

# 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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## **EDITOR'S NOTES**

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### Comment Extension for Rule R307-150, Emission Inventories

The amendment to Rule R307-150, Emission Inventories, that was published in the March 1, 2025, Bulletin under ID 57036 on page 28, has had the comment period extended 15 days.

Comments will be accepted until 04/15/2025 instead of 03/31/2025.

Comments can be made to:

Greg Mortensen, by phone at 385-226-6171, or by email at [gmortensen@utah.gov](mailto:gmortensen@utah.gov)

or

Erica Pryor, by phone at 385-499-3416, or email at [epryor1@utah.gov](mailto:epryor1@utah.gov)

**End of the Editor's Notes Section**

## NOTICES OF PROPOSED RULES

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A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between March 01, 2025, 12:00 a.m., and March 14, 2025, 11:59 p.m. are included in this, the April 01, 2025, 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 01, 2025. 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 July 30, 2025, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

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



**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Repeal

**Rule or Section Number:**

**R270-5**

**Filing ID: 57077**

**Agency Information**

<b>1. Title catchline:</b>	Crime Victim Reparations, Administration	
<b>Building:</b>	UOVC Offices	
<b>Street address:</b>	350 E 500 S, Suite 200	
<b>City, state:</b>	Salt Lake City, UT 84111	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Dale Oyler	801-238-2364	doyler@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R270-5. Electronic Meetings
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this change is to repeal Rule R270-5, which governs the use of electronic meetings by the Crime Victims Reparations and Assistance Board (CVRA Board). As of 12/31/2024, the CVRA Board has been dissolved by Subsection 631-2-263(11) and no longer exists. As a result, Rule R270-5 is no longer needed.
<b>4. Summary of the new rule or change:</b>
This change repeals Rule R270-5 in its entirety.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>B) Local governments:</b>
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.

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

There will not be compliance costs because this change repeals Rule R270-5 in its entirety.

**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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

The Director of the Utah Office for Victims of Crime, Chyleen Richey, 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 63M-7-506(b)

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Chyleen Richey, Director	<b>Date:</b>	03/11/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b>	Repeal		
<b>Rule or Section Number:</b>	R270-6	<b>Filing ID:</b>	57078

**Agency Information**

<b>1. Title catchline:</b>	Crime Victims Reparations, Administration	
<b>Building:</b>	UOVC Offices	
<b>Street address:</b>	350 E 500 S, Suite 200	
<b>City, state:</b>	Salt Lake City, UT 84111	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Dale Oyler	801-238-2364	doyler@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R270-6. Recusal of a Board Member for a Conflict of Interest
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this change is to repeal Rule R270-6, which establishes standards and procedures for addressing conflicts of interest involving members of the Crime Victims Reparations and Assistance Board (CVRA Board). As of 12/31/2024, the CVRA Board has been dissolved by Subsection 63I-2-263(11) and no longer exists. As a result, Rule R270-6 is no longer needed.
<b>4. Summary of the new rule or change:</b>
This change repeals Rule R270-6 in its entirety.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>B) Local governments:</b>
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
There will not be a fiscal impact from repealing this rule as the CVRA Board has been dissolved and no longer exists.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
There will not be compliance costs because this change repeals Rule R270-6 in its entirety.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Director of the Utah Office for Victims of Crime, Chyleen Richey, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Subsection 63M-7-506(b)		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	05/01/2025

<b>9. This rule change MAY become effective on:</b>	05/08/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Chyleen Richey, Director	<b>Date:</b>	03/11/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	R277-113	<b>Filing ID:</b> 57071

**Agency Information**

<b>1. Title catchline:</b>	Education, Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT

<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, Utah 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-113. LEA Fiscal and Auditing Policies
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended to update the requirements related to Local Education Agencies (LEA) flexible use of restricted funds.
<b>4. Summary of the new rule or change:</b>
The amendments specifically make updates to the section on LEA flexibility, removing unnecessary language while preserving key Utah State Board of Education (USBE) reporting components.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impacts on state government revenues or expenditures. This language is related to LEA recordkeeping of fund transfers through the fiscal flexibility offered in Section 53F-2-209.  The original fiscal flexibility language in code had referenced COVID related impacts. H.B. 2 passed in the 2023 General Session removed the COVID related language and these updates provide clarity for LEAs on recordkeeping requirements but do not impact the allowability of the transfers themselves and therefore, do not have any measurable impacts for the USBE or LEAs.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This language is related to LEA recordkeeping of fund transfers through the fiscal flexibility offered in Section 53F-2-209. The original fiscal flexibility language in code had referenced COVID related impacts. H.B. 2 (2023) removed the COVID-related language and these updates provide clarity for LEAs on recordkeeping requirements but do not impact the allowability of the transfers themselves and therefore, do not have any measurable impacts for the USBE or LEAs.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule change is not expected to have fiscal impacts on small businesses' revenues or expenditures. This only impacts the USBE and LEAs.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
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 impacts the 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 language is related to LEA recordkeeping of fund transfers through the fiscal flexibility offered in Section 53F-2-209. The original fiscal flexibility language in code had referenced COVID related impacts. H.B. 2 (2023) removed the COVID-related language and these updates provide clarity for LEAs on recordkeeping requirements but do not impact the allowability of the transfers themselves and therefore, do not have any measurable impacts for the 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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(1)(e)
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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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-304</b>	<b>Filing ID:</b> 57072

**Agency Information**

<b>1. Title catchline:</b>	Education, Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-304. Teacher Preparation Programs
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended to update the list of incorporated by reference documents which align with updates to other program requirements throughout this rule.
<b>4. Summary of the new rule or change:</b>
The amendments specifically add the incorporated document "Special Education Preparation Foundational Competencies dated March 2025". The amendments also update the definition for "Utah Core Standards", and update program requirements related to early childhood and elementary preparation programs, secondary preparation programs, special education and preschool special education programs, and deaf education preparation programs.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. The incorporated document is updated to reflect current best practices in special education educator preparation, and update nomenclature such as changing "severe disabilities" to "complex support needs" and mild/moderate disabilities" to "minimal/moderate support needs".
These changes provide clarity for educator preparation but do not carry a measurable fiscal impact for preparation programs, educators, or the Utah State Board of Education (USBE). Other changes update this rule to reflect core standards update already made by the USBE in Rule R277-700 and there are no measurable fiscal impacts related to these updates.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The incorporated document is updated to reflect current best practices in special education educator preparation, and update nomenclature such as changing "severe disabilities" to "complex support needs" and mild/moderate disabilities" to "minimal/moderate support needs".

These changes provide clarity for educator preparation but do not carry a measurable fiscal impact for preparation programs, educators, or the USBE. Other changes update the rule to reflect core standards update already made by the board in Rule R277-700 and there are no measurable fiscal impacts related to these updates.

Local Education Agencies (LEAs) are not impacted by the updates made to teacher preparation programs.

**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 impacts the USBE, LEAs, and teacher preparation programs.

**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 incorporated document is updated to reflect current best practices in special education educator preparation, and update nomenclature such as changing "severe disabilities" to "complex support needs" and mild/moderate disabilities" to "minimal/moderate support needs".

These changes provide clarity for educator preparation but do not carry a measurable fiscal impact for preparation programs, educators, or the USBE. Other changes update the rule to reflect core standards update already made by the USBE in Rule R277-700 and there are no measurable fiscal impacts related to these updates for universities or other entities.

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

There are no compliance costs for affected persons. The incorporated document is updated to reflect current best practices in special education educator preparation, and update nomenclature such as changing "severe disabilities" to "complex support needs" and mild/moderate disabilities" to "minimal/moderate support needs".

These changes provide clarity for educator preparation but do not carry a measurable fiscal impact for preparation programs, educators, or the USBE. Other changes update the rule to reflect core standards update already made by the USBE in Rule R277-700 and there are no measurable fiscal impacts related to these updates.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0



Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The State Superintendent of the Utah State Board of Education, Sydnee Dickson, 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:**

Article X, Section 3	Section 53E-3-401	Section 53E-6-201
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Special Education Preparation Foundational Competencies
<b>Publisher</b>	Utah State Board of Education
<b>Issue Date</b>	March 2025

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R277-407</b>	<b>Filing ID:</b> 57073
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**Agency Information**

<b>1. Title catchline:</b>	Education, Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 144200
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-407. School Fees
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended to update the date that Local Education Agencies (LEAs) must have their fee schedules approved by their board.
<b>4. Summary of the new rule or change:</b>
The amendments specifically change the date from "April 1" to "July 1".

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule change allows LEAs additional time to approve their fee schedules to adjust to pending legislative changes potentially affecting school fees. This does not affect the Utah State Board of Education (USBE), LEAs, or individuals or other entities.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule change allows LEAs additional time to approve their fee schedules to adjust to pending legislative changes potentially affecting school fees. This does not affect the USBE, LEAs, or individuals or other entities.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects the USBE and LEAs.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
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.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
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 allows LEAs additional time to approve their fee schedules to adjust to pending legislative changes potentially affecting school fees. This does not affect the USBE, LEAs, or individuals or other entities.

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

There are no compliance costs for affected persons. This rule change allows LEAs additional time to approve their fee schedules to adjust to pending legislative changes potentially affecting school fees. This does not affect the USBE, LEAs, or individuals or 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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

Article X, Section 2	Article X, Section 3	Subsection 53E-3-401(4)
Section 53G-7-503		

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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NOTICE OF SUBSTANTIVE CHANGE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-417</b>	<b>Filing ID: 57074</b>

**Agency Information**

<b>1. Title catchline:</b>	Education, Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-417. Prohibiting LEAs and Third-Party Providers from Offering Incentives or Disbursement for Enrollment or Participation
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended in order to add an oversight category.
<b>4. Summary of the new rule or change:</b>
The amendments specifically add an oversight "Category 2".

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. The oversight framework categorization is part of the Utah State Board of Education's (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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself for the USBE or Local Education Agencies (LEAs).
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The oversight framework categorization is part of the 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 the USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself for the USBE or LEAs.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects the USBE and LEAs.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
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 oversight framework categorization is part of the 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself for the USBE or LEAs. This does not impact any other entities.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the USBE's effort through Section 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 the USBE resulting from the rule. This categorization does not add any requirements or resources in and of itself for the 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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

Article X, Section 3	Subsection 53E-3-401(4)	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	05/01/2025
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<b>9. This rule change MAY become effective on:</b>	05/08/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b>	Amendment		
<b>Rule or Section Number:</b>	<b>R277-714</b>	<b>Filing ID:</b>	<b>57075</b>

**Agency Information**

<b>1. Title catchline:</b>	Education, Administration		
<b>Building:</b>	Board of Education		
<b>Street address:</b>	250 E 500 S		
<b>City, state:</b>	Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 144200		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule or section catchline:</b>	R277-714. Unsafe School Choice Option
<b>3. Purpose of the new rule or reason for the change:</b>	This rule is being amended to add an oversight category.
<b>4. Summary of the new rule or change:</b>	The amendments specifically add an oversight "Category 2" and make a few other nonsubstantive technical changes.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. The oversight framework categorization is part of the Utah State Board of Education's (USBE) 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself for the USBE or Local Education Agencies (LEAs).
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The oversight framework categorization is part of the 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself for the 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 only affects the 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 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself for the USBE or LEAs. This does not impact any other entities.

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

There are no compliance costs for affected persons. The oversight framework categorization is part of the 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 the USBE resulting from this rule. This categorization does not add any requirements or resources in and of itself for the 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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

Article X, Section 3	Subsection 53E-3-401(4)	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	05/01/2025
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<b>9. This rule change MAY become effective on:</b>	05/08/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** New

<b>Rule or Section Number:</b>	<b>R317-17</b>	<b>Filing ID:</b> 57079
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**Agency Information**

<b>1. Title catchline:</b>	Environmental Quality, Water Quality	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W, DEQ 3rd floor	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 144870	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4870	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jim Harris	801-541-3069	jamesharris@utah.gov
Jake Vander Laan	801-536-4350	jvander@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

**2. Rule or section catchline:**  
R317-17. Great Salt Lake Mineral Extraction Salinity Discharge Limits

**3. Purpose of the new rule or reason for the change:**  
Section 73-33-203 requires the Division of Water Quality (DWQ) to set a limit for the salinity of water or brine that a person may discharge into the Great Salt Lake (GSL) as part of the mineral or element extraction process and establish procedures to modify, revoke and reissue, or terminate any permit if those limits are exceeded.

**4. Summary of the new rule or change:**  
This new rule establishes limits for the salinity of water or brine that a person may discharge into the GSL as part of the mineral or element extraction process that prevent potential negative effects of high salinity discharges on the GSL chemistry or biota, and establishes procedures to modify, revoke and reissue, or terminate any permit if those limits are exceeded.  
  
DWQ will develop corresponding guidance to be updated regularly with the latest scientific information to guide implementation decisions or written determinations.



**Fiscal Information**

<p><b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b></p>
<p><b>A) State budget:</b></p> <p>No state agency is a constrained party under this new rule, so no direct or indirect costs or savings will be incurred to the state budget.</p>
<p><b>B) Local governments:</b></p> <p>No local government is a constrained party under this new rule, so no direct or indirect costs or savings will be incurred to local governments.</p>
<p><b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):</p> <p>No small business is a constrained party under this new rule, so no direct or indirect costs or savings will be incurred to small businesses.</p>
<p><b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):</p> <p>Two non-small businesses are constrained parties under this new rule.</p> <p>One constrained party represents a net decrease of salt load to Gilbert Bay, so there are no costs or savings for that party.</p> <p>DWQ requested a cost estimate from the other party but did not receive additional information.</p> <p>This rule includes two requirements that could result in costs or savings for these parties, a salinity discharge limit and requirements for monitoring and reporting.</p> <p>The potential costs incurred under the discharge limits established by this rule are triggered by specific environmental conditions within the GSL that may or may not occur within the next three fiscal years, so the costs or savings are inestimable. The discharge limits in this rule would not be triggered by current or three year anticipated conditions in the GSL, so costs within the next three fiscal years are anticipated to be zero.</p> <p>Under this rule, both parties will be required to conduct and report monitoring data for discharge salinity and volume. Based on recent GSL sample analysis and labor costs, DWQ estimates that this monitoring and reporting will result in an increased annual cost of \$7,500 per constrained party.</p>
<p><b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b>):</p> <p>No persons other than small businesses, non-small businesses, state, or local government entities are constrained parties under the new rule, so no direct or indirect costs or savings will be incurred to other persons</p>
<p><b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>The potential costs incurred under the discharge limits established by this rule are triggered by specific environmental conditions within the GSL that may or may not occur within the next three fiscal years, so the costs or savings are inestimable. The discharge limits in this rule would not be triggered by current or three year anticipated conditions in the GSL, so costs within the next three fiscal years are anticipated to be zero.</p> <p>Based on recent GSL sample analysis and labor costs, DWQ estimates that compliance with monitoring and reporting requirements will result in an increased annual cost of \$7,500 per constrained party, totaling \$45,000 over three years.</p> <p>Compliance costs and the timing of those costs for affected persons are inestimable because they would be wholly dependent on environmental conditions which at this time cannot be predicted.</p>
<p><b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</p>

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$7,500	\$7,500	\$7,500
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(15,000)</b>	<b>\$(15,000)</b>	<b>\$(15,000)</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 73-33-203		

**Incorporations by Reference Information**

<b>7. Incorporations by Reference:</b>	
<b>A) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Standard operating procedure--Great Salt Lake water density measurement and salinity calculation
<b>Publisher</b>	Great Salt Lake Salinity Advisory Committee
<b>Issue Date</b>	June 2020
<b>Issue or Version</b>	Utah Geological Survey Open File Report 728

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	05/01/2025

<b>9. This rule change MAY become effective on:</b>	05/28/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John K. Mackey, Division Director	<b>Date:</b>	03/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment

**Rule or Section Number:**

**R414-507**

**Filing ID: 57068**

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Integrated Healthcare	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 143325	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3325	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R414-507. Ground Ambulance Service Provider Assessments
<b>3. Purpose of the new rule or reason for the change:</b>
Based on internal review, the Department of Health and Human Services (Department) determined it was necessary to update this rule to clarify information regarding provider assessments for ground ambulance services.
<b>4. Summary of the new rule or change:</b>
This amendment updates and clarifies provider assessment information in this rule, regarding notice, changes in status, payments, collections, penalties, and interest.  It additionally makes style and formatting changes to comply with the Rulewriting Manual for Utah and align with other rules under the Department.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated fiscal impact to the state budget, as current funding for assessments cover payment rates and this amendment does not change those rates or associated penalties. This amendment updates this rule to clarify information regarding provider assessments.
<b>B) Local governments:</b>
There is no anticipated fiscal impact to local governments, as there are no changes to existing payment rates or penalties. This amendment updates this rule to clarify information regarding provider assessments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated fiscal impact to small businesses, as there are no changes to existing payment rates or penalties. This amendment updates this rule to clarify information regarding provider assessments.

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

There is no anticipated fiscal impact to non-small businesses, as there are no changes to existing payment rates or penalties. This amendment updates this rule to clarify information regarding provider assessments.

**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 fiscal impact to other persons, as there are no changes to existing payment rates or penalties. This amendment updates this rule to clarify information regarding provider assessments.

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

There are no anticipated compliance costs to affected persons, as there are no changes to existing payment rates or penalties. This amendment updates this rule to clarify information regarding provider assessments.

**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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

**Citation Information**

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

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

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

<b>A) Comments will be accepted until:</b>	05/01/2025
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<b>9. This rule change MAY become effective on:</b>	05/08/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R501-3</b>	<b>Filing ID:</b> 57067

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Human Services Program Licensing	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state:</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R501-3. Inspection and Emergency Enforcement
<b>3. Purpose of the new rule or reason for the change:</b>
S.B. 229 passed in the 2024 General Session standardized the office's authority in Section 26B-2-700, and as a result, the content of Rule R501-3 in its entirety has been moved to Rule R380-600.  This repeal eliminates this stand-alone rule for human services, as provisions for enforcement for all licensed entities served under the Division of Licensing and Background Checks (DLBC) will be housed in Rule R380-600, and keeping Rule R501-3 would be repetitive and redundant.
<b>4. Summary of the new rule or change:</b>
Rule R501-3 is being repealed in its entirety, as its content is being moved into Rule R380-600.  (EDITOR'S NOTE: The change in proposed rule filing for Rule R380-600 is under ID 56883 in this issue, April 1, 2025, of the Bulletin.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated fiscal impact to the state budget, as this repeal will not change the current process for licensure and re-licensure inspections.  Each entity under DLBC has previously had administrative rule authority to take emergency actions, and an amendment filing for Rule R380-600 places all authority to do so into one centralized rule, rendering Rule R501-3 unnecessary.
<b>B) Local governments:</b>
This proposed repeal is not anticipated to have a fiscal impact on local governments, as local governments do not regulate DLBC-licensed facilities. This repeal does not add, remove, or modify requirements for local business licensing or any other process with which local government is involved, as all the requirements previously in this rule are being moved to Rule R380-600.

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

There is no anticipated fiscal impact to small businesses as a result of this repeal, as all the requirements previously in this rule are being moved to Rule R380-600.

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

There is no anticipated fiscal impact to non-small businesses as a result of this repeal, as all the requirements previously in this rule are being moved to Rule R380-600.

**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 fiscal impact to other persons as a result of the repeal of this rule, as all the requirements previously in this rule are being moved to Rule R380-600.

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

There is no anticipated compliance cost for affected persons as a result of this repeal, as all the requirements previously in this rule are being moved to Rule R380-600.

**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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

**Citation Information**

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

Section 26B-2-104		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	05/01/2025
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<b>9. This rule change MAY become effective on:</b>	05/08/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	10/30/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R512-2</b>	<b>Filing ID:</b> 57080

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Child and Family Services	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Corey Blythe	801-891-9068	coblythe@utah.gov
Cosette Mills	385-242-5482	cwmills@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R512-2. Title IV-B Child and Family Services and Title IV-E Foster Care, Prevention, and Permanency
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this amendment is to reinstate a federal requirement in 42 U.S.C. 671(a)(14) that must be addressed in rule or statute in order to comply with federal law.
This language was deleted from Rule R512-300 in error, and the Department of Health and Human Services (Department) determined that the appropriate placement for this provision is in Rule R512-2.
<b>4. Summary of the new rule or change:</b>
This rule amendment specifies a federally required goal for the maximum number of children that will be in foster care longer than 24 months, stated as a percentage, and specifies how that information will be reviewed.
Additionally, this amendment makes style and formatting changes to comply with the Rulewriting Manual for Utah and align this rule with other rules under the Department.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated cost or savings to the state budget as a result of this amendment. Necessary administrative provisions are already in place for the Division of Child and Family Services (Division) and the statewide quality improvement committee to comply with any additional requirements in this amendment.

**B) Local governments:**

There is no anticipated cost or savings to local governments, as this rule does not apply to local governments.

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

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

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

There is no anticipated cost or savings to non-small businesses, as this rule does 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):**

There is no anticipated cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

This amendment adds provisions for state compliance with a federal requirement, and implementation of that federal requirement is an administrative function that falls to the state.

This amendment does not add to, remove, or modify existing responsibilities or processes through which other persons participate in division programs.

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

There are no anticipated compliance costs for affected persons.

This amendment adds provisions for state compliance with a federal requirement, and implementation of that federal requirement is an administrative function that falls to the state, and necessary administrative provisions are already in place for the Division and the statewide quality improvement committee to comply with any additional requirements in this amendment.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0



Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Citation Information**

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

Section 80-2-301	Section 80-2-302	
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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:** 05/15/2025

**9. This rule change MAY become effective on:** 05/22/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/17/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R728-403</b>	<b>Filing ID:</b> 57069

**Agency Information**

<b>1. Title catchline:</b>	Public Safety, Peace Officer Standards and Training	
<b>Street address:</b>	410 W 9800 S	
<b>City, state:</b>	Sandy, UT 84070	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Marcus Yockey	801-965-4275	myockey@agutah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R728-403. Procedures for Certification
<b>3. Purpose of the new rule or reason for the change:</b>
This rule filing is being submitted to amend this rule as recommended by the Utah Peace Officer Standards and Training (POST) Council to ensure best practices are followed and to address minor errors that were identified in the previous version of this rule.

**4. Summary of the new rule or change:**

This rule adds a provision that allows POST to deny an application for certification if POST becomes aware of a falsification of an application; includes provisions to address cheating or plagiarism; clarifies that a cadet has an 18 month period, rather than one year, to complete the requirements for certification to mirror statutory language; clarifies, according to current practices, that if a cadet fails the test twice they must complete the course again; and cleans up language to conform with rule writer guidelines.

**Fiscal Information**

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

**A) State budget:**

The proposed rule is not expected to have any fiscal impact on state budgets. This rule only adds provisions to address falsification and cheating, clarifies language to align with statutory language, and cleans up language to conform with rule writer guidelines.

**B) Local governments:**

The proposed rule is not expected to have any fiscal impact on local governments. This rule only adds provisions to address falsification and cheating, clarifies language to align with statutory language, and cleans up language to conform with rule writer guidelines.

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

The proposed rule is not expected to have any fiscal impact on small businesses. This rule only adds provisions to address falsification and cheating, clarifies language to align with statutory language, and cleans up language to conform with rule writer guidelines.

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

The proposed rule is not expected to have any fiscal impacts on non-small businesses. This rule only adds provisions to address falsification and cheating, clarifies language to align with statutory language, and cleans up language to conform with rule writer guidelines.

**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 is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities. The rule only adds provisions to address falsification and cheating, clarifies language to align with statutory language, and cleans up language to conform with rule writer guidelines.

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

The proposed rule is not expected to result in additional compliance costs for affected persons. This rule only adds provisions to address falsification and cheating, clarifies language to align with statutory language, and cleans up language to conform with rule writer guidelines.

**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**

<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 53-6-203	Section 53-6-205	Section 53-6-206
Section 53-6-208	Section 53-6-302	Section 53-6-303
Section 53-6-304	Section 53-6-306	

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Travis Rees, POST Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment	
<b>Rule or Section Number:</b> R728-409	<b>Filing ID:</b> 57070

**Agency Information**

<b>1. Title catchline:</b>	Public Safety, Peace Officer Standards and Training	
<b>Street address:</b>	410 W 9800 S	
<b>City, state:</b>	Sandy, UT 84070	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Marcus Yockey	801-965-4275	myockey@agutah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R728-409. Suspension, Revocation, or Relinquishment of Certification
<b>3. Purpose of the new rule or reason for the change:</b>
This rule filing is being submitted to incorporate recommendations made by the Utah Peace Officer Standards and Training (POST) Council concerning sexual offenses, and to address errors that were identified in the previous version of this rule.
<b>4. Summary of the new rule or change:</b>
This rule change clarifies the definition of sexual conduct to align with statutory language; removes unnecessary citations to traffic code; clarifies that POST may not take action for a policy violation, except in accordance with statute; clarifies the relinquishment process; and cleans up language to be in compliance with rule writer guidelines.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The proposed rule is not expected to have any fiscal impact on state budgets. The rule filing only clarifies terms to align with statutory language, clarifies the relinquishment process and cleans up language to comply with rule writer guidelines.
<b>B) Local governments:</b>
The proposed rule is not expected to have any fiscal impact on local governments. The rule filing only clarifies terms to align with statutory language, clarifies the relinquishment process and cleans up language to comply with rule writer guidelines.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule is not expected to have any fiscal impact on small businesses. The rule filing only clarifies terms to align with statutory language, clarifies the relinquishment process and cleans up language to comply with rule writer guidelines.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule is not expected to have any fiscal impact on non-small businesses. The rule filing only clarifies terms to align with statutory language, clarifies the relinquishment process and cleans up language to comply with rule writer guidelines.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i> ):
The proposed rule is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities. The rule filing only clarifies terms to align with statutory language, clarifies the relinquishment process and cleans up language to comply with rule writer guidelines.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The proposed rule will not result in any compliance costs for affected persons. The rule filing only clarifies terms to align with statutory language, clarifies the relinquishment process and cleans up language to comply with rule writer guidelines.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 53-6-211	Section 53-6-211.5	Section 53-6-309
Section 53-6-311		

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Travis Rees, POST Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment	
<b>Rule or Section Number:</b> R728-508	<b>Filing ID:</b> 57076

**Agency Information**

<b>1. Title catchline:</b>	Public Safety, Peace Officers Standards and Training		
<b>Street address:</b>	410 W 9800 S		
<b>City, state:</b>	Sandy, UT 84070		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Marcus Yockey	801-965-4275	myockey@agutah.gov	
Kim Gibb	801-556-8198	kgibb@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R728-508. Police Service Patrol and SWAT Canine Training, Certification, and Recertification Standards
<b>3. Purpose of the new rule or reason for the change:</b>
This rule filing is being submitted to incorporate recommendations made by the Utah Peace Officers Standards and Training (POST) Council to clarify the definition of "qualifying canine certifying entity" to align with current practices.
<b>4. Summary of the new rule or change:</b>
This rule change clarifies the definition of "qualifying canine certifying entity" to align with current practices.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The proposed rule is not expected to have any fiscal impact on state budgets. The rule filing only clarifies the definition of "qualifying canine certifying entity" to align with current practices.
<b>B) Local governments:</b>
The proposed rule is not expected to have any fiscal impact on local governments. The rule filing only clarifies the definition of "qualifying canine certifying entity" to align with current practices.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule is not expected to have any fiscal impact on small businesses. The rule filing only clarifies the definition of "qualifying canine certifying entity" to align with current practices.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule is not expected to have any fiscal impact on non-small businesses. The rule filing only clarifies the definition of "qualifying canine certifying entity" to align with current practices.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
The proposed rule is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities. The rule filing only clarifies the definition of "qualifying canine certifying entity" to align with current practices.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The proposed rule will not result in any compliance costs for affected persons. The rule filing only clarifies the definition of "qualifying canine certifying entity" to align with current practices.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 53-6-102	Section 53-6-401	Section 53-6-402
Section 53-6-403	Section 76-9-306	

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Travis Rees, POST Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b>	Repeal		
<b>Rule or Section Number:</b>	<b>R926-8</b>	<b>Filing ID:</b>	<b>57055</b>

**Agency Information**

<b>1. Title catchline:</b>	Transportation, Program Development		
<b>Building:</b>	Calvin Rampton		
<b>Street address:</b>	4501 S 2700 W		
<b>City, state:</b>	Taylorsville, UT 84129		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Leif Elder	801-580-8296	lelder@utah.gov	
Marlene Galindo	801-965-4026	mgalindo1@utah.gov	
James Godin	801-573-7181	jamesjgodin@agutah.gov	
Lori Edwards	385-341-3414	loriedwards@agutah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R926-8. Guidelines for Partnering with Local Governments
<b>3. Purpose of the new rule or reason for the change:</b>
The Department of Transportation (Department) is repealing this rule and reenacting it in the form of Rule R940-11.  This rule must be converted to a Transportation Commission (Commission) rule because Section 72-2-123 requires the Commission, not the Department, to make the 'Guidelines for Partnering with Local Governments' rule.
<b>4. Summary of the new rule or change:</b>
This rule is repealed in its entirety.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There are no anticipated cost or savings as the result of this repeal because it is merely being reenacted in Rule R940-11. Anticipated costs or savings from that rule are outlined in the business analysis for that rule.
<b>B) Local governments:</b>
There are no anticipated cost or savings as the result of this repeal because it is merely being reenacted in Rule R940-11. Anticipated costs or savings from that rule are outlined in the business analysis for that rule.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There are no anticipated cost or savings as the result of this repeal because it is merely being reenacted in Rule R940-11. Anticipated costs or savings from that rule are outlined in the business analysis for that rule.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There are no anticipated cost or savings as the result of this repeal because it is merely being reenacted in Rule R940-11. Anticipated costs or savings from that rule are outlined in the business analysis for that rule.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i> ):
There are no anticipated cost or savings as the result of this repeal because it is merely being reenacted in Rule R940-11. Anticipated costs or savings from that rule are outlined in the business analysis for that rule.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs as the result of this repeal because it is merely being reenacted in Rule R940-11. Compliance costs from that rule are outlined in the business analysis for that rule.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0



Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Executive Director of the Department of Transportation, Carlos M. Braceras, P.E., has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 72-2-123

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Carlos M. Braceras, PE, Executive Director	<b>Date:</b>	02/25/2025
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**End of the Notices of Proposed Rules Section**

## NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends May 01, 2025.

From the end of the 30-day waiting period through July 30, 2025, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

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

<b>NOTICE OF SUBSTANTIVE CHANGE</b>		
<b>TYPE OF FILING:</b> CPR (Change in Proposed Rule)		
<b>Rule or Section Number:</b>	<b>R380-600</b>	<b>Filing ID: 56883</b>
<b>Date of Previous Publication (Only for CPRs):</b>		<b>11/15/2024</b>

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Administration	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R380-600. Licensing General Provisions-Enforcement
<b>3. Purpose of the new rule or reason for the change:</b>
This change in proposed rule filing is necessary to address public comments that led the Office of Licensing (OL) to update practices for internal dispute resolution and clarify terms as they apply to each entity overseen by OL.
<b>4. Summary of the new rule or change:</b>
The change in proposed rule defines "adverse event" and delineates how the term applies for critical incident reporting. The filing additionally aligns the definition of exploitation to accurately reflect statutory citations. It defines internal dispute resolution as the process used to address disputes of any actions taken by OL on a provider's license or certification and includes a request for an administrative hearing. This filing also updates content to reflect OL's practice of considering a 36-month history of compliance when taking an agency action and updates which administrative changes need to be reported to OL by each category of licensee.
(EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 82. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This change in proposed rule is not anticipated to have a fiscal impact on the state budget, as it does not add, modify, or remove any requirements in the current process for licensure and re-licensure inspections. This amendment aligns enforcement practices across the Division of Licensing and Background Checks (DLBC) and adds clarifying language to enhance provider understanding of what is required for each license category (health, human services, and child care), as this rule applies to all providers overseen by OL. The change in proposed rule does not introduce new requirements but clarifies existing requirements to reduce ambiguity and provider confusion.

NOTICES OF CHANGES IN PROPOSED RULES

<b>B) Local governments:</b>			
This change in proposed rule is not anticipated to have a fiscal impact to local governments because facilities are regulated by the Department of Health and Human Services (Department) and not local governments. There will be no change in local business licensing or any other item(s) with which local government is involved.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
There is no anticipated fiscal impact to small businesses because the change in proposed rule does not introduce new requirements but clarifies the existing requirements to reduce ambiguity and provider confusion.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
There is no anticipated fiscal impact to non-small businesses because the change in proposed rule does not introduce new requirements but clarifies the existing requirements to reduce ambiguity and provider confusion.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i> ):			
There is no anticipated fiscal impact to other persons, as this rule does not apply to them.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no anticipated compliance costs for affected persons because this change in proposed rule does not introduce new requirements but clarifies the existing requirements to reduce ambiguity and provider confusion.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

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

Section 26B-2-104	Section 26B-2-202	Section 26B-2-402
Section 26B-2-703		

**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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** CPR (Change in Proposed Rule)

**Rule or Section Number:** R381-40 **Filing ID:** 56910

**Date of Previous Publication (Only for CPRs):** 11/15/2024

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Child Care Center Licensing		
<b>Building:</b>	Multi-Agency State Office Building		
<b>Street address:</b>	195 N 1950 W		
<b>City, state:</b>	Salt Lake City, UT		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Janice Weinman	385-321-5586	jweinman@utah.gov	
Mariah Noble	385-214-1150	mariahnoble@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule or section catchline:</b>
R381-40. Commercial Preschool Programs
<b>3. Purpose of the new rule or reason for the change:</b>
Based on internal discussions and discussions with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align with the background checks conducted for health care facility and human services program staff.
The CPR also makes nonsubstantive changes to terminology.
The child care licensing committee has approved this CPR filing.

**4. Summary of the new rule or change:**

This CPR updates to Section R381-40-8 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules.

It also addresses OBP's statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions. These processes are already in effect, but are required in rule for provider reference and clarity in administrative proceedings.

Finally, it updates Subsection R381-40-6(13) by changing "a child who is homeless" to the accepted industry term "a child experiencing homelessness".

(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 93. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact 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 cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR. No changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

**B) Local governments:**

There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.

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

There is no anticipated cost or savings to small businesses as a result to this change in proposed rule, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

There is no anticipated cost or savings to non-small businesses as a result to this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result to this change in proposed rule, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

There is no anticipated cost or savings to affected persons as a result to this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 26B-2-402

**Public Notice Information**

**8. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)  
**A) Comments will be accepted until:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> CPR (Change in Proposed Rule)		
<b>Rule or Section Number:</b>	<b>R381-60</b>	<b>Filing ID:</b> 56911
<b>Date of Previous Publication (Only for CPRs):</b>	<b>11/15/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Child Care Center Licensing	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state:</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahmoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R381-60. Hourly Child Care Centers
<b>3. Purpose of the new rule or reason for the change:</b>
Based on internal discussions and discussions with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align the process with the background checks conducted for health care facility and human services program staff.  The CPR updates terminology without any substantive change to requirements.  The child care licensing committee has approved this CPR filing.
<b>4. Summary of the new rule or change:</b>
This CPR updates Section R381-60-8 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules. It also addresses the Office of Background Processing's (OBP's) statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions. These processes are authorized by statute and are being provided in rule for provider reference and clarity in administrative proceedings.  It updates Section R381-40-6, altering language to the accepted industry term "a child experiencing homelessness", and reverts language back to the original rule wording due to a numeration fix in the previous filing that inadvertently changed supervision requirements in Subsection R381-60-11(1).  (EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 127. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.  Other changes do not introduce any new processes or requirements.



**B) Local governments:**  
 There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.

**C) Small businesses** ("small business" means a business employing 1-49 persons):  
 There is no anticipated cost or savings to small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the proposed rule and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.  
 Other changes do not introduce any new processes or requirements.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):  
 There is no anticipated cost or savings to non-small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the proposed rule and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.  
 Other changes do not introduce any new processes or 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**):  
 There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the proposed rule and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.  
 Other changes do not introduce any new processes or requirements.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):  
 There is no anticipated compliance cost for affected persons as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the proposed rule and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.  
 Other changes do not introduce any new processes or 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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

NOTICES OF CHANGES IN PROPOSED RULES

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 26B-2-402

**Public Notice Information**

**8. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)  
**A) Comments will be accepted until:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 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:** 03/13/2025

**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** CPR (Change in Proposed Rule)  
**Rule or Section Number:** R381-70      **Filing ID:** 56885  
**Date of Previous Publication (Only for CPRs):** 11/15/2024

**Agency Information**

**1. Title catchline:** Health and Human Services, Child Care Center Licensing  
**Building:** Multi-Agency State Office Building  
**Street address:** 195 N 1950 W  
**City, state:** Salt Lake City, UT  
**Contact persons:**  

<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahmoble@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
 R381-70. Out-of-School-Time Child Care Programs

<p><b>3. Purpose of the new rule or reason for the change:</b></p> <p>Based on internal discussion and discussion with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align with the background checks conducted for health care facility and human services program staff.</p> <p>The child care licensing committee has approved this change in proposed rule filing.</p>
<p><b>4. Summary of the new rule or change:</b></p> <p>This CPR updates Section R381-70-8 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules.</p> <p>It also addresses the Office of Background Processing's (OBP's) statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions.</p> <p>These processes are authorized by statute and are being provided in rule for provider reference and clarity in administrative proceedings.</p> <p>(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 166. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)</p>

**Fiscal Information**

<p><b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b></p>
<p><b>A) State budget:</b></p> <p>There is no anticipated cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.</p>
<p><b>B) Local governments:</b></p> <p>There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.</p>
<p><b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):</p> <p>There is no anticipated cost or savings to small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.</p>
<p><b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):</p> <p>There is no anticipated cost or savings to non-small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.</p>
<p><b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b>):</p> <p>There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined</p>

NOTICES OF CHANGES IN PROPOSED RULES

in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

There is no anticipated compliance cost for affected persons as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

**Citation Information**

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

Section 26B-2-402

**Public Notice Information**

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

**A) Comments will be accepted until:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE****TYPE OF FILING:** CPR (Change in Proposed Rule)**Rule or Section Number:****R381-100****Filing ID: 56903****Date of Previous Publication (Only for CPRs):** 11/15/2025**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Child Care Center Licensing	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state:</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahmoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R381-100. Child Care Centers
<b>3. Purpose of the new rule or reason for the change:</b>
Based on internal discussion and discussion with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align with the background checks conducted for health care facility and human services program staff.  Lastly, the CPR fixes an inadvertent substantive change regarding supervision from the last filing amendment.  The child care licensing committee has approved this amendment filing.
<b>4. Summary of the new rule or change:</b>
This CPR updates Section R381-100-8 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules. It also addresses the Office of Background Processing's (OBP's) statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions.  These processes are authorized by statute and are being provided in rule for provider reference and clarity in administrative proceedings.  It updates Section R381-100-6, altering language to the accepted industry term "a child experiencing homelessness", adds a guardian as an individual who can provide required paperwork for a child's admission, and reverts language back to the original rule wording due to a numeration fix in the previous filing that inadvertently changed supervision requirements in Subsection R381-100-11(1).  (EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 200. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact 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 cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

**B) Local governments:**

There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.

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

There is no anticipated cost or savings to small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

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

There is no anticipated cost or savings to non-small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or 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):**

There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result of CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

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

There is no anticipated compliance cost for affected persons as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or 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.)**

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 26B-2-402

**Public Notice Information**

**8. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)  
**A) Comments will be accepted until:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> CPR (Change in Proposed Rule)		
<b>Rule or Section Number:</b>	<b>R430-8</b>	<b>Filing ID: 56909</b>
<b>Date of Previous Publication (Only for CPRs):</b>	<b>11/15/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Residential Child Care Licensing
<b>Building:</b>	Multi-Agency State Office Building
<b>Street address:</b>	195 N 1950 W
<b>City, state:</b>	Salt Lake City, UT

NOTICES OF CHANGES IN PROPOSED RULES

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahmoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

**2. Rule or section catchline:**

R430-8. Exemptions from Child Care Licensing

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

Based on internal discussions and discussions with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align the process with other background checks conducted by the Office of Background Processing (OBP).

The change also updates terminology without any substantive change to requirements.

The child care licensing committee has approved this change in proposed rule filing.

**4. Summary of the new rule or change:**

This CPR updates Section R430-8-5 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules.

It also addresses OBP's statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions. These processes are authorized by statute and are being provided in rule for provider reference and clarity in administrative proceedings.

(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 308. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact 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 cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

**B) Local governments:**

There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.

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

There is no anticipated cost or savings to small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.



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

There is no anticipated cost or savings to non-small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

There is no anticipated compliance cost for affected persons as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

**Citation Information**

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

Section 26B-2-402		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	05/01/2025
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<b>9. This rule change MAY become effective on:</b>	05/08/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> CPR (Change in Proposed Rule)		
<b>Rule or Section Number:</b>	<b>R430-50</b>	<b>Filing ID: 56908</b>
<b>Date of Previous Publication (Only for CPRs):</b>	<b>11/15/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Residential Child Care Licensing	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state:</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahmoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R430-50. Residential Certificate Child Care
<b>3. Purpose of the new rule or reason for the change:</b>
Based on internal discussion and discussion with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align with the background checks conducted for health care facility and human services program staff.  The child care licensing committee has approved this CPR filing.
<b>4. Summary of the new rule or change:</b>
This filing updates Section R430-50-8 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules.  It also addresses the Office of Background Processing's (OBP's) statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions. These processes are authorized by statute and are being provided in rule for provider reference and clarity in administrative proceedings.

It updates Section R430-50-6, altering language to the accepted industry term "a child experiencing homelessness".

(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 317. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact 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 cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

**B) Local governments:**

There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.

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

There is no anticipated cost or savings to small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

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

There is no anticipated cost or savings to non-small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or 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**):

There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

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

There is no anticipated compliance cost for affected persons as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

NOTICES OF CHANGES IN PROPOSED RULES

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 26B-2-402

**Public Notice Information**

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

**A) Comments will be accepted until:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> CPR (Change in Proposed Rule)		
<b>Rule or Section Number:</b>	R430-90	<b>Filing ID:</b> 56906
<b>Date of Previous Publication (Only for CPRs):</b>	11/15/2024	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Residential Child Care Licensing	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state:</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahmoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R430-90. Licensed Family Child Care
<b>3. Purpose of the new rule or reason for the change:</b>
Based on internal discussion and discussion with stakeholders, this change in proposed rule (CPR) updates language regarding background checks to transparently outline background check processes and align with the background checks conducted for health care facility and human services program staff.  The child care licensing committee has approved this change in proposed rule filing.
<b>4. Summary of the new rule or change:</b>
This filing updates Section R430-90-8 regarding background checks to align with other Division of Licensing and Background Check (DLBC) rules.  It also addresses the Office of Background Processing's (OBP's) statutory authority to review information, explains when OBP can issue a finding, limits re-application time to two years following an application denial, and clarifies when OBP may consider pending convictions. These processes are authorized by statute and are being provided in rule for provider reference and clarity in administrative proceedings.  It updates Section R430-90-6, altering language to the accepted industry term "a child experiencing homelessness."  (EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 351. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.  Other changes do not introduce any new processes or requirements.

NOTICES OF CHANGES IN PROPOSED RULES

**B) Local governments:**

There is no anticipated cost or savings to local government, as local governments do not have any involvement in the background check requirements of OBP.

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

There is no anticipated cost or savings to small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

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

There is no anticipated cost or savings to non-small businesses as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or 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**):

There is no anticipated cost or savings to any person other than small businesses, non-small businesses, state, or local government entities as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or requirements.

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

There is no anticipated compliance cost for affected persons as a result of this CPR, as background checks are already statutorily authorized to be processed as outlined in the CPR and no changes to the background check process will occur as a result of the clarifying content that aligns child care background check rules with other OBP rules.

Other changes do not introduce any new processes or 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.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 26B-2-402

**Public Notice Information**

**8. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)  
**A) Comments will be accepted until:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** CPR (Change in Proposed Rule)  
**Rule or Section Number:** R432-45 **Filing ID:** 56889  
**Date of Previous Publication (Only for CPRs):** 11/15/2024

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Health Care Facility Licensing		
<b>Building:</b>	Multi-Agency State Office Building		
<b>Street address:</b>	195 N 1950 W		
<b>City, state:</b>	Salt Lake City, UT		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Janice Weinman	385-321-5586	jweinman@utah.gov	
Mariah Noble	385-214-1150	mariahnoble@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

**2. Rule or section catchline:**  
 R432-45. Nurse Aide Training and Competency Evaluation Program

<p><b>3. Purpose of the new rule or reason for the change:</b></p> <p>Based on a stakeholder request, the Department of Health and Human Services (Department) is filing this change in proposed rule (CPR) to update terms and more clearly address and reference federal requirements.</p>
<p><b>4. Summary of the new rule or change:</b></p> <p>This CPR updates terms and wording throughout the rule to better align with federal terminology, adds more specific language and citation references for provisions under 42 CFR 483.156, updates language in accordance with 42 CFR 483.152, and clarifies the time frames for expired certified nurse aide (CNA) certificates.</p> <p>It also fixes an incorrect citation.</p> <p>Additionally, this filing makes nonsubstantive style and formatting changes to comply with the Rulewriting Manual for Utah and align with other rules under the Department.</p> <p>(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 414. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)</p>

**Fiscal Information**

<p><b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b></p>
<p><b>A) State budget:</b></p> <p>There is no anticipated cost or savings to the state budget, as this filing makes style and formatting changes and clarifies the language for existing federal requirements already in effect and enforced by the Office of Licensing (OL).</p>
<p><b>B) Local governments:</b></p> <p>There is no anticipated cost or savings to local governments, as local governments do not have any involvement in the certification or training of nurse aides in Utah.</p>
<p><b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):</p> <p>There is no anticipated cost or savings to small businesses, as this filing makes style and formatting changes and clarifies the language for existing federal requirements already in effect and enforced by OL.</p>
<p><b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):</p> <p>There is no anticipated cost or savings to non-small businesses, as this filing makes style and formatting changes and clarifies the language for existing federal requirements already in effect and enforced by OL.</p>
<p><b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b>):</p> <p>There is no anticipated cost or savings to persons other than small business, non-small business, state, or local government entities, as this filing makes style and formatting changes and clarifies the language for existing federal requirements already in effect and enforced by OL.</p>
<p><b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>There are no anticipated compliance costs for affected persons, as this filing makes style and formatting changes and clarifies the language for existing federal requirements already in effect and enforced by OL.</p>



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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**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:**  
 42 CFR 431.10(b)(2)(ii) (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:** 05/01/2025

**9. This rule change MAY become effective on:** 05/08/2025  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> CPR (Change in Proposed Rule)		
<b>Rule or Section Number:</b>	R432-270	<b>Filing ID:</b> 56887
<b>Date of Previous Publication (Only for CPRs):</b>	11/15/2024	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Health Care Facility Licensing	
<b>Building:</b>	Multi-Agency State Office Building	
<b>Street address:</b>	195 N 1950 W	
<b>City, state:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R432-270. Assisted Living Facilities
<b>3. Purpose of the new rule or reason for the change:</b>
Upon review of the initial amendment to this rule and feedback from public comment, the Department of Health and Human Services (Department) determined it was necessary to file this change in proposed rule (CPR) to remove outdated requirements from this rule and to further clarify statutory requirements.
<b>4. Summary of the new rule or change:</b>
This CPR filing removes unnecessary and burdensome requirements in the renumbered Section R432-270-25 for the Department to coordinate with authorities regarding emergency heating and in the creation of emergency and disaster plans.  In the same section, this filing removes an outdated requirement addressing the Silver Alert notification, as the burden for these notifications falls upon law enforcement.  Additionally, this CPR makes style and formatting changes to comply with the Rulewriting Manual for Utah and to align with other rules under the Department.  (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the November 15, 2024, issue of the Utah State Bulletin, on page 457. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated fiscal impact to the state budget, as this filing does not change the existing process for licensure and re-licensure inspections.  This filing removes outdated language and burdensome requirements that are currently unenforceable and, therefore, have not been enforced.

<b>B) Local governments:</b>			
There is no anticipated fiscal impact to local governments because health care facilities are regulated by the Department and not local governments.			
There will be no change in local business licensing or any other processes with which local government is involved as a result of this filing.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
There is no anticipated fiscal impact to small businesses, as this filing does not change the existing process for licensure and re-licensure inspections.			
This filing removes outdated language and burdensome requirements that are currently unenforceable and, therefore, have not been enforced.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
There is no anticipated fiscal impact to non-small businesses, as this filing does not change the existing process for licensure and re-licensure inspections.			
This filing removes outdated language and burdensome requirements that are currently unenforceable and, therefore, have not been enforced.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):			
There is no anticipated cost or savings to persons other than small businesses, non-small businesses, state or local government entities, as this filing does not change the existing process for licensure and re-licensure inspections.			
This filing removes outdated language and burdensome requirements that are currently unenforceable and, therefore, have not been enforced.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no anticipated compliance costs for affected persons, as this filing does not change the existing process for licensure and re-licensure inspections.			
This filing removes outdated language and burdensome requirements that are currently unenforceable and, therefore, have not been enforced.			
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

NOTICES OF CHANGES IN PROPOSED RULES

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Health and Human Services, Tracy S. Gruber, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 26B-2-202		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
<b>A) Comments will be accepted until:</b>	05/01/2025

<b>9. This rule change MAY become effective on:</b>	05/08/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/13/2025
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**End of the Notices of Changes in Proposed Rules Section**

# NOTICES OF 120-DAY (EMERGENCY) RULES

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

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

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

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

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

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

## NOTICE OF EMERGENCY (120-DAY) RULE

<b>Rule or Section Number:</b>	R911-5	<b>Filing ID:</b> 57066
<b>Effective Date:</b>	03/12/2025	

### Agency Information

<b>1. Title catchline:</b>	Public Safety, Emergency Medical Services	
<b>Building:</b>	Calvin Rampton Building	
<b>Street address:</b>	4501 S 2700 W	
<b>City, state</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 141775	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1775	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule or section catchline:</b>	R911-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards
<b>3. Purpose of the new rule or reason for the change:</b>	<p>This is a second emergency rule filing. The first emergency rule filing was submitted on 12/04/2024.</p> <p>This second emergency rule filing is being submitted because the first emergency rule will expire before the permanent rule can be made effective.</p> <p>This rule filing also incorporates changes that were made as a result of the passage of S.B. 209 during the 2025 General Session. A permanent rule filing will be submitted within the next few weeks, which will be made effective in May 2025.</p>

This rule was moved from the Department of Health and Human Services to the Department of Public Safety in July 2024.

Upon further review of the language in the current rule, the Bureau of Emergency Medical Services (BEMS) has determined that it is not compliant with Title 63G, Chapter 4, the Administrative Procedures Act, and violates due process rights of licensees who have had action taken against their licenses.

In addition, this rule change ensures consistency with formatting and language throughout the rule and ensures compliance with the Rulewriting Manual for Utah guidelines.

**4. Summary of the new rule or change:**

Rule R911-5 is repealed and reenacted with the following changes:

- 1) clarifies the role of the Peer Review Board (PRB) in informal administrative hearings, clearly states that hearings before the PRB are informal, adds a procedure for reconsideration of the PRB's order, increases due process by designating the board as the trier of fact, removes the authority of the BEMS bureau chief to override the PRB recommendations, adds language that the PRB's decision is subject to judicial review, required licensee to be notified of hearing date when results of investigation will be presented to the PRB, makes license sanctions proceedings consistent with Utah administrative procedures act Section 63G-4-101, defines mitigating and aggravating circumstances the PRB may consider, and clarifies meaning of probation, suspension and revocation of licenses;
- 2) reorganizes licensing of CRT's into its own subsection and changes languages to be consistent throughout this rule and statute;
- 3) removes Utah specific references to convictions prohibiting licensure to increase safety by allowing BEMS to consider out of state convictions, and adds provisions allowing BEMS to deny registered sex offenders from being licensed as emergency medical personnel; and
- 4) Removes redundant and outdated references to statute, expands the number of definitions applicable from the statutory definitions, adds cheating on licensure exams as a basis for license sanctions, adds language that conduct which endangers public safety regardless of criminal conviction may be basis for license sanction, and removes language allowing licensure individuals convicted of felony sex offenses and other non-expungable violent felonies after 15 years.

**5A) The agency finds that regular rulemaking would:**

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

**B) Specific reasons and justifications for this finding:**

This rule was moved from the Department of Health and Human Services to the Department of Public Safety in July 2024.

Upon further review of this rule, the BEMS has determined that the language is not compliant with Title 63G, Chapter 4, and violates due process rights of licensees who have had action taken against their EMS licenses.

This rule filing addresses compliance issues and ensures that the BEMS is no longer in violation of state law.

**Fiscal Information**

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

**A) State budget:**

The proposed rule is not expected to have any fiscal impact on the state budget because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

**B) Local governments:**

The proposed rule is not expected to have any fiscal impact on local governments because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.

<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule is not expected to have any fiscal impact on small businesses because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.
<b>D) Persons other than small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
The proposed rule is not expected to have any fiscal impact on persons other than small businesses, state, or local government entities because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.
<b>E) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The proposed rule is not expected to result in any compliance costs for affected persons because the amendment only addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, with respect to due process rights of individuals who have had action taken against their EMS licenses.
<b>F) Comments by the department head on the fiscal impact this rule may have on businesses</b> (Include the name and title of the department head):
This rule is not expected to have any fiscal impacts on businesses. The rule amendment addresses formatting and language inconsistencies, and resolves noncompliance issues with Title 63G, Chapter 4, which will protect and ensure due process rights of individuals who have had action taken against their EMS licenses. Jess L. Anderson, Commissioner of the Department of Public Safety

**Citation Information**

<b>7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>
Section 53-2d-101.1

**Incorporations by Reference Information**

<b>8. Incorporations by Reference:</b>	
<b>A) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Course Coordinator Manual
<b>Publisher</b>	Bureau of Emergency Medical Services, Utah Department of Public Safety
<b>Issue Date</b>	October 15, 2024
<b>Issue or Version</b>	2024
<b>B) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	EMT Student Handbook
<b>Publisher</b>	Bureau of Emergency Medical Services, Utah Department of Public Safety
<b>Issue Date</b>	October 2024
<b>Issue or Version</b>	2024
<b>C) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	National EMS Scope of Practice Model 2019
<b>Publisher</b>	National Highway Traffic Safety Administration

NOTICES OF 120-DAY (EMERGENCY) RULES

<b>Issue Date</b>	February 2019
<b>Issue or Version</b>	2019

<b>D) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	EMS Recertification Guide
<b>Publisher</b>	National Registry of Emergency Medical Technicians
<b>Issue Date</b>	2024
<b>Issue or Version</b>	Version 2024.01

<b>E) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Highlights of the 2020 American Heart Association Guidelines for CPR and ECC
<b>Publisher</b>	American Heart Association
<b>Issue Date</b>	October 2020
<b>Issue or Version</b>	2020

<b>F) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	2002 National Guidelines For Educating EMS Instructors
<b>Publisher</b>	National Association of EMS Educators, U.S. Department of Transportation, and U.S. Department of Health and Human Services
<b>Issue Date</b>	November 2001
<b>Issue or Version</b>	2002

<b>G) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Training Officer Manual
<b>Publisher</b>	Bureau of Emergency Medical Services, Utah Department of Public Safety
<b>Issue Date</b>	October 2024
<b>Issue or Version</b>	2024

<b>H) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Standards and Guidelines for the Accreditation of Educational Programs in the Emergency Medical Services Professions
<b>Publisher</b>	Commission on Accreditation of Allied Health Education Programs
<b>Issue Date</b>	January 1, 2024

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Darin Bushman, Director	<b>Date:</b>	03/12/2025
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**End of the Notices of 120-Day (Emergency) Rules Section**



# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	R68-1	<b>Filing ID:</b> 50135
<b>Effective Date:</b>	03/05/2025	

### Agency Information

<b>1. Title catchline:</b>	Agriculture and Food, Plant Industry	
<b>Building:</b>	Taylorsville State Office Buildings, South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Rob Hougaard	801-982-2305	Rhougaard@Utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>	R68-1. Utah Bee Inspection Act Governing Inspection of Bees	
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	Subsection 4-11-103(1) provides the Department of Agriculture and Food (Department) rulewriting authority to administer and enforce Title 4, Chapter 11, Utah Bee Inspection Act. This rule provides the information necessary to meet that requirement.	
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>	No public comment regarding the continuation of this rule has been received over the last 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:**

Since the statute requires the Department to write rules regarding the administration and enforcement of the Utah Bee Inspection Act, this rule is necessary. This rule provides information regarding the registration and apiary identification requirements, as well as the requirement to assist in locating apiaries and salvaging diseased colonies. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	03/05/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R68-6</b>	<b>Filing ID: 54518</b>
<b>Effective Date:</b>	<b>03/07/2025</b>	

**Agency Information**

<b>1. Title catchline:</b>	Agriculture and Food, Plant Industry	
<b>Building:</b>	Taylorsville State Office Buildings, South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Rob Hougaard	801-982-2305	Rhougaard@Utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R68-6. Utah Nursery Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsection 4-15-103(1) gives the Department of Agriculture and Food (Department) rulewriting authority to administer and enforce Title 4, Chapter 15, Utah Nursery Act. This rule provides the provisions required to administer and enforce the requirements.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department has not received any public comments regarding the continuation of this rule within the last five years.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule provides the requirements for labeling and the conditions and standards of nursery stock to ensure plants are healthy before they are shipped to other retailers in or out of the state. Additionally, this rule provides the provisions to exempt an organizational provisional permit to allow special projects by non-profit organizations. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	03/05/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R156-20b</b>	<b>Filing ID:</b>	<b>50260</b>
<b>Effective Date:</b>	<b>03/07/2025</b>		

**Agency Information**

<b>1. Title catchline:</b>	Commerce, Professional Licensing		
<b>Building:</b>	Heber M. Wells Building		
<b>Street address:</b>	160 E 300 S		
<b>City, state</b>	Salt Lake City, UT 84111-2316		
<b>Mailing address:</b>	PO Box 146741		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
David Wright	801-530-6628	davidwright@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R156-20b. Environmental Health Scientist Act Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Title 58, Chapter 20b, Environmental Health Scientist Act, provides for the licensure and regulation of environmental health scientists.  Subsection 58-1-106(1) provides that the Division of Professional Licensing may adopt and enforce rules to administer Title 58.  Subsection 58-1-202(1)(a) provides that the Environmental Health Scientist Board's duties, functions, and responsibilities include recommending appropriate rules to the Division director.  This rule was enacted to clarify the provisions of Title 58, Chapter 20b, with respect to environmental health scientists.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
Since this rule was last reviewed in 2020, this rule has not been amended, and the Division of Professional Licensing has not received any public comment.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 20b. This rule is also necessary as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mark B. Steinagel, Division Director	<b>Date:</b>	03/07/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-417</b>	<b>Filing ID:</b>	<b>50423</b>
<b>Effective Date:</b>	<b>03/14/2025</b>		

**Agency Information**

<b>1. Title catchline:</b>	Education, Administration		
<b>Building:</b>	Board of Education		
<b>Street address:</b>	250 E 500 S		
<b>City, state</b>	Salt Lake City, UT 84111		
<b>Mailing address:</b>	PO Box 144200		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>	R277-417. Prohibiting LEAs and Third Party Providers from Offering Incentives or Disbursement for Enrollment or Participation		
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; and Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.		
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>	There were no public comments received.		
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	This rule is necessary in order to provide standards and procedures for prohibiting Local Education Agencies and third party providers from offering incentives for student enrollment. Therefore, this rule should be continued.		

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-714</b>	<b>Filing ID:</b>	<b>52577</b>
<b>Effective Date:</b>	<b>03/14/2025</b>		

**Agency Information**

<b>1. Title catchline:</b>	Education, Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Elisse Newey	801-538-7550	elisse.newey@schools.utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R277-714. Unsafe School Choice Option
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; and Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
There were no public comments received.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary in order to provide a definition of persistently dangerous school as required by 20 USC 7912; and a process for complying with federal law when a school within the Local Education Agency is designated as persistently dangerous. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Elisse Newey, Deputy Superintendent of Policy	<b>Date:</b>	03/14/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R384-300</b>	<b>Filing ID: 56040</b>
<b>Effective Date:</b>	<b>03/06/2025</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Population Health, Health Promotion and Prevention	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 142102	
<b>City, state and zip:</b>	Salt Lake City, UT 841164	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nichole Shepard	385-315-2000	nshepard@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R384-300. Parkinson's Disease Reporting Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26B-1-202 gives the Department of Health and Human Services (Department) authority to make rules providing health and social services for the state, and Section 26B-7-227 authorizes the Department to establish and operate reasonable programs to prevent, delay, and detect the onset of chronic diseases, including systems for detecting and monitoring chronic diseases.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department has not received any written comments in support of or opposition to this rule since its last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary for statutory compliance and establishes the Utah Parkinson's Disease Registry, which maintains a central database of accurate historical and current information for research and public health purposes.  This rule provides for the screening and collection of patient data that may be useful in detecting the incidence and possible risk factors concerning Parkinson's Disease and related movement disorders. The information gained will help increase understanding of this disease and aid in planning for early diagnosis, developing health education for patients and providers, and providing correct medical or surgical therapy health requirements. Therefore, this rule should be continued.  As there have been no comments in opposition to this rule, the Department has not responded to any such comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	03/01/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R392-600</b>	<b>Filing ID:</b>	<b>54379</b>
<b>Effective Date:</b>	<b>03/03/2025</b>		

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Population Health, Environmental Health
<b>Building:</b>	Cannon Health Building
<b>Street address:</b>	288 N 1460 W
<b>City, state</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 142104
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2104

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Mark E. Jones	801-538-6191	markejones@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

**2. Rule catchline:**  
R392-600. Illegal Drug Operations Decontamination Standards

**3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:**  
Section 19-6-906 authorizes the Department of Health and Human Services (Department) to adopt rules and enforce minimum standards for testing, sampling and decontamination of interior surfaces, furnishing, outside property soils, and septic tanks, each associated with buildings contaminated with hazardous waste resulting from the illicit production and use of methamphetamine.

**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:**  
Since this rule's last five-year review, the Department received comments related to an amendment for Rule R392-600 (with filing ID 54379), originally published in the March 15, 2022, issue of the *Utah State Bulletin* and made effective 07/13/2022. The reason for the amendment was to update and clarify rule language and bring definitions in line with updated statute, but requirements in this rule remained the same as they were before the amendment.

Public comments related to that amendment included local health districts and the Utah Department of Environmental Quality (DEQ) proposing adjustments to the rule language, the Utah Apartment and Realtors Association requesting the removal of composite testing requirements, and industry experts recommending use of their products for clean up and inquiring about a private laboratory needing a certification or permit for methamphetamine testing.

The Department responded to the comments by telling local health districts and DEQ that the proposed changes would likely be discussed in a future advisory committee meeting and were not appropriate to incorporate in the amendment at that time. The Department also responded to the Utah Apartment and Realtors Association that the request for removal of composite testing requirements had previously been addressed in an amendment that was published in the July 15, 2018, issue of the *Utah State Bulletin* and made effective 08/24/2018. The Department responded to the recommendation from industry experts of specific cleaning products that the Department is unable to recommend the use of a specific cleaning product for clean up. Finally, the Department clarified its position on private laboratory certification or permits for testing.

The Department has not received any additional comments in support of or opposition to this rule since its last five-year review.

**5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:**  
Rule R392-600 is necessary for statutory compliance and public safety. This rule provides standards that protect homeowners, future home buyers, tenants, and the general public from exposure to hazardous chemical contaminants associated with illicit drug production and use that may be present on building surfaces, furnishings, and property soils. This rule establishes procedures for the management and removal of hazardous waste materials from illicit drug lab operations. Therefore, this rule should be continued.

As mentioned in Box 4, the only comment the Department received in opposition to this rule was from the Utah Apartment and Realtors Association requesting the removal of composite testing requirements, but the Department determined that this issue had already been addressed through the 2018 amendment. The Department did not receive any other comments in opposition to Rule R392-600 and, therefore, did not respond to any such additional comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	02/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-164	Filing ID: 56839
Effective Date:	03/03/2025	

**Agency Information**

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S.2700 W	
City, state	Taylorsville, UT	
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:	R590-164. Uniform Health Billing 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:	<p>Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.</p> <p>Section 31A-22-614.5 requires all insurers that offer health insurance to use a uniform claim form and uniform billing and claim codes adopted by the Insurance Commissioner in accordance with the Utah Administrative Rulemaking Act.</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>The Department of Insurance (Department) received two comments from industry partners with concerns that an amendment to a Title R380 rule would conflict with Rule R590-164. The Department worked with the Department of Health and Human Services to ensure the R380 and R590 rules would be in alignment.</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>This rule eliminates the need for each insurer to create its own billing form for health providers to complete and file with the insurer to be reimbursed for their services. Uniformity in health billing forms reduces confusion, processing time, and cost. It should be noted that the organization that sets the standards has representation from major insurance carriers and health care providers.</p> <p>Before adopting standards, they are exposed to the insurance industry and medical organizations for their input. As many as 700 responses have been received regarding a change in standards. Ninety percent of medical billings in Utah are sent electronically, exceeding the national average. Therefore, this rule should be continued.</p>	

**Agency Authorization Information**

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/03/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-284	Filing ID: 55278
Effective Date:	03/03/2025	

**Agency Information**

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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:	R590-284. Corporate Governance Annual Disclosure 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:	<p>Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.</p> <p>Section 31A-16b-104 authorizes the insurance commissioner to write rules to implement Title 31A, Chapter 16b, Corporate Governance Annual Disclosure Act.</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:	The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	<p>This rule sets the filing procedure and content requirements for a corporate governance annual disclosure (CGAD) that insurers are required to file under Section 31A-16b-103. These disclosures are critical to the Department's effective regulation of insurers domiciled in Utah.</p> <p>Without the information contained in this disclosure, the governance structure of an insurer would be opaque and making sense of its operational oversight would be difficult. This rule is necessary to understand how an insurer is structured, how it makes decisions, and how it manages risk. Therefore, this rule should be continued.</p>	

**Agency Authorization Information**

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/03/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R657-55	Filing ID: 55781
Effective Date:	03/03/2025	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources	
<b>Building:</b>	DNR Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84414-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R657-55. Wildlife Expo Permits
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Under Sections 23A-2-304 and 23A-2-305, the Wildlife Board is authorized and required to regulate and prescribe the means for issuing wildlife expo permits.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments supporting or opposing Rule R657-55 were received since October 2020, when the rule was last reviewed.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R657-55 provides the requirements, procedures and standards for conservation groups to issue the 200 hunting permits made available at the wildlife expo. This rule provides the opportunity for residents and nonresidents to visit Utah during the expo for an opportunity to obtain one of the permits.
The wildlife expo brings hundreds of thousands of dollars into the state each year. The provisions adopted in this rule are effective in providing the requirements, procedures, and standards for managing the wildlife expo permit program. This rule is necessary for continued success of this program. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Riley Peck, Division Director	<b>Date:</b>	03/03/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	R994-204	<b>Filing ID:</b>	55004
<b>Effective Date:</b>	03/03/2025		

**Agency Information**

<b>1. Title catchline:</b>	Workforce Services, Unemployment Insurance	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state</b>	Salt Lake City, UT	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Mailing address:</b>	PO Box 45244	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Andreasen	801-517-4722	randreasen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R994-204. Covered Employment
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Department of Workforce Services (Department) has authority under Subsections 35A-1-104(1), 35A-1-104(4), and 35A-4-502(1)(b) to adopt rules and establish eligibility standards.  Section 35A-4-204 defines employment in broad terms.  This rule is needed to specify what standards are used for determining the employment status of specific types of workers. This rule draws from case law, Utah statutes, and federal regulations to establish standards the Department follows in making those determinations.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary to explain to employers and claimants which types of employment are covered under the Employment Security Act and when a worker may be eligible for unemployment insurance benefits. It also provides rules for determining whether an individual is an independent contractor and whether an employer can a declaratory determination of a worker's status. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	03/03/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	R994-205	<b>Filing ID:</b> 54919
<b>Effective Date:</b>	03/03/2025	

**Agency Information**

<b>1. Title catchline:</b>	Workforce Services, Unemployment Insurance
<b>Building:</b>	Olene Walker Building
<b>Street address:</b>	140 E 300 S
<b>City, state</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 45244
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Andreasen	801-517-4722	randreasen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R994-205. Exempt Employment
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Department of Workforce Services has authority under Subsections 35A-1-104(1), 35A-1-104(4), and 35A-4-502(1)(b) to adopt rules and establish eligibility standards.  Section 35A-4-205 lists types of work that are exempt under the Employment Security Act.  This rule is necessary to describe how to determine if certain workers' services are exempt.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary to provide guidance to employers and claimants in determining when certain types of services are exempt, such as those provided by agricultural workers, outside salespersons, real estate agents, and family members. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	03/03/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	R994-206	<b>Filing ID:</b>	54920
<b>Effective Date:</b>	03/03/2025		

**Agency Information**

<b>1. Title catchline:</b>	Workforce Services, Unemployment Insurance		
<b>Building:</b>	Olene Walker Building		
<b>Street address:</b>	140 E 300 S		
<b>City, state</b>	Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 45244		
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Robert Andreasen	801-517-4722	randreasen@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R994-206. Agricultural Labor
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Department of Workforce Services has authority under Subsections 35A-1-104(1), 35A-1-104(4), and 35A-4-502(1)(b) to adopt rules and establish eligibility standards.  Section 35A-4-206 defines when agricultural labor is covered under the Employment Security Act.  This rule is necessary to define terms used in Section 35A-4-206.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary to explain to employers and claimants when unemployment insurance benefits may be paid to agricultural workers. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	03/03/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R994-304</b>	<b>Filing ID: 52242</b>
<b>Effective Date:</b>	<b>03/03/2025</b>	

**Agency Information**

<b>1. Title catchline:</b>	Workforce Services, Unemployment Insurance		
<b>Building:</b>	Olene Walker Building		
<b>Street address:</b>	140 E 300 S		
<b>City, state</b>	Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 45244		
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Robert Andreasen	801-517-4722	randreasen@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R994-304. Special Provisions Regarding Transfers of Unemployment Experience and Assigning Rates

**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 Department of Workforce Services has authority under Subsections 35A-1-104(1), 35A-1-104(4), and 35A-4-502(1)(b) to adopt rules and establish eligibility standards.

Section 35A-4-304 seeks to enforce federal regulations requiring successor employers pay the rates that applied to the predecessor employer.

This rule is necessary to define terms used in Section 35A-4-304.

**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 during the last five years or since the last five-year review.

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

If an employer sells or transfers its business to a different entity, especially if the transfer is made to avoid higher unemployment insurance rates, the rate of the old business is transferred to the new entity.

This rule is necessary to explain when the rates will be charged to the new employer to avoid State Unemployment Tax Act "dumping" which is a scheme to avoid higher experience ratings. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	03/03/2025
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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		
<b>Rule Number:</b>	R156-78	Filing ID: 50315
<b>Effective Date:</b>	03/18/2025	

### Agency Information

<b>1. Department and Agency:</b>	Commerce, Professional Licensing	
<b>Street address:</b>	160 E 300 S	
<b>City, state, and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Nancy L. Lancaster	801-657-1644	rulesonline@utah.gov

### General Information

<b>2. Title of rule (catchline):</b>
R156-83. Online Prescribing, Dispensing, and Facilitation Licensing Act Rule
<b>3. Summary:</b>
The Division of Professional Licensing let Rule R156-83 expire, on purpose, because the Legislature repealed the statutory authority to write this rule.

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

## NOTICES OF RULE EFFECTIVE DATES

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

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

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

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### Agriculture and Food

#### Plant Industry

No. 57034 (Repeal and Reenact) R68-15: Quarantine Pertaining to Japanese Beetle, *Popillia japonica*

Published: 02/15/2025

Effective: 03/27/2025

No. 57019 (New Rule) R68-21: Beekeeping Standards

Published: 02/01/2025

Effective: 03/17/2025

### Education

#### Administration

No. 57020 (Amendment) R277-404: Requirements for Assessments of Student Achievement

Published: 02/01/2025

Effective: 03/10/2025

No. 57021 (Repeal) R277-489: Kindergarten Programs and Assessment

Published: 02/01/2025

Effective: 03/10/2025

No. 57022 (Amendment) R277-606: Dropout Prevention and Recovery Program

Published: 02/01/2025

Effective: 03/10/2025

No. 57023 (Amendment) R277-607: Absenteeism and Truancy Prevention

Published: 02/01/2025

Effective: 03/10/2025

No. 57024 (Amendment) R277-608: Prohibition of Corporal Punishment in Utah's Public Schools

Published: 02/01/2025

Effective: 03/10/2025

No. 57025 (Amendment) R277-623: School Climate Survey

Published: 02/01/2025

Effective: 03/10/2025

No. 57026 (Amendment) R277-631: Student Toilet Training Requirements

Published: 02/01/2025

Effective: 03/10/2025



No. 57027 (New Rule) R277-725: Statewide Online Education Program Contractor Requirements  
Published: 02/01/2025  
Effective: 03/10/2025

Environmental Quality

Air Quality

No. 56935 (Amendment) R307-401: Permit: New and Modified Sources  
Published: 12/01/2024  
Effective: 03/5/2025

Governor

Economic Opportunity

No. 56967 (Repeal) R357-15a: Targeted Business Tax Credit  
Published: 12/15/2024  
Effective: 03/03/2025

Health and Human Services

Population Health, Environmental Health

No. 56884 (New Rule) R392-701: Body Art Facility Sanitation  
Published: 11/15/2024  
Effective: 03/13/2025

No. 56884 (Change in Proposed Rule) R392-701: Body Art Facility Sanitation  
Published: 01/15/2025  
Effective: 03/13/2025

Integrated Healthcare

No. 57033 (Amendment) R414-49: Dental, Oral, and Maxillofacial Surgeons and Orthodontia  
Published: 02/15/2025  
Effective: 04/01/2025

Health Care Facility Licensing

No. 56863 (Repeal and Reenact) R432-4: General Construction  
Published: 11/15/2024  
Effective: 03/14/2025

Services for People with Disabilities

No. 57000 (Repeal and Reenact) R539-1: Eligibility  
Published: 01/15/2025  
Effective: 03/03/2025

No. 57001 (Repeal and Reenact) R539-5: Self-Administered Services  
Published: 01/15/2025  
Effective: 03/03/2025

No. 57002 (New Rule) R539-16: Caregiver Compensation  
Published: 01/15/2025  
Effective: 03/03/2025

Insurance

Administration

No. 57003 (Repeal and Reenact) R590-126: Accident and Health Insurance Standards  
Published: 02/01/2025  
Effective: 03/24/2025

No. 57004 (Repeal and Reenact) R590-233: Health Benefit Plan Insurance Standards  
Published: 02/01/2025  
Effective: 03/24/2025

NOTICES OF RULE EFFECTIVE DATES

No. 57006 (Repeal and Reenact) R590-286: Minimum Standards for Short-Term Limited Duration Health Insurance  
Published: 02/01/2025  
Effective: 03/24/2025

Natural Resources

Oil, Gas and Mining Board

No. 56976 (Amendment) R641-109: Notice  
Published: 01/01/2025  
Effective: 03/01/2025

Forestry, Fire and State Lands

No. 57028 (Amendment) R652-20: Mineral Resources  
Published: 02/01/2025  
Effective: 03/10/2025

Wildlife Resources

No. 57009 (Amendment) R657-5: Taking Big Game  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57010 (Amendment) R657-6: Taking Upland Game  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57011 (Amendment) R657-9: Taking Waterfowl, Snipe and Coot  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57012 (Amendment) R657-10: Taking Cougar  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57013 (Amendment) R657-11: Taking Furbearers and Trapping  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57014 (Repeal) R657-15: Closure of Gunnison, Cub and Hat Islands  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57015 (Amendment) R657-20: Reporting Requirements  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57016 (Amendment) R657-33: Taking Bear  
Published: 02/01/2025  
Effective: 03/11/2025

No. 57017 (Amendment) R657-64: Predator Control Incentives  
Published: 02/01/2025  
Effective: 03/11/2025

**End of the Notices of Rule Effective Dates Section**