

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed April 02, 2025, 12:00 a.m. through April 15, 2025, 11:59 p.m.

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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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# EXECUTIVE DOCUMENTS

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

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

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## PROCLAMATION

**WHEREAS**, since the close of the 2025 General Session of the 66th Legislature of the state of Utah, certain matters have arisen which require immediate legislative attention; and

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

**NOW, THEREFORE**, I, Spencer J. Cox, governor of the state of Utah, by virtue of the authority vested in me by the Constitution and Laws of the state of Utah, do by this Proclamation call the Senate only of the 66th Legislature of the state of Utah into the First Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 15th day of April 2025, at 4:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the state of Utah since the close of the 2025 General Session of the Legislature of the state of Utah.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, this 14th day of April 2025.

(State Seal)

Spencer J. Cox  
Governor

ATTEST:

Deidre M. Henderson  
Lieutenant Governor

2025-01E

**End of the Executive Documents 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 April 02, 2025, 12:00 a.m., and April 15, 2025, 11:59 p.m. are included in this, the May 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 June 02, 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 August 29, 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:** Amendment

**Rule or Section Number:**

**R25-7**

**Filing ID: 57094**

**Agency Information**

<b>1. Title catchline:</b>	Government Operations, Finance	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W, Floor 3	
<b>City, state:</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 141031	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1031	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Van Christensen	801-808-0698	vhchristensen@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>
R25-7. Travel-Related Reimbursements for State Travelers
<b>3. Purpose of the new rule or reason for the change:</b>
As approved by the agency's executive director, the Department of Government Operations' Division of Finance (Division) is amending this rule to align the travel policy with the telework policy, which uses a 50-mile threshold. By aligning these policies an employee will not have to remember when a 75-mile requirement applies as opposed to a 50-mile requirement.  Our hope is that this consistency will simplify employee understanding of travel reimbursement guidelines and improve compliance.
<b>4. Summary of the new rule or change:</b>
With this amendment, the required travel distance for an employee to be reimbursed for lodging will be changed from 75 miles to 50 miles to match Governor Cox's 50-mile or more commute requirement to qualify as a remote employee.

**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 may affect the state's budget, though the exact fiscal cost is impossible to calculate as there is no way for the Division to know in advance how many state employees will require reimbursement for lodging or how many traveling employees will be affected by the 25 mile decrease in the current 75-mile reimbursement requirement.
<b>B) Local governments:</b>
This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures. The changes do not affect local government budgets because they only apply to state agencies' lodging reimbursement requirements.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have a fiscal impact on small businesses' revenues or expenditures. The changes do not affect small businesses' because they only apply to state agencies' lodging reimbursement requirements.

Small lodging businesses will receive the same amount of money regardless of whether the employee is reimbursed or not.

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

This rule change is not expected to have a fiscal impact on local non-small businesses' revenues or expenditures. The changes do not affect non-small businesses' because they only apply to state agencies' lodging reimbursement requirements.

Non-small lodging businesses will receive the same amount of money regardless of whether the employee is reimbursed or not.

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

This rule change is not expected to have a fiscal impact on persons other than small businesses, businesses, or local government entities. The changes do not affect other persons because they only apply to state agencies' lodging reimbursement requirements.

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

Because this amendment only applies to state agencies' lodging reimbursement requirements, this rule change is not expected to create compliance costs for any entity other than, potentially, the state's budget. It's possible that more state employees will qualify for lodging reimbursement with the 25 mile decrease in the required travel distance, so there is a potential for extra costs in the state's budget.

However, it is impossible to predict the amount of those costs because the Division cannot predict how many state employees will require reimbursement for lodging or how far they will need to travel from their personal residence for state business.

**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 Executive Director of the Department of Government Operations, Marvin Dodge, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 63A-3-107		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	Marvin Dodge, Executive Director	<b>Date:</b>	04/05/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	R64-6	<b>Filing ID:</b> 57098

**Agency Information**

<b>1. Title catchline:</b>	Agriculture and Food, Conservation Commission	
<b>Building:</b>	Taylorsville State Office Building, South Building, 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	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Jim Bowcutt	435-232-4017	jdbowcutt@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@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>
R64-6. Agriculture Voluntary Incentives Program
<b>3. Purpose of the new rule or reason for the change:</b>
Changes are needed to this rule to expand the Agriculture Voluntary Incentives Program (AgVIP) and the purposes of the program to promote and incentivize conservation practices beyond just nutrient management plants.
This change is consistent with statute regarding Utah Conservation Commission grant programs under Section 4-18-108.
<b>4. Summary of the new rule or change:</b>
Section R64-6-3 has been updated to expand the purposes of the program add references to conservation best management practices and the development of conservation plans.
Requirements for conservation plans are also added to Section R64-6-7.
Finally, language is added to Section R64-6-6 to specify that individuals that are in default or not making payments on a Department of Agriculture and Food (Department) loan could be ineligible to receive incentives under AgVIP.

**Fiscal Information**

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

**A) State budget:**

There is no impact on the state budget. The purposes of the program are expanding but costs to manage the program is not changing.

**B) Local governments:**

Local governments do not participate in the program and will not be impacted by the rule changes.

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

There should be no impact to small businesses.

While producers may implement additional conservation practices that could carry additional costs, the Department's incentive structure is not changing.

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

There should be no impact to non-small businesses.

While producers may implement additional conservation practices that could carry additional costs, the Department's incentive structure is not changing.

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

Other persons do not participate in AgVIP and will not be impacted by the rule changes.

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

There are no compliance requirements associated with the program.

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

<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 Interim Commissioner of the Utah Department of Agriculture and Food, Kelly Pehrson, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 4-18-108

**Public Notice Information**

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

**A) Comments will be accepted until:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025

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>	Kelly Pehrson, Interim Commissioner	<b>Date:</b>	04/11/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment  
**Rule or Section Number:** R277-121 **Filing ID:** 57107

**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**

**2. Rule or section catchline:**  
 R277-121. Board Waiver of Administrative Rules

**3. Purpose of the new rule or reason for the change:**  
 This rule is being amended to add more detail to our waiver process for schools and Local Education Agencies (LEAs) applying for a waiver from Board of Education (Board) rule.

**4. Summary of the new rule or change:**  
 The amendments update several of the procedures and requirements for LEAs requesting waivers from Board rule.

**Fiscal Information**

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

**A) State budget:**

This rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule change does not add costs for the Utah State Board of Education (USB E) or other state entities as it clarifies the board rule waiver process for Local Education Agencies (LEAs).

**B) Local governments:**

This rule change is not expected to have fiscal impact on local government revenues or expenditures. LEAs requesting a waiver will now need to hold two public meetings separately from regular board meetings. These meetings can be held electronically.

While these meetings may add to LEA administrative staff time, there is no quantifiable cost for LEAs as they have the staff and systems in place to hold meetings as described in this rule.

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

This rule change is not expected to have fiscal impact on small business revenues or expenditures. This only affects USB E and LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects USB E 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. LEAs requesting a waiver will now need to hold two public meetings separately from regular board meetings. These meetings can be held electronically.

While these meetings may add to LEA administrative staff time, there is no quantifiable cost for LEAs as they have the staff and systems in place to hold meetings as described in this rule.

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

<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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	04/15/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b>	Amendment		
<b>Rule or Section Number:</b>	R277-123	<b>Filing ID:</b>	57110

**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 or section catchline:</b>
R277-123. Process for Members of the Public to Report Violations of Statute and Board Rule

<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended to clarify the processes the Utah State Board of Education's (USBE) Internal Audit Department will follow after receiving hotline complaints.
<b>4. Summary of the new rule or change:</b>
The amendments remove outdated language in Sections R277-123-5 and R277-123-6, and renumber remaining sections accordingly.

**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 amendments simply remove outdated language in two of the rule's sections. The USBE believes the rule amendments do not add any additional costs for 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 amendments simply remove outdated language in two of the rule's sections. The USBE believes the rule amendments do not add any additional costs for USBE or LEAs.
<b>C) Small businesses</b> ("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 applies to USBE and LEAs.
<b>D) Non-small businesses</b> ("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.
<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> ):
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 applies to USBE and LEAs.
<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 for affected persons. This only applies to USBE and 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	Subsections 53E-3-401(4) and (8)
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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:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025

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>	04/15/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R277-317</b>	<b>Filing ID:</b> 57108
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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 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 or section catchline:</b>
R277-317. Incentive for National Board Certification
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended in order to create a new system for the National Board Certification bonus payments due to the sunseting of the Teacher Salary Supplement Program (TSSP) next year.
<b>4. Summary of the new rule or change:</b>
The amendments specify that this rule is exempt from the oversight category framework.
In addition, the amendments change the Board-certified salary supplement application deadline to March 31st, and the appeal deadline to April 30th.

**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. S.B. 173 passed in the 2024 General Session eliminated the TSSP. The National Board Certification bonus payments used the same system as the TSSP and this rule change allows the Utah State Board of Education (USBE) to continue making the payments to eligible educators.
This rule does not add any costs for USBE. The deadline changes better match the National Board certification process and do not impact the payments themselves for USBE or educators.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. S.B. 173 (2024) eliminated the TSSP. The National Board Certification bonus payments used the same system as the TSSP and this rule change allows USBE to continue making the payments to eligible educators.
This rule does not add any costs for USBE. The deadline changes better match the National Board certification process and do not impact the payments themselves for USBE or educators. As these payments are directed towards individual educators, there is no impact to Local Education Agency (LEA).
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects USBE, LEAs, and educators.
<b>D) Non-small businesses</b> ("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.
<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> ):
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 USBE, LEAs, and educators.



**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. S.B. 173 (2024) eliminated the TSSP. The National Board Certification bonus payments used the same system as the TSSP and this rule change allows USBE to continue making the payments to eligible educators.

This rule does not add any costs for USBE. The deadline changes better match the National Board certification process and do not impact the payments themselves for USBE or educators.

**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)	Subsection 53E-6-201(1)(d)
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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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	04/15/2025
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NOTICE OF SUBSTANTIVE CHANGE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-801</b>	<b>Filing ID: 57109</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 or section catchline:</b>
R277-801. Services for Students who are Deaf, Hard of Hearing, Blind, Visually Impaired, and Deaf-Blind
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended to allow the Utah Schools of the Deaf and Blind (USDB) to charge fees for services provided to LEAs.
<b>4. Summary of the new rule or change:</b>
The amendments specifically update and clarify the responsibilities of Local Education Agencies (LEAs), as well as the services for qualifying students.

**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 allows the USDB to charge for services provided to all Local Education Agencies (LEAs), not just those with greater than 3% of the statewide student population. This may result in increased revenue for USDB, and require less supplemental appropriation from the legislature.
The Utah State Board of Education (USBE) is unable to quantify the potential revenues as this simply allows LEAs the option to contract with USDB for services and does not force them to choose USDB as a provider for services.
<b>B) Local governments:</b>
This rule change allows all LEAs to contract with USDB for outreach services. There will be no changes for LEAs with over 3% of the statewide student population.
Smaller LEAs now have the option to contract with USDB to be provided with outreach services. USDB had been obligated to provide the services to smaller LEAs in the past, but legislative appropriations did not allow USDB to continue this practice without supplemental appropriations. LEAs may be impacted when they have student needing outreach services. USBE is unable to quantify the impact to each LEA as it is dependent upon number of students qualifying for services, level of services needed, Individual Education Plans (IEPs), and many other factors. USBE does not estimate that this will cause major fiscal impacts for any 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 impacts USBE and LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only impacts 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 rule change allows all LEAs to contract with USDB for outreach services. There will be no changes for LEAs with over 3% of the statewide student population.

Smaller LEAs now have the option to contract with USDB to be provided with outreach services. USDB had been obligated to provide the services to smaller LEAs in the past, but legislative appropriations did not allow USDB to continue this practice without supplemental appropriations.

LEAs may be impacted when they have student needing outreach services. USBE is unable to quantify the impact to each LEA as it is dependent upon number of students qualifying for services, level of services needed, Individual Education Plans (IEPs), and many other factors. USBE does not estimate that this will cause major fiscal impacts for any 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)	Section 53E-8-401
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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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	04/15/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R357-29</b>	<b>Filing ID:</b> 57102

**Agency Information**

<b>1. Title catchline:</b>	Governor, Economic Opportunity	
<b>Building:</b>	World Trade Center	
<b>Street address:</b>	60 E South Temple, Suite 300	
<b>City, state:</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Greg Jeffs	801-368-1957	gjeffs@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>
R357-29. Rural County Grant Rule
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this change is to clarify ambiguous wording and add necessary content for applications.
<b>4. Summary of the new rule or change:</b>
This change specifies that the project description must include a scope of work, the list of board members must include terms of appointments, the budget must be line-item, and the application will be available on or before July 1.
It also adds the requirement of a budget narrative describing proposed fund usage.

**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 only potential cost of these rule changes is staff time. However, these changes do not increase or decrease staff time because it mostly clarifies what staff are already doing. The one additional requirement will add a negligible amount to staff time.

<b>B) Local governments:</b>			
These rule changes do not affect local governments.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
Applying is optional, therefore the rule change does not necessarily affect small businesses.			
Additionally, these rule changes mostly clarify what small businesses are already required to do if they choose to apply.			
Finally, for the new requirements, these will only add a negligible, if any, time-cost to businesses that choose to apply.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
Applying is optional, therefore the rule change does not necessarily affect non-small businesses.			
Additionally, these rule changes mostly clarify what businesses are already required to do if they choose to apply.			
Finally, for the new requirements, these will only add a negligible, if any, time-cost to businesses that choose to apply.			
<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> ):			
These rule changes do not affect this category.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
Applying is optional, therefore the rule change does not necessarily affect any persons.			
Additionally, these rule changes mostly clarify what people are already required to do if they choose to apply.			
Finally, for the new requirements, these will only add a negligible, if any, time-cost to persons who choose to apply.			
<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 Governor's Office of Economic Opportunity, Ryan Starks, 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 63N-4-802		
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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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	Ryan Starks, Executive Director	<b>Date:</b>	04/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R357-46</b>	<b>Filing ID:</b> 57103
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**Agency Information**

<b>1. Title catchline:</b>	Governor, Economic Opportunity		
<b>Building:</b>	World Trade Center		
<b>Street address:</b>	60 E South Temple, Suite 300		
<b>City, state:</b>	Salt Lake City, UT		

<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Greg Jeffs	801-368-1957	gjeffs@utah.gov	

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

**General Information**

<b>2. Rule or section catchline:</b>
R357-46. Rural Communities Opportunity Grant Rule

<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this change is to clarify definitions and meanings.

<b>4. Summary of the new rule or change:</b>
The changes in this rule better align definitions and phrases with statute, clarify documentation that must be included in applications, and whether counties of the second class qualify.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
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<b>A) State budget:</b>
There are no anticipated costs or savings because these changes do not change anything, the simply clarify what is already being done.

<b>B) Local governments:</b>			
There are no anticipated costs or savings because these changes do not change anything, the simply clarify what is already being done.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
There are no anticipated costs or savings because these changes do not change anything, the simply clarify what is already being done.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
There are no anticipated costs or savings because these changes do not change anything, the simply clarify what is already being done.			
<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 are no anticipated costs or savings because these changes do not change anything, the simply clarify what is already being done.			
<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 costs or savings because these changes do not change anything, the simply clarify what is already being done.			
<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 Executive Director of the Governor’s Office of Economic Opportunity, Ryan Starks, 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 63N-4-802		

**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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	Ryan Starks, Executive Director	<b>Date:</b>	04/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R392-100</b>	<b>Filing ID:</b> 57111
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**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 1450 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 84114-2102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Karl Hartman	801-538-6191	khartman@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>
R392-100. Food Service Sanitation
<b>3. Purpose of the new rule or reason for the change:</b>
The FDA released a supplement to the Food Code that makes changes, deletions, additions, and format modifications to the 2022 FDA Food Code, which is already incorporated by reference in this rule.
<b>4. Summary of the new rule or change:</b>
This rule filing amends the rule to incorporate by reference the December 2024 version of the Supplement to the 2022 Food Code.
It additionally uncapitalizes the word "the" in one instance in accordance with the Rulewriting Manual for Utah.



**Fiscal Information**

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

**A) State budget:**

This amendment to the rule is not anticipated to result in a cost or benefit to the state budget because the incorporated supplement does not require a change to state operations or programs, and it does not include requirements for the payment of fines or fees to the state.

**B) Local governments:**

This amendment to the rule is not anticipated to result in a cost or benefit to a local health jurisdiction because the incorporated supplement does not require a change to local government operations or programs, and it does not include requirements for the payment of fines or fees to the local health department.

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

This amendment to the rule is not anticipated to result in a cost or benefit to a small business because the incorporated supplement does not require a change in business operations or procedures.

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

This amendment to the rule is not anticipated to result in a cost or benefit to a non-small business because the incorporated supplement does not require a change in business operations or procedures.

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

There is no anticipated impact, fiscally or otherwise, to any other person as defined, as this rule does not affect other persons.

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

There are no anticipated compliance costs as a result of this proposed rule amendment, as this rule is not anticipated to result in any fiscal impact to the Department of Health and Human Services at the state level, any of the 13 local health departments, or any of the applicable small and non-small businesses already operating.

**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-1-202	Section 26B-7-402	
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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>	Supplement to the 2022 Food Code
<b>Publisher</b>	Food and Drug Administration (FDA)
<b>Issue Date</b>	December 2024
<b>Issue or Version</b>	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:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025

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>	04/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** New

<b>Rule or Section Number:</b>	<b>R501-23</b>	<b>Filing ID:</b> 57105
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**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 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	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>
R501-23. Division of Services for People with Disabilities Certification
<b>3. Purpose of the new rule or reason for the change:</b>
Following internal review, the Department of Health and Human Services (Department) determined this filing is necessary to create a rule governing the oversight of the health and safety standards in settings contracted by the Department to serve clients under the Division of Services for People with Disabilities (DSPD).
<b>4. Summary of the new rule or change:</b>
This filing creates a rule that governs DSPD certifications. This rule provides the minimum health and safety standards for DSPD-certified providers and the enforcement actions that the Office of Licensing (OL) may take in response to noncompliance.  Additionally, this rule provides definitions related to DSPD certification, identifies when and which certification is required, and provides information on certification changes, OL inspections and investigations, background check requirements, and penalties.

**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 new rule, as the provisions in this rule are part of OL's existing process for certification and certification renewal.  However, creation of this new rule is necessary to provide clarification of this process to the public.
<b>B) Local governments:</b>
There is no anticipated fiscal impact to local governments, as this rule will not add to, modify, or remove requirements for local business licensing or any other process with which local government is involved. The providers affected by this rule are regulated by the Department, rather than by local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses as a result of this rule filing, as DSPD-certified providers have already been complying with this rule's requirements as part of OL's existing process.
<b>D) Non-small businesses</b> ("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 rule filing, as DSPD-certified providers have already been complying with this rule's requirements as part of OL's existing process.
<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, state, or local government entities as a result of this rule filing, as DSPD-certified providers have already been complying with this rule's requirements as part of OL's existing process.
<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 is no anticipated compliance cost to identified affected persons, including providers and the state, as a result of this rule filing, as DSPD-certified providers have already been complying with this rule's requirements for certification and re-certification as part of OL's existing process.
<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 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>		
Subsection 26B-1-202(1)		

**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>	06/02/2025

<b>9. This rule change MAY become effective on:</b>	06/09/2025
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>	04/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R512-43</b>	<b>Filing ID:</b> 57106

**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>
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>
R512-43. Adoption Assistance
<b>3. Purpose of the new rule or reason for the change:</b>
As a result of an internal review, the Division of Child and Family Services (DCFS) determined it was necessary to update this rule. This rule is being changed to reflect the agency's ability to suspend an adoption subsidy payment when the agency is paying for out-of-home costs for an adoptive child as a preventive measure for entry into foster care.
DCFS will pay the full cost of this care to the provider, enabling the out-of-home providers to continue to serve these children in a fiscally sustainable way.
<b>4. Summary of the new rule or change:</b>
This proposed rule change adds language reflecting DCFS' ability to suspend an adoption subsidy while an adoptive child, not in DCFS custody, is placed in out-of-home care or in a residential facility. DCFS will pay the cost of this care.
Additionally, this amendment clarifies language and makes style and formatting changes in compliance with the Rulewriting Manual for Utah.

**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 DCFS is anticipated to experience an estimated reduction of \$35,000 in Title IV-E revenue annually as a result of suspended adoption subsidy payments that may otherwise occur when adoptive children are placed in out-of-home care.
<b>B) Local governments:</b>
This filing is not anticipated to have a fiscal impact on local governments, as this rule does not apply to them. No out-of-home providers are local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This filing may have a fiscal impact on small businesses. DCFS has identified six providers that contract with DCFS and would be affected by this filing. This could help reduce the amount of potential uncollectable accounts receivable that adoptive parents fail to pay.
The amount of uncollectable accounts receivable is inestimable as the amount changes yearly and DCFS is unable to make an accurate estimate based on information from previous years.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
This filing is not anticipated to have a fiscal impact on non-small businesses, as this rule does not apply to them. No out-of-home providers are 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 filing may have a fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities. Families may temporarily not receive an adoption subsidy for a child placed in out-of-home care. The value of the adoption subsidy payments for out-of-home care that would previously have gone to families is inestimable as DCFS has limited data regarding the actual number of adoptive children who will be placed in out-of-home care with DCFS providing one-time post adoption supplemental support once this rule is made effective. The value of each subsidy per child varies, as does the number of children and families receiving the subsidy each year.

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

There may be a compliance cost for affected persons, but that cost is inestimable. The individualized subsidy amount would vary significantly based on each child's individual needs, and each child's post adoption support needs would also vary.

**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	\$35,000	\$35,000	\$35,000
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>\$35,000</b>	<b>\$35,000</b>	<b>\$35,000</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>(\$35,000)</b>	<b>(\$35,000)</b>	<b>(\$35,000)</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	Section 80-2-806
Section 80-2-807		

**Public Notice Information**

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

**A) Comments will be accepted until:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025

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>	04/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R512-206</b>	<b>Filing ID:</b> 57104

**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
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R512-206. Child Protective Services, Failure to Report
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this new rule is to comply with the explicit requirement for the Division of Child and Family Services (DCFS) to specify information that the DCFS shall include while filing a failure to report complaint, as required under Section 80-2-609, modified through S.B. 134 during the 2024 General Session.
<b>4. Summary of the new rule or change:</b>
This rule specifies the requirements for filing a complaint for a person who failed to report child abuse neglect to the appropriate law enforcement agency, the Utah State Board of Education (USBE), or Division of Professional Licensing (DOPL).

**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 additional costs or savings to the state budget as a result of this rule. The existing state budget covers costs associated with this requirement and DCFS has already implemented the provisions of this rule change as policy.
<b>B) Local governments:</b>
There are no anticipated costs or savings for local governments, as this rule does not apply to them.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
There are no anticipated costs or savings for small businesses, as this rule does not apply to them.

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

There are no anticipated costs or savings for non-small businesses, as this rule does not apply to them.

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

There are no estimable costs or savings to persons other than small businesses, non-small businesses, state, or local government entities. DCFS is unable to quantify what the impact may be on persons that receive the reports or persons for whom DCFS is required to file a complaint, as DCFS is not the entity that determines what action will be taken in response to the complaint. In FY 24, eight complaints were sent to DOPL, law enforcement, and USBE combined.

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

DCFS is unable to quantify what a compliance cost may be on a person who receives a report or a person for whom DCFS is required to file a complaint, as DCFS is not the entity that determines what action will be taken in response to a complaint.

**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 80-2-609

**Public Notice Information**

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

**A) Comments will be accepted until:** 06/02/2025



<b>9. This rule change MAY become effective on:</b>	06/09/2025
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>	04/14/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R614-1-4</b>	<b>Filing ID:</b> 57087

**Agency Information**

<b>1. Title catchline:</b>	Labor Commission, Occupational Safety and Health	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state:</b>	Salt Lake City UT 84111	
<b>Mailing address:</b>	PO Box 146600	
<b>City, state and zip:</b>	Salt Lake City UT 84114-6600	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Holly Lawrence	801-530-6494	hlawrence@utah.gov
Floyd Johnson	801-530-6898	fjohnsion@utah.gov
Chris Hill	801-530-6113	chill@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>
R614-1-4. Incorporation of Federal Standards
<b>3. Purpose of the new rule or reason for the change:</b>
The purposes of these amendments to Utah’s Occupational Safety and Health (UOSH) rule is to update this rule to ensure UOSH is enforcing the most current 29 CFR 1926.95 – Criteria for personal protective equipment standards. Revisions to the standards would explicitly require employers to ensure personal protective equipment (PPE) fit properly for employees in the construction industry.
<b>4. Summary of the new rule or change:</b>
The proposed amendment:
1. Federal Register Vol. 89, No. 239, Thursday, December 12, 2024, Rules and Regulations, pages 100321 to and including 100346, “Personal Protective Equipment in Construction; Final Rule” is incorporated by reference.
a. Amends the construction standard at 29 CFR 1926.95 – Criteria for Personal Protective Equipment, paragraph (c), to clarify that PPE must properly fit each employee.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
UOSH’s enforcement of the proposed amendment will not result in additional costs or savings to the state budget. Changes to the standard clarify an existing requirement that PPE must properly fit each employee.

**B) Local governments:**

Local governments have no administration or enforcement obligations under the proposed amendment.

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

Changes to this rule will involve minimal costs to comply with the rule since it simply clarifies an existing requirement that PPE must fit properly. It is estimated that approximately 3,400 employees in the construction industry, in Utah, require non-standard sizes for PPE due to the size of the individual. Of these 3,400 employees, it is estimated that approximately 10%, or 340 employees, are provided with PPE that does not fit them properly.

There are approximately 2,485 small business entities in Utah that will be affected by the revisions to the PPE in construction standard; however, changes to the standard are not considered an economically significant regulatory action. Affected businesses will need to take time to familiarize themselves with the PPE in construction rule and conduct PPE research to determine if PPE properly fits employees. An estimated 10% of employees who use non-standard size PPE will need to be provided with replacement PPE. PPE that may need to be replaced includes body harnesses, chemical protective clothing, chemical protective footwear, chemical splash goggles, earmuffs, earplugs, face shields, gloves for abrasion protection, gloves for chemical protection, non-prescription safety glasses, safety goggles, safety vests, and splash aprons.

The three main types of costs that could be imposed on each affected establishment include rule familiarization (estimated at a one-time cost of \$82.84), PPE research (estimated at one-time and annual costs of \$25.92 and \$8.68, respectively), and PPE replacement (estimated at a one-time cost of \$51.33). In addition, the annual marginal costs associated with continuing to supply employees with non-standard size PPE after initial replacement, assuming varying percentages of employees needing this PPE and varying numbers of PPE items per employee, is estimated at \$14.68 per employee.

The amendment to the PPE in construction standard will result in an estimated one-time and annual cost of \$52,189.45 and \$7,615.41, respectively, for all affected small businesses, or \$160.09 and \$23.36, respectively, for each affected small business.

It is expected that clarification of the PPE in construction rule will improve compliance and thereby produce benefits to workers who were previously not receiving properly fitting PPE. However, due to lack of information about how many injuries, illnesses, and fatalities are caused by improperly fitting PPE, UOSH is unable to estimate the number of injuries, illnesses, and fatalities that may be averted by this final rule, or any cost savings that may result from adoption and implementation of this rule.

A full breakdown of costs for affected industries is available upon request from UOSH.

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

Changes to this rule will involve minimal costs to comply with the rule since it simply clarifies an existing requirement that PPE must fit properly. It is estimated that approximately 3400 employees in the construction industry, in Utah, require non-standard sizes for PPE due to the size of the individual. Of these 3400 employees, it is estimated that approximately 10%, or 340 employees, are provided with PPE that does not fit them properly.

There are approximately 108 non-small business entities in Utah that will be affected by the revisions to the PPE in construction standard; however, changes to the standard are not considered an economically significant regulatory action. Affected businesses will need to take time to familiarize themselves with the PPE in construction rule and conduct PPE research to determine if PPE properly fits employees. An estimated 10% of employees who use non-standard size PPE will need to be provided with replacement PPE. PPE that may need to be replaced includes body harnesses, chemical protective clothing, chemical protective footwear, chemical splash goggles, earmuffs, earplugs, face shields, gloves for abrasion protection, gloves for chemical protection, non-prescription safety glasses, safety goggles, safety vests, and splash aprons.

The three main types of costs that could be imposed on each affected establishment include rule familiarization (estimated at a one-time cost of \$82.84), PPE research (estimated at one-time and annual costs of \$25.92 and \$8.68, respectively), and PPE replacement (estimated at a one-time cost of \$51.33). In addition, the annual marginal costs associated with continuing to supply employees with non-standard size PPE after initial replacement, assuming varying percentages of employees needing this PPE and varying numbers of PPE items per employee, is estimated at \$14.68 per employee.

The amendment to the PPE in construction standard will result in an estimated one-time and annual cost of \$2,230.53 and \$327.04, respectively, for all affected non-small businesses, or \$159.32 and \$23.36, respectively, for each affected non-small business.

It is expected that clarification of the PPE in construction rule will improve compliance and thereby produce benefits to workers who were previously not receiving properly fitting PPE. However, due to lack of information about how many injuries, illnesses,

and fatalities are caused by improperly fitting PPE, UOSH is unable to estimate the number of injuries, illnesses, and fatalities that may be averted by this final rule, or any cost savings that may result from adoption and implementation of this rule.

A full breakdown of costs for affected industries is available upon request from UOSH.

**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**):

Changes to this rule will not result in additional costs or savings for persons other than small businesses, non-small businesses, state, or local government entities. Changes clarify an existing requirement that PPE properly fit each employee.

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

Changes to this rule will not result in additional compliance costs or savings for affected persons. Changes clarify an existing requirement that PPE properly fit each employee.

**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	\$52,189.45	\$7,615.41	\$7,615.41
Non-Small Businesses	\$2,230.53	\$327.04	\$327.04
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$54,419.98</b>	<b>\$7,942.45</b>	<b>\$7,942.45</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>(\$54,419.98)</b>	<b>(\$7,942.45)</b>	<b>(\$7,942.45)</b>

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

The Commissioner of the Utah Labor Commission, Jaceson R. Maughan, has reviewed and approved this regulatory impact analysis.

This rule will not have a significant fiscal impact on businesses. To remain at least as effective as Federal OSHA and be able to retain Utah’s State-Plan status, and to keep the employees of the state safe, these changes to this rule, specifically the incorporation of Federal Register Vol. 89, No. 238, Thursday, December 12, 2024, Rules and Regulations, pages 100321 to and including 100346, “Personal Protective Equipment in Construction; Final Rule,” must be adopted.

**Citation Information**

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

Title 34A, Chapter 6		
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**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>	Federal Register Vol. 89, No. 238
<b>Publisher</b>	US Government
<b>Issue Date</b>	December 12, 2024

**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>	06/02/2025

<b>9. This rule change MAY become effective on:</b>	06/09/2025
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>	Jaceson R. Maughan, Commissioner	<b>Date:</b>	04/02/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R714-510</b>	<b>Filing ID:</b> 57093

**Agency Information**

<b>1. Title catchline:</b>	Public Safety, Highway Patrol	
<b>Building:</b>	Calvin Rampton Complex	
<b>Street address:</b>	4501 S 2700 W	
<b>City, state:</b>	Salt Lake City, UT 84119-5994	
<b>Mailing address:</b>	PO Box 141100	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1100	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
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>
R714-510. 24-7 Sobriety Program
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule change is to allow the \$30 user fee for enrollment in the 24-7 sobriety program to remain with the testing program site to cover administrative costs, and to specify that the fee determined by the law enforcement agency to cover the cost for each urine or oral fluid drug test administered may not exceed \$20.

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

This rule change specifies that the \$30 user fee for enrollment in the 24-7 sobriety program will remain with the testing program site and specifies that the fee determined by the law enforcement agency to cover the cost for each urine or oral fluid drug test administered shall be no more than \$20.

**Fiscal Information****5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A) State budget:**

The state will no longer collect the \$30 user fee for enrollment in the 24-7 sobriety program from local law enforcement agencies with testing program sites, this fee will remain with the local law enforcement agencies that participate in a 24-7 sobriety program to cover administrative costs associated with the program.

These fees have been used by the state to purchase equipment and pay for licensing fees to support the implementation of the program. Now that the program is thriving, these fees will remain with the agencies maintaining testing program sites to cover their administrative costs associated with the program.

User fees for enrollment paid by program participants averages \$2,800 per month, for a total of approximately \$33,600 per year that would remain with the various local law enforcement agencies maintaining testing program sites.

The state does not currently collect a portion of the urine or oral fluid drug testing fees, the change to this portion of this rule will not affect the state budget.

**B) Local governments:**

Local law enforcement agencies that participate in a 24-7 sobriety program will be authorized to keep the \$30 user fee for enrollment in the 24-7 sobriety program they collect for each participant enrolled through their testing program site to cover administrative costs associated with program.

In addition, they will be authorized by rule to charge a program participant up to \$20 per test to cover the cost for each urine or oral fluid drug test administered.

The local law enforcement agencies are currently limited to collecting \$6 per test through a memorandum of understanding (MOU) with the Department of Public Safety (Department), which is not currently enough to cover the costs of the tests.

By increasing the fee to a maximum of \$20 per test and incorporating the fee limit in rule, they will now be able to cover the actual costs associated with these testing apparatuses, while ensuring some consistency in the amount being charged for testing.

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

The proposed rule is not anticipated to have an impact on small businesses. There are five small businesses that sell either urine or oral swab test kits ranging in cost from \$6.23 per test to \$14.99 per test.

Although law enforcement agencies are currently limited to charging \$6 per test through an MOU with the Department, these agencies are still purchasing and utilizing these testing apparatuses in connection with the 24-7 sobriety program.

The rule change will now allow the law enforcement agencies to charge a fee of up to \$20 per test to cover the costs of administering the tests, but should not result in an increase or decrease in the number of tests currently being purchased from small businesses.

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

The proposed rule is not anticipated to have an impact on non-small businesses. There are two non-small businesses that sell urine test kits ranging in cost from \$7 per test to \$12 per test.

Although law enforcement agencies are currently limited to charging \$6 per test through an MOU with the Department, these agencies are still purchasing and utilizing these testing apparatuses in connection with the 24-7 sobriety program.

The rule change will now allow the law enforcement agencies to charge a fee of up to \$20 per test to cover the costs of administering the tests, but should not result in an increase or decrease in the number of tests currently being purchased from non-small businesses.

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

The 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 allows for local law enforcement agencies that participate in a 24-7 sobriety program to keep the \$30 user fee collected from each participant for enrollment in the 24-7 sobriety program, and to collect up to \$20 per test for each urine or oral fluid drug test administered to cover the costs associated with testing.

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

This rule change could result in an affected person paying up to \$20 for each urine or oral fluid drug test administered in connection with participation in a 24-7 sobriety program. The current rate is up to \$6 based on an MOU with each testing program site, which doesn't currently cover the costs associated with this type of testing.

Program participants who are participating as a result of a drug related offense are typically tested 3 to 4 times per week. These fees are comparable to the fees paid by a program participant for transdermal alcohol monitoring.

**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	\$2,800	\$33,600	\$33,600
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>\$2,800</b>	<b>\$33,600</b>	<b>\$33,600</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$2,800	\$33,600	\$33,600
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$2,800</b>	<b>\$33,600</b>	<b>\$33,600</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 41-6a-515.5		
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**Public Notice Information**

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

**A) Comments will be accepted until:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025

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>	Michael Rapich, Colonel Utah Highway Patrol	<b>Date:</b>	04/07/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** New

<b>Rule or Section Number:</b>	<b>R765-256</b>	<b>Filing ID:</b> 57095
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**Agency Information**

<b>1. Title catchline:</b>	Higher Education (Utah Board of), Administration	
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway	
<b>Street address:</b>	60 S 400 W	
<b>City, state</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Hilary Renshaw	801-646-4784	Hilary.renshaw@ushe.edu
Alison Adams	801-646-4784	Alison.adams@ushe.edu
Geoffrey T. Landward	801-646-4784	Glandward@ushe.edu
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-256. Student Disciplinary Processes
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this administrative rule is to provide minimum standards of due process for the Utah System of Higher Education institutions' student and student organization disciplinary processes.
This administrative rule is being adopted based on requirements in H.B. 414 passed in the 2024 General Session. The Utah Board of Higher Education (Board) currently has Rule R765-801, Student Due Process.
The Board will repeal Rule R765-801 in order to renumber the administrative rule and amend the rule to align with requirements in H.B. 414 (2024).
Section 53B-27-302 authorizes this rule.
<b>4. Summary of the new rule or change:</b>
This administrative rule amends and renumbers current administrative Rule R765-801 to align with requirements in H.B. 414 (2024).



**Fiscal Information**

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

**A) State budget:**

This rule does not impact the state budget.  
 This rule does not change the requirements of any state government entity, and thus, will not impact the state budget. The fiscal note for H.B. 414 (2024), which required amendments to the current administrative Rule R765-801, states that enactment of that legislation likely will not materially impact state revenue.

**B) Local governments:**

This rule does not impact local governments.  
 Local governments are not impacted by the requirements in this rule and therefore, this rule will not result in direct expenditures for local governments.

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

This rule does not impact small businesses.  
 Small businesses are not impacted by the requirements in this rule and therefore, this rule will not result in direct expenditures for small businesses.

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

This rule does not impact non-small businesses. Non-small businesses are not impacted by the requirements in this rule and therefore, the rule will not result in direct expenditures for non-small businesses.  
 The fiscal note on H.B. 414 (2024) stated, "Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and 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 does not impact persons other than small businesses, non-small businesses, state, or local government entities.  
 The fiscal note on H.B. 414 (2024) stated, "Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses."

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

This rule does not impose compliance costs for affected persons.  
 This rule renumbers and amends Rule R765-801 to align with requirements in H.B. 414 (2024) and does not impose any new compliance costs on Utah System of Higher Education institutions or any other affected persons.

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

<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 Utah Commissioner of Higher Education, Geoffrey Landward, has reviewed this regulatory impact analysis and determined this to be reasonable.

**Citation Information**

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

Section 53B-27-302		
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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>	Policy 533, Title IX and Protection from Sex Discrimination
<b>Publisher</b>	Bridgerland Technical College
<b>Issue Date</b>	06/26/2023

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

<b>Official Title of Materials Incorporated (from title page)</b>	Policy 535, Nondiscrimination, Equal Opportunity, and Free Expression
<b>Publisher</b>	Bridgerland Technical College
<b>Issue Date</b>	06/24/2024

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

<b>Official Title of Materials Incorporated (from title page)</b>	Policy 608, Student Grievance
<b>Publisher</b>	Bridgerland Technical College
<b>Issue Date</b>	06/24/2024

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

<b>Official Title of Materials Incorporated (from title page)</b>	Policy 609, Student Conduct
<b>Publisher</b>	Bridgerland Technical College
<b>Issue Date</b>	06/24/2024

<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>	Policy 616, Academic Progress
<b>Publisher</b>	Bridgerland Technical College
<b>Issue Date</b>	06/24/2024

<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>	Policy 305, Discrimination Based on Protected Characteristics
<b>Publisher</b>	Utah State University
<b>Issue Date</b>	02/10/2023

<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>	Student Code Article V & VIII
<b>Publisher</b>	Utah State University
<b>Issue Date</b>	04/10/2009

<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>	Policy 339: Title IX Sexual Misconduct in an Employment or Education Program or Activity
<b>Publisher</b>	Utah State University
<b>Issue Date</b>	02/10/2023

<b>I) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Policy 339A: Non-Title IX Sexual Misconduct
<b>Publisher</b>	Utah State University
<b>Issue Date</b>	02/10/2023

<b>J) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Weber State University's PPM 6-22, Student Code
<b>Publisher</b>	Weber State University
<b>Issue Date</b>	05/16/2023

<b>K) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Policy 6-400, Student Rights and Responsibilities
<b>Publisher</b>	University of Utah
<b>Issue Date</b>	08/07/2024

<b>L) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Policy 6-410, Student Academic Performance, Academic Conduct, and Professional and Ethical Conduct Sections III H through N and, as they related to professional misconduct, Sections III O through Q
<b>Publisher</b>	University of Utah
<b>Issue Date</b>	08/15/2023

<b>M) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	University's Rule R1-012A Non-discrimination Rule
<b>Publisher</b>	University of Utah
<b>Issue Date</b>	02/13/2025

<b>N) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	University Rule R-012B, Complaint Process Rule
<b>Publisher</b>	University of Utah
<b>Issue Date</b>	02/13/2025

<b>O) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	162 Title IX Sexual Misconduct
<b>Publisher</b>	Utah Valley University
<b>Issue Date</b>	04/25/2024

<b>P) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	165 Discrimination, Harassment, and Affirmative Action
<b>Publisher</b>	Utah Valley University
<b>Issue Date</b>	04/25/2024

<b>Q) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	541 Student Code of Conduct
<b>Publisher</b>	Utah Valley University
<b>Issue Date</b>	01/23/2025

<b>R) This rule adds or updates the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	Snow College's Student Rights and Responsibilities
<b>Publisher</b>	Snow College

NOTICES OF PROPOSED RULES

<b>Issue Date</b>	05/31/2019
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**S) This rule adds or updates the following title of materials incorporated by references:**

<b>Official Title of Materials Incorporated (from title page)</b>	Southern Utah University's Policy 11.2, Student Code of Conduct
<b>Publisher</b>	Southern Utah University
<b>Issue Date</b>	12/13/2022

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

<b>Official Title of Materials Incorporated (from title page)</b>	Salt Lake Community College's Code of Student Rights and Responsibilities
<b>Publisher</b>	Salt Lake Community College
<b>Issue Date</b>	02/28/2023

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

<b>Official Title of Materials Incorporated (from title page)</b>	Davis Technical College Student Code of Conduct and Discipline Policy
<b>Publisher</b>	Davis Technical College
<b>Issue Date</b>	09/22/2022

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

<b>Official Title of Materials Incorporated (from title page)</b>	Davis Technical College Student Grievance Policy and Procedures
<b>Publisher</b>	Davis Technical College
<b>Issue Date</b>	05/16/2024

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

<b>Official Title of Materials Incorporated (from title page)</b>	Dixie Technical College's Student Disciplinary Rule
<b>Publisher</b>	Dixie Technical College
<b>Issue Date</b>	05/16/2024

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

<b>Official Title of Materials Incorporated (from title page)</b>	Mountainland Technical College's Student Grievance 600.608
<b>Publisher</b>	Mountainland Technical College
<b>Issue Date</b>	3/11/2024

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

<b>Official Title of Materials Incorporated (from title page)</b>	Ogden-Weber Technical College's Student Rights and Responsibilities, and Code of Conduct 530.4
<b>Publisher</b>	Ogden-Weber Technical College

<b>Issue Date</b>	02/08/2024
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**Z) This rule adds or updates the following title of materials incorporated by references:**

<b>Official Title of Materials Incorporated (from title page)</b>	Student Code of Conduct
<b>Publisher</b>	Southwest Technical College
<b>Issue Date</b>	05/04/2023

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

<b>Official Title of Materials Incorporated (from title page)</b>	Grievance Policy
<b>Publisher</b>	Southwest Technical College
<b>Issue Date</b>	05/02/2024

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

<b>Official Title of Materials Incorporated (from title page)</b>	Harassment, Nondiscrimination and Equal Opportunity
<b>Publisher</b>	Southwest Technical College
<b>Issue Date</b>	07/21/2020

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

<b>Official Title of Materials Incorporated (from title page)</b>	Student Due Process
<b>Publisher</b>	Southwest Technical College
<b>Issue Date</b>	07/21/2020

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

<b>Official Title of Materials Incorporated (from title page)</b>	Student Code of Conduct and Discipline
<b>Publisher</b>	Tooele Technical College
<b>Issue Date</b>	07/31/2019

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

<b>Official Title of Materials Incorporated (from title page)</b>	Student Grievances Policy
<b>Publisher</b>	Tooele Technical College
<b>Issue Date</b>	07/31/2019

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

<b>Official Title of Materials Incorporated (from title page)</b>	Uintah Basin Technical College's 705-R961-001 Student Due Process
<b>Publisher</b>	Uintah Basin Technical College

<b>Issue Date</b>	07/22/2019
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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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	Alison Adams, Board Secretary and Designee	<b>Date:</b>	02/26/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Repeal

<b>Rule or Section Number:</b>	<b>R765-570</b>	<b>Filing ID:</b> 57113
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**Agency Information**

<b>1. Title catchline:</b>	Higher Education (Utah Board of), Administration	
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway	
<b>Street address:</b>	60 S 400 W	
<b>City, state:</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Hilary Renshaw	801-646-4784	Hilary.renshaw@ushe.edu
Alison Adams	801-646-4784	Alison.adams@ushe.edu
Geoffrey T. Landward	801-646-4784	Glandward@ushe.edu
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R765-570. Higher Education Disclosures
<b>3. Purpose of the new rule or reason for the change:</b>
The content of this rule was moved to Rule R765-266, which was made effective as an administrative rule on 04/01/2025. Rule R765-266 codified the text of this rule with minor changes.
The changes include removing the language stating UtahFutures.org is the statewide platform used for requirements in Subsection 53B-1-112(3)(b) and editing the language to state that the Utah Board of Higher Education (Board) maintains static reports and a dashboard that are located on the Board's website to meet requirements in Subsection 53B-1-112(3)(b).
Rule R765-266 implemented the content of Rule R765-570, therefore, Rule R765-570 can now be repealed.
<b>4. Summary of the new rule or change:</b>
This rule is being repealed in its entirety to remove duplicative and outdated information from the Administrative Code.

**Fiscal Information**

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

**A) State budget:**

This repeal does not create a fiscal impact for the state budget. The substantive content of this rule was moved to Rule R765-266.

The repeal of this rule removes duplicative content from the Administrative Code.

**B) Local governments:**

This repeal does not create a fiscal impact for local governments. The substantive content of this rule was moved to Rule R765-266.

The repeal of this rule removes duplicative content from the Administrative Code.

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

This repeal does not create a fiscal impact for small businesses. The substantive content of this rule was moved to Rule R765-266.

The repeal of this rule removes duplicative content from the Administrative Code.

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

This repeal does not create a fiscal impact for non-small businesses. The substantive content of this rule was moved to Rule R765-266.

The repeal of this rule removes duplicative content from the Administrative Code.

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

This repeal does not create a fiscal impact for persons other than small business, non-small businesses, state, or local government entities. The substantive content of this rule was moved to Rule R765-266.

The repeal of this rule removes duplicative content from the Administrative Code.

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

This repeal does not create a fiscal impact for compliance costs for affected persons. The substantive content of this rule was moved to Rule R765-266.

The repeal of this rule removes duplicative content from the Administrative Code.

**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>

NOTICES OF PROPOSED RULES

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<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 Utah Commissioner of Higher Education of the Utah System of Higher Education, Geoffrey Landward, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 53B-1-112

**Public Notice Information**

**8. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)  
**A) Comments will be accepted until:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025  
 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>	Alison Adams, Board Secretary and Designee	<b>Date:</b>	04/11/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** New  
**Rule or Section Number:** R849-2 **Filing ID:** 57096

**Agency Information**

<b>1. Title catchline:</b>	School and Institutional Trust Fund Board of Trustees, Administration		
<b>Street address:</b>	310 S Main Street, Suite 1250		
<b>City, state</b>	Salt Lake City, UT 84101		
<b>Contact persons:</b>	<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
	Tatiana Devkota	801-870-1295	tmakransky@utah.gov
	Jess Rowe	385-602-1403	sitfoadmin@utah.gov
	Ryan Kulig	801-599-7460	rkulig@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

**2. Rule or section catchline:**  
 R849-2. Appeal Rule



<p><b>3. Purpose of the new rule or reason for the change:</b></p> <p>This rule is authorized by Sections 53D-1-701 and 53D-1-702, which allow for aggrieved people to petition for administrative review of an action or decision undertaken by the Director or Office.</p> <p>In addition, the sections dictate that the Board shall make rules to govern the subsequent proceedings to ensure procedural due process is maintained. The previous administrative rule expired and therefore, a new rule is needed.</p>
<p><b>4. Summary of the new rule or change:</b></p> <p>This rule establishes a procedural due process for when a petition for administrative review of an action or decision undertaken by the Director or Office is petitioned.</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>The School and Institutional Trust Fund office (SITFO) is entirely self-funded from the earnings on its investment portfolio and operates without the use of taxpayer dollars, in accordance with Subsections 53D-1-205(5) and (6).</p>
<p><b>B) Local governments:</b></p> <p>SITFO is entirely self-funded from the earnings on its investment portfolio and operates without the use of taxpayer dollars, in accordance with Subsections 53D-1-205(5) and (6).</p>
<p><b>C) Small businesses ("small business" means a business employing 1-49 persons):</b></p> <p>SITFO is entirely self-funded from the earnings on its investment portfolio and operates without the use of taxpayer dollars, in accordance with Subsections 53D-1-205(5) and (6).</p>
<p><b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b></p> <p>SITFO is entirely self-funded from the earnings on its investment portfolio and operates without the use of taxpayer dollars, in accordance with Subsections 53D-1-205(5) and (6).</p>
<p><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></p> <p>SITFO is entirely self-funded from the earnings on its investment portfolio and operates without the use of taxpayer dollars, in accordance with Subsections 53D-1-205(5) and (6).</p>
<p><b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b></p> <p>SITFO is entirely self-funded from the earnings on its investment portfolio and operates without the use of taxpayer dollars, in accordance with Subsections 53D-1-205(5) and (6).</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>

<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>

NOTICES OF PROPOSED RULES

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<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:**  
 Chair of the SITFO Board of Trustees, Marlo Oaks 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 53D-1-701	Section 53D-1-702	
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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:** 06/02/2025

**9. This rule change MAY become effective on:** 06/09/2025

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>	Peter Madsen, Director	<b>Date:</b>	04/15/2025
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Repeal and Reenact

<b>Rule or Section Number:</b>	<b>R911-5</b>	<b>Filing ID:</b> 57100
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**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**

**2. Rule or section catchline:**  
 R911-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards

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

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 this rule and ensures compliance with the Rulewriting Manual for Utah guidelines.

An emergency rule filing was submitted on 12/04/2024.

**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.

**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 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.

**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 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.

**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 impact on non-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.

**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, 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.

**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 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.

**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 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 53-2d-101.1		
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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>	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
<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

NOTICES OF PROPOSED RULES

<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

**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>	06/02/2025
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<b>9. This rule change MAY become effective on:</b>	06/09/2025
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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>	Darin Bushman, Director	<b>Date:</b>	04/14/2025
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**End of the Notices of Proposed Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at [adminrules.utah.gov](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>	<b>R277-444</b>	<b>Filing ID: 56723</b>
<b>Effective Date:</b>	<b>04/15/2025</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>	R277-444. Distribution of Money to Arts Organizations	
<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; 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; and Section 53E-3-501, which directs the Board to establish rules and standards for the public schools, including curriculum and instruction 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>	There were no public comments received.	

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

This rule is necessary in order to provide for the distribution of money appropriated by the state to an arts organization that provides an educational service to a student or teacher and facilitates a student developing and using the knowledge, skills, and appreciation defined in an arts core standard. 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>	04/15/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-602</b>	<b>Filing ID:</b>	<b>56522</b>
<b>Effective Date:</b>	<b>04/15/2025</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>
R277-602. Carson Smith Scholarships -- Funding and Procedures
<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; and Section 53F-4-305, which authorizes the Board to make rules establishing the eligibility of students to participate in the Carson Smith Scholarship program and the application process for the scholarship program.
<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 outline responsibilities of a parent, a Local Education Agency (LEA), an eligible private school, and the Board in providing choice for a parent of a special needs student who chooses to have a student served in a private school, and provide accountability for the citizenry in the administration and distribution of the scholarship funds. 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>	04/15/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-606</b>	<b>Filing ID:</b>	<b>57022</b>
<b>Effective Date:</b>	<b>04/15/2025</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>	R277-606. Dropout Prevention and Recovery Program
<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; and Section 53G-9-802, which requires the Board to develop rules to set policies related to a dropout prevention and recovery program.
<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 develop policies related to an LEA's dropout prevention and recovery program and set reporting requirements for LEAs with a dropout prevention and recovery program. 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>	04/15/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-752</b>	<b>Filing ID:</b>	<b>56949</b>
<b>Effective Date:</b>	<b>04/15/2025</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>
R277-752. Special Education Carry Forward Limitations
<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 establish special education budget carry forward limitations. 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>	04/15/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R381-60</b>	<b>Filing ID: 55615</b>
<b>Effective Date:</b>	<b>04/11/2025</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	mariahnoble@utah.gov

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

**General Information**

<b>2. Rule catchline:</b>
R381-60. Hourly Child Care Centers
<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-2-402 authorizes the Department of Health and Human Services (Department) to write and enforce rules to govern licensure of child care facilities in Utah.
<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>
An amendment and subsequent change in proposed rule (CPR) have recently been filed to update this rule, but the proposed changes will not be made effective before this five-year review is due.  The only comment the Department has received since this rule's last five-year review was in response to that amendment, requesting clarification for reporting requirements with regard to different age ranges of children in care. That comment has since been addressed by the Department in the CPR.
<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>
It is necessary for this rule to comply with statute and to ensure there is no lapse in oversight of licensed hourly child care centers in Utah. Therefore, this rule should be continued.  In response to the comment referred to in Box 4, the Department determined the requested clarification was appropriate and has filed a CPR to address the comment.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	04/07/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	R381-70	<b>Filing ID:</b> 55691
<b>Effective Date:</b>	04/11/2025	

**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	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>
R381-70. Out-of-School-Time Child Care Programs

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

Section 26B-2-402 authorizes the Department of Health and Human Services (Department) to write and enforce rules to govern the licensure of child care facilities in Utah.

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

An amendment and subsequent change in proposed rule (CPR) have recently been filed to update this rule, but the proposed changes will not be made effective before this five-year review is due.

The only comment the Department has received since this rule's last five-year review was in response to that amendment, requesting clarification for reporting requirements with regard to different age ranges of children in care. That comment has since been addressed by the Department in the CPR.

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

It is necessary for this rule to comply with statute and to ensure there is no lapse in oversight of licensed out-of-school-time child care programs in Utah. Therefore, this rule should be continued.

In response to the comment referred to in Box 4, the Department determined the requested clarification was appropriate and has filed a CPR to address the comment.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	04/07/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R381-100</b>	<b>Filing ID: 55614</b>
<b>Effective Date:</b>	<b>04/11/2025</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	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>
R381-100. Child Care Centers
<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-2-402 authorizes the Department of Health and Human Services (Department) to write and enforce rules to govern the licensure of child care facilities in Utah.

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

An amendment and subsequent change in proposed rule (CPR) have recently been filed to update this rule, but the proposed changes will not be made effective before this five-year review is due.

The only comment the Department has received since this rule's last five-year review was in response to that amendment, requesting clarification for reporting requirements with regard to different age ranges of children in care. That comment has since been addressed by the Department in the CPR.

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

It is necessary for this rule to comply with statute and to ensure there is no lapse in oversight of licensed child care centers in Utah. Therefore, this rule should be continued.

In response to the comment referred to in Box 4, the Department determined the requested clarification was appropriate and has filed a CPR to address the comment.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	04/07/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R414-506</b>	<b>Filing ID: 52746</b>
<b>Effective Date:</b>	<b>04/12/2025</b>	

**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>	288 N 1460 W	
<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 catchline:</b>
R414-506. Hospital Provider Assessments
<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-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
<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.

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

This rule is necessary because it allows the Division of Integrated Healthcare to conduct audits, sets forth mailing requirements for changes in hospital status, and implements penalties and interest for hospitals that do not pay their assessment. Therefore, this rule should be continued.

An amendment to this rule is forthcoming to update titles and statutory authority that coincided with Department consolidation.

As the Department did not receive any comments in opposition to this rule, it did not respond to any such comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	04/12/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R414-507</b>	<b>Filing ID:</b>	<b>51001</b>
<b>Effective Date:</b>	<b>04/07/2025</b>		

**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>	288 N 1460 W		
<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 catchline:</b>
R414-507. Ground Ambulance Service Provider Assessments
<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-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
<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 this rule's 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 because it sets forth payments, procedures, and penalties for the ground ambulance provider assessment. Therefore, this rule should be continued.

(EDITOR'S NOTE: An amendment filing for this rule was published in the April 1, 2025, issue of the *Utah State Bulletin* as this five-year review contains updates to the rule's title and renumbered statutory authority, following the consolidation of the Department.)

As the Department did not receive any comments in opposition to this rule, the Department did not respond to any such comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	04/07/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R527-254</b>	<b>Filing ID: 55562</b>
<b>Effective Date:</b>	<b>04/07/2025</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Recovery Services		
<b>Building:</b>	Taylorsville State Office Building		
<b>Street address:</b>	4315 S 2700 W		
<b>City, state</b>	Taylorsville, UT		
<b>Mailing address:</b>	PO Box 45033		
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0033		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jodi Witte	801-741-7417	jwitte@utah.gov	
Casey Cole	801-741-7523	cacole@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R527-254. Limitations on Collection of Arrears
<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-9-108 gives the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law.
45 CFR 303.11 outlines the federal requirements which must be met in order for ORS to close a child support case.
<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 of Health and Human Services (Department) has not received any written comments in support of or opposition to this rule since the last five-year review of this rule.
<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 information regarding when ORS collects support arrears and what is needed by ORS to collect support arrears that accrue outside of the timeframe in which a IV-D case is open with ORS. Additionally, this rule is necessary for compliance with state and federal statute that is still in effect. Therefore, this rule should be continued.
As the Department did not receive any comments in opposition to this rule, the Department did not respond to any such comment.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	04/07/2025
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R765-609</b>	<b>Filing ID:</b>	<b>52002</b>
<b>Effective Date:</b>	<b>04/10/2025</b>		

**Agency Information**

<b>1. Title catchline:</b>	Higher Education (Utah Board of), Administration		
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway		
<b>Street address:</b>	60 S 400 W		
<b>City, state</b>	Salt Lake City UT 84101		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Hilary Renshaw	801-646-4784	Hilary.renshaw@ushe.edu	
Alison A. Adams	801-646-4784	Alison.adams@ushe.edu	
Geoffrey T. Landward	801-646-4784	Glandward@ushe.edu	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R765-609. Regents' Scholarship
<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 53B-1-402 authorizes this administrative rule. The Utah Board of Higher Education is responsible for administering certain state financial aid programs, including the Regents' Scholarship.
<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 comments were 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>
A repeal and reenact will be made to the rule shortly that implements technical changes to this rule for consistency and clarity. The substance of this rule will not substantially change when this rule is reenacted. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Alison Adams, Board Secretary and Designee	<b>Date:</b>	04/10/2025
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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>	R13-11	<b>Filing ID:</b> 52268
<b>Effective Date:</b>	04/23/2025	

### Agency Information

<b>1. Title catchline:</b>	Government Operations, Administration	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state, and zip:</b>	Taylorsville, UT 84129	
<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>	R13-11. Use of Electronic Meetings for the Utah Transparency Advisory Board	
<b>3. Summary:</b>		
The Department of Government Operations, Administration Division let Rule R13-11 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

#### Regulatory Services

No. 56972 (Amendment) R70-101: Bedding, Upholstered Furniture, and Quilted Clothing

Published: 01/01/2025

Effective: 04/09/2025

No. 56972 (Change in Proposed Rule) R70-101: Bedding, Upholstered Furniture, and Quilted Clothing

Published: 03/01/2025

Effective: 04/09/2025

### Commerce

#### Consumer Protection

No. 57051 (Repeal and Reenact) R152-1: Division of Consumer Protection Buyer Beware List Rule

Published: 03/01/2025

Effective: 04/08/2025

### Education

#### Administration

No. 57047 (Amendment) R277-609: Standards for LEA Discipline Plans and Emergency Safety Interventions

Published: 03/01/2025

Effective: 04/08/2025

No. 57048 (Amendment) R277-627: Early Warning Program

Published: 03/01/2025

Effective: 04/08/2025

No. 57049 (Amendment) R277-704: Financial and Economic Literacy: Integration into Core Curriculum

Published: 03/01/2025

Effective: 04/08/2025

No. 57050 (Repeal) R277-708: Enhancement for At-Risk Students

Published: 03/01/2025

Effective: 04/08/2025

Environmental Quality

Waste Management and Radiation Control, Radiation  
No. 57041 (Amendment) R313-12: General Provisions  
Published: 03/01/2025  
Effective: 04/14/2025

No. 57042 (Amendment) R313-14: Definitions  
Published: 03/01/2025  
Effective: 04/14/2025

No. 57043 (Amendment) R313-16: General Requirements Applicable to the Installation, Registration, Inspection, and Use of  
Radiation Machines  
Published: 03/01/2025  
Effective: 04/14/2025

No. 57044 (Amendment) R313-28: Use of X-Rays in the Healing Arts  
Published: 03/01/2025  
Effective: 04/14/2025

No. 57045 (Amendment) R313-30: Therapeutic Radiation Machines  
Published: 03/01/2025  
Effective: 04/14/2025

No. 57046 (Amendment) R313-35: Requirements for X-Ray Equipment Used for Non-Medical Applications  
Published: 03/01/2025  
Effective: 04/14/2025

Governor

Criminal and Juvenile Justice (State Commission on)  
No. 57029 (Repeal and Reenact) R356-2: Judicial Nominating Commissions  
Published: 02/15/2025  
Effective: 04/15/2025

Economic Opportunity  
No. 57008 (Amendment) R357-3: Economic Development Tax Increment Financing Rule  
Published: 02/01/2025  
Effective: 04/14/2025

Health and Human Services

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

Data, Systems and Evaluation, Vital Records and Statistics  
No. 56999 (Amendment) R436-5: New Birth Certificates After Legitimation, Court Determination of Paternity, or Adoption  
Published: 01/15/2025  
Effective: 04/11/2025

Human Services Program Licensing  
No. 57032 (Amendment) R501-1: Residential Program Additional Facilities and Safety Requirements  
Published: 03/01/2025  
Effective: 04/24/2025

Higher Education (Utah Board of)

Administration  
No. 57040 (New Rule) R765-130: Equal Opportunity Initiatives  
Published: 03/01/2025  
Effective: 04/10/2025

NOTICES OF RULE EFFECTIVE DATES

No. 57031 (New Rule) R765-266: Utah System of Higher Education Disclosures  
Published: 02/15/2025  
Effective: 04/01/2025

No. 57030 (Amendment) R765-611: Veterans Tuition Gap Program  
Published: 02/15/2025  
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Labor Commission

Occupational Safety and Health

No. 57039 (Amendment) R614-1: Incorporation of Federal Standards  
Published: 03/01/2025  
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Pardons (Board of)

Administration

No. 57053 (Amendment) R671-311: Special Attention Reviews, Hearings, and Decisions  
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No. 57054 (Amendment) R671-522: Continuances Due to Pending Criminal Charges  
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Transportation

Administration

No. 57037 (Amendment) R907-80: Disposition of Surplus Land  
Published: 03/01/2025  
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**End of the Notices of Rule Effective Dates Section**