunications carriers "to obtain specific, predictable, and sufficient funds to deploy and manage" networks for end-users of certain telecommunications services.

UUSF funding is provided by "an explicit charge assessed" – or surcharge – on each telecommunications access line or connection, pursuant to Subsection 54-8b-15(8). That surcharge is then remitted to the UUSF by telecommunications carriers who have collected the surcharge from their customers on a "per access line" basis, pursuant to Subsection 54-8b-15(9).

The "per access line" basis allows the Public Service Commission (PSC), with the assistance of the Division of Public Utilities (DPU), to estimate UUSF revenue based on the number of customers of any given telecommunications carrier. In other words, the UUSF balance is a function of the revenue collected and remitted from the surcharge based on the projected number of access lines (Subsections 54-8b-15(8) and (9)), which is then offset by the projected costs attributable to deployment and management of the applicable telecommunications networks (Subsection 54-8b-15(2)).

Accordingly, the projected "per access line" surcharge must be occasionally adjusted to meet the statutory obligations relating to the projected UUSF costs. Thus, this rule amendment increases the monthly UUSF surcharge remittal amount from \$0.71 to \$0.98 per access line.

DPU recently provided a recommendation to increase the current UUSF surcharge rate to meet the calendar year 2024 (CY2024) UUSF distributions previously ordered by the PSC and the estimated UUSF distributions for fiscal year 2025 (July 1, 2024, to June 30, 2025) (FY2025) so that, as required by Utah law, regulated Utah telecommunications carriers will "obtain specific, predictable, and sufficient funds to deploy and manage" networks for end-users of certain telecommunications services.

The reason for DPU's recommended increase in the surcharge is, in part, to address a recently discovered error by New Cingular Wireless PCS, LLC ("AT&T") in its reporting of the number of access lines subject to the surcharge. According to DPU, AT&T overreported those numbers for approximately 23 months (August 2021 through July 2023), which in turn provided an inaccurate basis upon which DPU provided its baseline calculations for the UUSF surcharge which was implemented on December 29, 2023.

Specifically, the UUSF surcharge of \$0.71 implemented on December 29, 2023, is inadequate to fund the CY2024 and estimated FY2025 statutory UUSF distribution requirements because, in part, after correcting AT&T's reporting error, the actual number of access lines subject to the surcharge have now been reduced by approximately 260,000 per month and thus results in less revenue to meet the costs associated with the UUSF statutory obligations.

In addition, the estimated UUSF distributions for CY2024 were significantly underestimated. The PSC anticipates making this rule amendment effective on July 1, 2024, so that it will apply to all Utah access lines and connections for the remainder of CY2024 and all FY2025.

The PSC expresses appreciation to the DPU in the Department of Commerce for providing the analysis necessary to consider and implement this rule amendment.

4. Summary of the new rule or change:

This amendment increases the monthly UUSF surcharge from \$0.71 to \$0.98 per access line.

The amendment makes three textual edits, revising the rule's three references to the \$0.71 surcharge to reflect the new \$0.98 surcharge. As explained in response to Box 3 above, the increase in the surcharge is necessary to ensure the UUSF can meet statutory obligations while remaining within policy norms.

Unless public comment convinces the PSC to alter its plans, the PSC anticipates making this rule amendment effective on July 1, 2024.

Fiscal Information

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

A) State budget:

This surcharge change will increase the balance accruing in the UUSF, satisfying the performance objective set by the Utah Legislature to maintain at least three months' worth of fund distributions without incurring a deficit.

The only other impact on the state budget is the impact on state offices that are telecommunications customers. Because the surcharge is passed on by providers to

customers, every telecommunications customer will experience an increase of \$0.27 in their monthly bill.

B) Local governments:

The only impact on local governments will be in their capacity as telecommunications customers. Because the surcharge is passed on by providers to customers, every telecommunications customer will experience an increase of \$0.27 in their monthly bill.

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

The only impact on small businesses will be in their capacity as telecommunications customers. Because the surcharge is passed on by providers to customers, every telecommunications customer will experience an increase of \$0.27 in their monthly bill.

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

The only impact on non-small businesses will be in their capacity as telecommunications customers. Because the surcharge is passed on by providers to customers, every telecommunications customer will experience an increase of \$0.27 in their monthly bill.

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**):

Affected – All customers who are billed for an access line presently pay \$0.71 per month per access line for the UUSF surcharge. That rate was implemented on December 29, 2023, and represented an increase of \$0.35 per access line per month. Under the new \$0.98 rate, all such customers will pay \$0.27 more per month per access line.

On April 4, 2024, the DPU recommended to the PSC various scenarios for increasing the surcharge rate to meet the statutory requirements for the UUSF fund for CY2024 and estimated for FY2025. The recommendations were based on different scenarios including estimated access lines numbers, distribution amounts, and costs.

Based on estimates for FY2025, an average of 3,743,761 access lines will be assessed the surcharge every month. At the current rate of \$0.71, on average, approximately \$2,623,249 would be collected to fund the UUSF on a monthly basis, or approximately \$31,478,991 per year.

At the new rate of \$0.98, approximately \$3,620,823, on average, would be collected per month, or approximately \$43,449,875 per year to fund the UUSF. The proposed rate increase will result in an approximate average increase of \$997,574 per month, or \$11,970,884 per year

to fund the UUSF, as compared to the current rate. The dollar amounts include a 1.31% administrative fee that telecommunications providers are allowed to withhold.

This will have a fiscal impact on Utah's regulated telecommunications providers that receive distributions from the UUSF. This rule amendment will enable the UUSF to make the distributions previously ordered by the PSC for CY2024 and as estimated for FY2025.

The PSC presently does not have access to the commercially sensitive information that would be necessary to determine what portion of the access lines paying the surcharge are small businesses, larger businesses, or individuals. However, this increase should affect all customers and customer classes equally on a per access line basis.

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

All telecommunications customers currently paying this surcharge will experience an increase of \$0.27 in their monthly bill.

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	\$11,970,884.00	\$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:			
PSC Commissioners, David R. Clark and John S. Harvey, Ph.D., have reviewed and approve this regulatory impact analysis.			
All telecommunications customers in Utah will experience an increase of \$0.27 on their monthly telecommunications bill. This will enable the UUSF to satisfy the Legislative performance goal of maintaining a sufficient balance in the fund to pay three months' worth of disbursements, without incurring a deficit.			
This will also enable the UUSF to meet its statutory mandate to provide a funding mechanism for Utah's qualifying regulated telecommunications carriers to "obtain specific, predictable, and sufficient funds to deploy and manage" telecommunications networks.			
The PSC appreciates the detailed analysis done by the Division of Public Utilities in the Department of Commerce that provided the PSC the necessary information.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 54-3-1	Section 54-4-1	Section 54-8b-10
Section 54-8b-15		

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/03/2024

9. This rule change MAY become effective on:	07/01/2024
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:	David R. Clark and John S. Harvey, PhD, PSC Commissioners	Date:	04/15/2024
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends May 31, 2024.

From the end of the 30-day waiting period through August 29, 2024, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Rule or Section Number:	R414-526	Filing ID: 56067
Date of Previous Publication:	11/15/2023	

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
Mariah Noble	801-538-6111	mariahnoble@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. Reason for this change:
Based on public comment and internal review, the purpose of this change in proposed rule (CPR) is to clarify provisions for accountable care organizations (ACOs) and quality measures for hospitals in accordance with Title 26B, Chapter 3, Part 7, Hospital Provider Assessment.
4. Summary of this change:
This CPR clarifies provisions for metrics, data submission, penalties, and final determinations as they relate to the payment rate structure for ACOs and quality measures for hospitals.
It also makes other grammatical and restructuring changes.
(EDITOR'S NOTE: The original proposed new rule upon which this change in proposed rule (CPR) was based was published in the November 15, 2023, issue of the Utah

State Bulletin, on page 152. Underlining in the rule below indicates text that has been added since the publication of the proposed new rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed new rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated fiscal impact to the state budget, as this CPR clarifies provisions within the text and makes other grammatical and restructuring changes.
The original filing of this rule has already accounted for any fiscal impact to the state budget.
B) Local government:
There is no anticipated impact on local governments, as they neither fund nor provide hospital services under the Medicaid program.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated impact on small businesses as this CPR clarifies provisions within the text and makes other grammatical and restructuring changes.
The original filing of this rule has already accounted for the fiscal impact on small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated impact on non-small businesses, as this CPR clarifies provisions within the text and makes other grammatical and restructuring changes.
The original filing of this rule has already accounted for the fiscal impact on 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):
There is no anticipated impact on other persons, as this CPR clarifies provisions within the text and makes other grammatical and restructuring changes.
The original filing of this rule has already accounted for the fiscal impact on other persons or entities.

NOTICES OF CHANGES IN PROPOSED RULES

F) Compliance costs for affected persons:
 As there is no anticipated impact on other persons, there are no compliance costs, as this change clarifies provisions within the text and makes other grammatical and restructuring changes.
 The original filing of this rule has already accounted for the fiscal impact on a single person or entity.

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.

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	Title 26B, Chapter 3, Part 7
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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:	05/31//2024
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9. This rule change MAY become effective on:	06/07/2024
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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:	Tracy S. Gruber, Executive Director	Date:	04/25/2024
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End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. 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:	R70-310	Filing ID: 54646
Effective Date:	04/12/2024	

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:	R70-310. Grade A Pasteurized Milk
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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:

The United States Public Health Service and the Food and Drug Administration, provide ordinances, procedures, and methods regarding Grade A Pasteurized Milk for the state which this rule adopts and incorporates by reference.

This rule defines the regulatory agency that has authority in enforcing the ordinances, and procedures as the Commissioner of the Utah Department of Agriculture and Food or the Commissioner's designee.

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

The Department of Agriculture and Food (Department) has not received any public comments regarding this rule during the last five years.

The Department has not received any comments from dairy farms, retailers, or consumers regarding the rule or any requested changes.

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 adopted these ordinances to regulate Grade A Pasteurized Milk in the state and plans to continue to regulate the products. Therefore, this rule should be continued.

Since the Department has not received public comments regarding this rule, there is no response to the comments.

Agency Authorization Information

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	04/12/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-462	Filing ID:	53111
Effective Date:	04/15/2024		

Agency Information

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

General Information

2. Rule catchline:
R277-462. School Counseling Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board. Subsection 53E-3-401(4), which allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law. Subsection 53E-2-304(2)(b) which directs local boards to develop policies for the implementation of student Plan for College and Career Readiness.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no public comments received.

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

This rule is necessary because it establishes standards and procedures for a Local Education Agency (LEA) applying for funds appropriated for the School Counseling Program. This rule also establishes the minimum counselor to student ratios within an LEA and provisions for an LEA not meeting the minimum counselor to student ratios. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R277-464	Filing ID:	53144
Effective Date:	04/15/2024		

Agency Information

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

General Information

2. Rule catchline:
R277-464. School Counselor Direct and Indirect Services
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board.

Subsection 53E-3-401(4), which allows the Board to execute rules to carry out its duties and responsibilities under the Utah Constitution and state law.

Subsection 53E-3-518, which directs the Board to make rules specifying:

- (i) the recommended direct and indirect services a school counselor may provide;
- (ii) the recommended amount of time a school counselor may spend on direct and indirect services; and
- (iii) activities for a school counselor.

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

There were no public comments received.

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

This rule is necessary because it establishes the standards and time limits for direct and indirect services provided by a counselor within a Local Education Agency. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/15/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R430-8	Filing ID: 55617
Effective Date:	04/15/2024	

Agency Information

1. Department:	Health and Human Services	
Agency:	Residential Child Care 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
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R430-8. Exemptions from Child Care Licensing
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-2-402 authorizes the Office of Residential Child Care Licensing (Office) to write and enforce rules to govern licensure of child care facilities in Utah.
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:
An updated version of this rule was recently approved by the child care licensing committee and will be filed in the coming months.
This five-year review and filing is intended to ensure this rule remains in continual effect for statutory compliance until the proposed rule change can be completed and filed.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Aside from recodification, nonsubstantive changes for Rulewriting Manual for Utah compliance, and committee-approved amendments, there have been no comments or recommendations for changes to this rule over the past five years.
Statute requires the Office to write and enforce rules pertaining to Residential Child Care Licensing. Rule R430-8 lists who may be exempt from certain requirements of licensing and under which conditions.
This rule ensures there is no lapse in oversight of the license exempt child care providers. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/15/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R432-45	Filing ID: 53818
Effective Date:	04/04/2024	

Agency Information

1. Department:	Health and Human Services
Agency:	Health Care Facility Licensing
Building:	MASOB

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

Federal law and a DHHS contract identify the Office as the entity responsible for overseeing the compliance requirements of the federal nurse aid training and competency program. This rule is necessary and ensures there is no lapse in oversight of the nurse aid training and competency program until the new rule content can be filed as an amendment. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/04/2024
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General Information

2. Rule catchline:
R432-45. Nurse Aide Training and Competency Evaluation Program
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 necessary for the state to carry out the requirements of 42 USC 1396r Subsection (5), which mandates nursing facilities to ensure training for nurse aides is federally compliant.
In addition, the Utah Medicaid State Plan Subsection 4.38 requires that the Department of Health and Human Services (DHHS) administer the NATCEP and UNAR to certify and regulate Certified Nursing Aides (CNA) and approval of the required CNA training institutions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no comments received since the last five-year review and no recommended substantive changes from the Health Care Facility Rule Committee.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
As there were no comments submitted regarding this rule, the Office of Health Care Facility Licensing (Office) has not responded to any comments.
However, the Office has determined there is need to update the content through a substantive amendment to streamline and clarify content. This amendment will not be in place before the expiration of this rule, and therefore, it is still necessary to continue this rule as is through this five-year review.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R448-20	Filing ID:	56052
Effective Date:	04/04/2024		

Agency Information

1. Department:	Health and Human Services		
Agency:	Disease Control and Prevention, Medical Examiner		
Building:	Office of the Medical Examiner		
Street address:	4451 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Contact persons:			
Name:	Phone:	Email:	
Krisann Bacon	801-816-3850	krisannbacon@utah.gov	
Michael Staley	801-816-3850	mstaley@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R448-20. Access to Medical Examiner Reports
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-1-202 and Subsection 26B-8-217(7) authorize this rule.
The first is the general public health authority of the Department of Health and Human Services (DHHS).

The second is specific language authorizing the DHHS to make rules relating to the implementation of this section of statute on who can have access to medical examiner records.

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 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 to ensure public safety in light of emerging public health threats due to suicide, drug overdose, and other forms of death that fall under the Office of Medical Examiner (OME) jurisdiction.

This rule allows partners in other government agencies to respond to possible threats, provide critical responses, and prevent additional premature deaths.

This rule allows the OME to be proactive in responding to possible public health threats, rather than rely on other actors to inquire of such deaths. Therefore, this rule should be continued.

As there were no comments submitted to DHHS in opposition of this rule, DHHS did not respond to comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/04/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R527-394	Filing ID:	55573
Effective Date:	04/15/2024		

Agency Information

1. Department:	Health and Human Services
Agency:	Recovery Services
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state and zip:	Taylorville, UT 84129
Mailing address:	PO Box 45033
City, state and zip:	Salt Lake City, UT 84114-5033

Contact persons:		
Name:	Phone:	Email:
Jodi Witte	801-471-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule catchline:
R527-394. Posting Bond or Security

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

Sections 26B-1-202 and 26B-9-108 give the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law.

Section 26B-9-223 requires ORS to establish rules for determining when it is appropriate to seek a court order requiring a noncustodial parent to post a bond or provide other security for the payment of a support debt.

45 CFR 303.105(c) requires each state to develop guidelines available to the public for determining when it is not appropriate to require a noncustodial parent to post security, bond, or some other guarantee of payment of overdue support.

The criteria listed in this rule meets those requirements.

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

There have been no comments received 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 pursuant to state law and federal regulation. Also, it helps ensure that ORS only takes legal action against a noncustodial parent to post a bond or other security when the appropriate circumstances warrant it.

Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/15/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-93	Filing ID: 54942
Effective Date:	04/03/2024	

Agency Information

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

General Information

2. Rule catchline:
R590-93. Replacement of Life Insurance and Annuities
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-22-429 authorizes the insurance commissioner to require statements regarding existing insurance to adopt the notice regarding replacement.
Section 31A-23a-402 authorizes the insurer to define methods of competition, acts, and practices as unfair or deceptive.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

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

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

This rule provides consumer protection and sets minimum standards to be followed by producers and insurers during the replacement of life insurance policies and annuity contracts.

This rule informs the consumer, who is contemplating replacing existing coverage, to think about the benefits that the old policy may provide over those in a new policy. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	04/03/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-98	Filing ID: 53928
Effective Date:	04/03/2024	

Agency Information

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

General Information

2. Rule catchline:
R590-98. Unfair Practice in Payment of Life Insurance and Annuity Policy Values

<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>Section 31A-2-201 authorizes the Insurance Commissioner to write rules to implement Title 31A, Insurance Code.</p> <p>Section 31A-23a-402 authorizes the Insurance Commissioner to define methods of competition, acts, and practices as unfair or deceptive.</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>The Department of Insurance has received no written comments regarding this rule during the past five years.</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>This rule is necessary to protect policyholders who request payment of life and annuity policy values.</p> <p>This rule requires a prompt response by a life insurance and annuity company to a policyholder's request for policy values.</p> <p>This rule limits the exercise of the statutory deferral option to situations in which the financial stability of the insurer is at risk.</p> <p>Some insurers think they can delay payment up to six months; however, such a delay must first be approved by the Insurance Commissioner. Therefore, this rule should be continued.</p>

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	04/03/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-166	Filing ID: 54186
Effective Date:	04/03/2024	

Agency Information

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

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

General Information

2. Rule catchline:
R590-166. Home Protection Service Contracts
<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>Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.</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>The Department of Insurance has received no written comments regarding this rule during the past five years.</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>This rule solves a problem facing home warranty companies that cannot find reimbursement insurance. This rule provides "alternative security" for the warranties they issue in lieu of reimbursement insurance, making it necessary to keep this rule in effect. Therefore, this rule should be continued.</p>

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	04/03/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-190	Filing ID: 55510
Effective Date:	04/03/2024	

Agency Information

1. Department:	Insurance
Agency:	Administration
Room number:	Suite 2300

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

General Information

2. Rule catchline:
R590-190. Unfair Property, Casualty, and Title Claims Settlement Practices Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-21-312 authorizes the insurance commissioner to write rules dealing with proof of loss and notice of loss time limitations under an insurance policy.
Section 31A-26-301 authorizes the insurance commissioner to write rules to provide for the timely payment of claims.
Section 31A-26-303 authorizes the insurance commissioner to write rules to define unfair claims settlement practices or acts.
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:
During the 2023 amendment of this rule, a constituent submitted concerns about a change in Subsection R590-190-11(9). The Department of Insurance agreed with the change and worked with the constituent to make this rule more fair and accurate.
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 a critical guide for the insurance industry and their insureds to use in the claim settlement and complaint process for automobile, homeowners, and title policies.

This rule is necessary to ensure such guidance is available to both consumers and the industry. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	04/03/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-191	Filing ID:	55511
Effective Date:	04/03/2024		

Agency Information

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

General Information

2. Rule catchline:
R590-191. Unfair Life Insurance Claims Settlement Practices Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.
Section 31A-21-312 authorizes the insurance commissioner to write rules dealing with proof of loss and notice of loss time limitations under an insurance policy.
Section 31A-26-301 authorizes the insurance commissioner to write rules to provide for the timely payment of claims.

Section 31A-26-303 authorizes the insurance commissioner to write rules to define unfair claims settlement practices or acts.

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

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

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

This rule is a critical guide for the insurance industry and their insureds to use in the claim settlement and complaint process for life insurance policies. This rule is necessary to ensure such guidance is available to both consumers and the industry. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	04/03/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R765-604	Filing ID:	53423
Effective Date:	04/10/2024		

Agency Information

1. Department:	Higher Education (Utah Board of)		
Agency:	Administration		
Building:	Utah Board of Higher Education Building, The Gateway		
Street address:	60 S 400 W		
City, state and zip:	Salt Lake City, UT 84101		
Contact persons:			
Name:	Phone:	Email:	
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov	

Alison A. Adams	801-643-5535	alison.adams@ushe.edu
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Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:

R765-604. New Century Scholarship

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 53B-8-105(10) requires the Utah Board of Higher Board to adopt policies establishing an application process and an appeal process for a New Century scholarship.

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 to summarize.

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 justified because the Utah Board of Higher Education continues to administer the New Century Scholarship. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kevin V. Olsen, Assistant Attorney General and Designee	Date:	04/10/2024
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR EXPIRATIONS

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

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

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

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

NOTICE OF EXPIRED RULE		
Rule Number:	R628-19	Filing ID: 51525
Effective Date:	04/16/2024	

Agency Information

1. Department:	Money Management Council	
Agency:	Administration	
Street address:	350 N State St, Suite 180	
City, state, and zip:	Salt Lake City. UT 84114-2315	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

General Information

2. Title of rule (catchline):
R628-19. Requirements for the Use of Investment Advisers by Public Treasurers

3. Summary:
The five-year review and notice of continuation was not filed for this rule by the deadline because of an emergency for a staff member. This rule has expired and will be removed from the Utah Administrative Code.
(EDITOR'S NOTE: Since this occurred unexpectedly because of a staff member being out of the office, the agency will file a proposed new rule as soon as possible to put this rule back into place.)

NOTICE OF EXPIRED RULE		
Rule Number:	R628-20	Filing ID: 51524
Effective Date:	04/16/2024	

Agency Information

1. Department:	Money Management Council	
Agency:	Administration	
Street address:	350 N State St, Suite 180	
City, state, and zip:	Salt Lake City. UT 84114-2315	

Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

General Information

2. Title of rule (catchline):
R628-20. Foreign Deposits for Higher Education Institutions
3. Summary:
The five-year review and notice of continuation was not filed for this rule by the deadline because of an emergency for a staff member. This rule has expired and will be removed from the Utah Administrative Code. (EDITOR'S NOTE: Since this occurred unexpectedly because of a staff member being out of the office, the agency will file a proposed new rule as soon as possible to put this rule back into place.)

NOTICE OF EXPIRED RULE		
Rule Number:	R628-21	Filing ID: 51530
Effective Date:	04/16/2024	

Agency Information

1. Department:	Money Management Council	
Agency:	Administration	
Street address:	350 N State St, Suite 180	
City, state, and zip:	Salt Lake City, UT 84114-2315	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

General Information

2. Title of rule (catchline):
R628-21. Conditions and Procedures for the Use of Reciprocal Deposits
3. Summary:
The five-year review and notice of continuation was not filed for this rule by the deadline because of an emergency for a staff member. This rule has expired and will be removed from the Utah Administrative Code. (EDITOR'S NOTE: Since this occurred unexpectedly because of a staff member being out of the office, the agency will file a proposed new rule as soon as possible to put this rule back into place.)

End of the Notices of Notices of Five-Year Expirations Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Animal Industry

No. 56256 (Amendment) R58-11: Slaughter of Livestock and Poultry

Published: 01/01/2024

Effective: 04/22/2024

No. 56256 (Change in Proposed Rule) R58-11: Slaughter of Livestock and Poultry

Published: 03/15/2024

Effective: 04/22/2024

Commerce

Professional Licensing

No. 56322 (Amendment) R156-1: General Rule of the Division of Occupational and Professional Licensing

Published: 03/15/2024

Effective: 04/23/2024

Real Estate

No. 56336 (Amendment) R162-2e: Appraisal Management Company Administrative Rules

Published: 03/15/2024

Effective: 04/24/2024

Education

Administration

No. 56324 (Amendment) R277-308: New Educator Induction and Mentoring

Published: 03/01/2024

Effective: 04/09/2024

No. 56325 (Amendment) R277-328: Educational Equity in Schools

Published: 03/01/2024

Effective: 04/09/2024

No. 56326 (Amendment) R277-471: School Construction Oversight, Inspections, Training and Reporting

Published: 03/01/2024

Effective: 04/09/2024

No. 56327 (Amendment) R277-910: Underage Drinking and Substance Abuse Prevention Program

Published: 03/01/2024

Effective: 04/09/2024

No. 56328 (Amendment) R277-912: Law Enforcement Related Incident Reporting

Published: 03/01/2024

Effective: 04/09/2024

Environmental Quality

Waste Management and Radiation Control, Waste Management

No. 56319 (Amendment) R315-320: Waste Tire Transporter and Recycler Requirements

Published: 03/01/2024

Effective: 04/15/2024

Financial Institutions

Credit Unions

No. 56311 (Amendment) R337-5: Allowance for Loan and Lease Losses - Credit Unions

Published: 03/01/2024

Effective: 04/09/2024

Health and Human Services

Population Health, Emergency Medical Services

No. 56323 (Amendment) R426-7: Emergency Medical Services Prehospital Data System Rules

Published: 03/01/2024

Effective: 04/22/2024

Patient Safety Program

No. 56263 (Repeal) R429-3: Adverse Events from the Administration of Sedation or Anesthesia; Recording and Reporting
 Published: 01/01/2024
 Effective: 04/15/2024

Health Care Facility Licensing

No. 56270 (Amendment) R432-40: Long-Term Care Facility Immunizations
 Published: 01/15/2024
 Effective: 04/15/2024

Data, Systems and Evaluation, Vital Records and Statistics

No. 55961 (Amendment) R436-7: Death Registration
 Published: 11/15/2023
 Effective: 04/15/2024

No. 55961 (Change in Proposed Rule) R436-7: Death Registration

Published: 02/15/2024
 Effective: 04/15/2024

Administration (Human Services)

No. 56261 (Repeal) R495-890: Department of Human Services Conflict Investigation Procedure
 Published: 01/01/2024
 Effective: 04/15/2024

Human Services Program Licensing

No. 56269 (Amendment) R501-15: Therapeutic Schools
 Published: 01/15/2024
 Effective: 04/15/2024

Substance Use and Mental Health

No. 56215 (Amendment) R523-14: Suicide Prevention
 Published: 01/01/2024
 Effective: 04/15/2024

Lieutenant GovernorElections

No. 56238 (New Rule) R623-11: Signature Verification Standards
 Published: 01/01/2024
 Effective: 04/04/2024

Natural ResourcesState Parks

No. 56329 (Repeal) R651-301: State Recreation Fiscal Assistance Program
 Published: 03/01/2024
 Effective: 04/08/2024

Water Resources

No. 56335 (New Rule) R653-13: Acquisition and Disposal of Real Property Interests
 Published: 03/15/2024
 Effective: 04/29/2024

Navajo Trust FundTrustees

No. 56272 (Amendment) R661-13: Veteran's Housing Program Policy
 Published: 01/15/2024
 Effective: 04/23/2024

Pardons (Board of)Administration

No. 56298 (Amendment) R671-201: Original Hearing Schedule and Notice
 Published: 02/15/2024
 Effective: 04/01/2024

No. 56299 (Amendment) R671-312a: Commutation Procedures Applicable to Persons Sentence to Death Before April 26, 1992

Published: 02/15/2024
 Effective: 04/01/2024

No. 56300 (Amendment) R671-312b: Commutation Procedures Applicable to Persons Sentenced to Death After April 26, 1992

Published: 02/15/2024
 Effective: 04/01/2024

No. 56301 (Amendment) R671-313: Commutation Hearings (Non-Death Penalty Cases)

Published: 02/15/2024
 Effective: 04/01/2024

No. 56302 (Amendment) R671-314: Compassionate Release

Published: 02/15/2024
 Effective: 04/01/2024

No. 56303 (Amendment) R671-509: Progress / Violation Reports

Published: 02/15/2024
 Effective: 04/01/2024

No. 56304 (Amendment) R671-510: Evidence for Issuance of Warrants

Published: 02/15/2024
 Effective: 04/01/2024

No. 56305 (Amendment) R671-514: Waiver and Pleas of Guilt

Published: 02/15/2024
 Effective: 04/01/2024

Public Service CommissionAdministration

No. 56315 (Amendment) R746-312: Electrical Interconnection
 Published: 03/01/2024
 Effective: 04/09/2024

NOTICES OF RULE EFFECTIVE DATES

No. 56316 (Amendment) R746-313: Electrical Service
Reliability
Published: 03/01/2024
Effective: 04/09/2024

Tax Commission

Auditing
No. 56307 (Amendment) R865-19S-33: Admissions and
User Fees Pursuant to Utah Code Ann. Sections 59-12-102
and 59-12-103
Published: 02/15/2024
Effective: 03/28/2024

Transportation

Program Development
No. 56314 (Amendment) R926-13: Designated Scenic
Byways
Published: 03/01/2024
Effective: 04/08/2024

Workforce Services

Employment Development
No. 56310 (Amendment) R986-700: Child Care Assistance
Published: 02/15/2024
Effective: 04/01/2024

End of the Notices of Rule Effective Dates Section