

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed July 16, 2025, 12:00 a.m. through August 01, 2025, 11:59 p.m.

Number 2025-16
August 15, 2025

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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Utah state digest.

Semimonthly.

1. Delegated legislation--Utah--Digests.

I. Utah. Office of Administrative Rules.

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348.792'025--DDC

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EXECUTIVE DOCUMENTS

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

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

EXECUTIVE ORDER 2025-07

Directing that the Referendum Regarding H.B. 267 Public Sector Labor Union Amendments be Submitted to the Voters at the 2026 General Election

WHEREAS, Utah law specifies the requirements for circulating, certifying, and qualifying referendum petitions;

WHEREAS, Utah Code § 20A-7-301(2) provides that when the Lieutenant Governor declares that a referendum petition has been signed by a sufficient number of voters to meet the requirements of Utah Code § 20A-7-301(1), the law that is the subject of the petition does not take effect unless and until it is approved by a vote of the people;

WHEREAS, Utah Code § 20A-7-301(1)(b) states that when the Lieutenant Governor declares that a referendum petition has been signed by a sufficient number of voters, the Governor shall issue an executive order directing that the referendum be submitted to the voters;

WHEREAS, the Utah Legislature passed House Bill 267 Public Sector Labor Union Amendments (H.B. 267) during the 2025 General Session;

WHEREAS, a referendum application regarding H.B. 267 was submitted to the Lieutenant Governor's Office on March 7, 2025;

WHEREAS, on June 21, 2025, Lieutenant Governor Deidre M. Henderson declared the petition challenging H.B. 267 was signed by a sufficient number of voters under Utah Code § 20A-7-301;

WHEREAS, H.B. 267 will not take effect unless and until it is approved by a vote of the people in the 2026 General Election;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the state of Utah, by the authority vested in me by the Constitution and laws of the state of Utah, **do hereby direct that the referendum regarding H.B. 267 be submitted to the voters at the next regular general election, which is the 2026 General Election, on November 3, 2026.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done on this, the 23rd day of June, 2025.

(State Seal)

Spencer J. Cox
Governor, State of Utah

ATTEST:

Deidre M. Henderson
Lieutenant Governor, State of Utah

EXECUTIVE ORDER
2025-08

Declaring a State of Emergency Due to Fires

WHEREAS, on April 24, 2025, I declared a state of emergency for thirteen counties due to extreme or severe drought conditions, largely attributed to snow water equivalents below 50%, streamflow forecasts below 50%, and a snowpack peak measuring approximately 44% of normal;

WHEREAS, the 2025 water year's snowpack conditions have exacerbated fire conditions, with near to record low snowpack across the southwestern, south-central, and southeastern mountains, and an early spring melt-off prolonging the fire season by creating an extended warm/dry period;

WHEREAS, precipitation for the 2025 water year is in the bottom 10th percentile across southwestern, south-central, west-central, and northwestern Utah;

WHEREAS, fire restrictions and a fuels advisory are in place across the state;

WHEREAS, Utah has incurred 693 fires to date in 2025, encompassing nearly 114,000 acres burned and severely affecting state resources;

WHEREAS, the four largest active wildfires as of July 31st have burned more than 100,000 acres with the cost to fight fires exceeding \$103 million across all jurisdictions;

WHEREAS, as of July 31st, the National Weather Service has identified twenty-two Red Flag Warning days this year, indicating conditions likely to cause extreme fire behavior and pose a high risk of wildfires due to a combination of high winds, low humidity, and dry conditions;

WHEREAS, the wildfires and existing weather conditions throughout the state require immediate suppression to mitigate the threat to human life, structures, homes, livestock, and existing drinking water supplies;

WHEREAS, the enduring marks left on our landscape by past wildfires, such as burn scars, debris flows, and post-fire flooding, significantly worsen their detrimental effects;

WHEREAS, fighting wildfires and protecting the public from risks of wildfires have placed immense burdens on firefighting and law enforcement personnel;

WHEREAS, wildfires throughout the state have caused tremendous harm to individuals and families, the loss of homes, and damage to structures and critical infrastructure;

WHEREAS, Utah Code § 53-2a-206(1) authorizes the governor to declare a state of emergency by executive order;

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency;

WHEREAS, these conditions meet the definition of a state of emergency described in the Disaster Response and Recovery Act, specifically in Utah Code § 53-2a-206(1);

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, hereby declare a state of emergency in the state due to fires and the risk of additional fires in the 2025 fire season.

THIS ORDER is effective immediately and shall remain in effect for 30 days, unless the legislature extends the state of emergency.

(State Seal)

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done on this, the 31st day of July, 2025.

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 16, 2025, 12:00 a.m., and August 01, 2025, 11:59 p.m. are included in this, the August 15, 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 September 15, 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 December 13, 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.

The Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R37-4****Filing ID:** 57339**Agency Information**

1. Title catchline:	Government Operations, Risk Management	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 141007	
City, state and zip:	Salt Lake City, UT 84114-1007	
Contact persons:		
Name:	Phone:	Email:
Brian Jensen	801-957-7170	risk@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R37-4. Adjusted Utah Governmental Immunity Act Limitations on Judgments
4. Purpose of the new rule or reason for the change:
Risk is required to update statutory award limitations under the Governmental Immunity Act, Title 63G, Chapter 7 et seq. The amounts are updated biannually by the Office of Legislative Fiscal Analyst and issued by bulletin. This rule change is intended to reflect the amounts beginning 2024. Other changes are made to conform with Administrative Rules style recommendations.
5. Summary of the new rule or change:
This filing edits the listed amounts identified under Rule R37-4 to reflect the figures issued by the Legislative Fiscal Analyst and other style changes to conform with Administrative Rules recommendations.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The increased amounts required by statute will result in greater sums paid by Risk Management to resolve qualifying claims under the Governmental Immunity Act as limited by the statutory caps. The exact amount of impact is incalculable because the number of future qualifying claims and settlements is presently unknown.
B. Local governments:
The increased amounts required by statute will result in greater sums paid by local governments to resolve qualifying claims under the Governmental Immunity Act as limited by the statutory caps. The exact amount of impact is incalculable because the number of future qualifying claims and settlements is presently unknown.
C. Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated fiscal impact as a result of this rule because this rule does not apply to small businesses.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated fiscal impact as a result of this rule because the rule does not apply to non-small businesses.

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

The increased amounts required by statute will result in greater sums paid to other persons to resolve qualifying claims under the Governmental Immunity Act as limited by the statutory caps. The exact amount of impact is incalculable because the number of future qualifying claims and settlements is presently unknown.

F. Compliance costs for affected persons:

The Division of Risk Management has identified no compliance costs associated with changes to this rule.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Risk Manager of the Division of Risk Management, Rachel Terry, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 63G-7-605(4)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Rachel George Terry, Risk Manager	Date:	07/17/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R66-33****Filing ID: 57355****Agency Information**

1. Title catchline:		Agriculture and Food, Specialized Products	
Building:		TSOB South Bldg, Floor 2	
Street address:		4315 S 2700 W	
City, state:		Taylorsville, UT	
Mailing address:		PO Box 146500	
City, state and zip:		Salt Lake City, UT 84114-6500	
Contact persons:			
Name:		Phone:	Email:
Amber Brown		385-245-5222	ambermbrown@utah.gov
Brandon Forsyth		801-710-9945	bforsyth@utah.gov
Camille Knudson		801-597-6010	camillek@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R66-33. Industrial Hemp Producer Registration
4. Purpose of the new rule or reason for the change:
Changes are needed to more closely align this rule with the statute and remove redundant language.
5. Summary of the new rule or change:
Language that is currently in statute or not consistent with statute is removed from Sections R66-33-1 and R66-33-2.
Additional changes have been made to remove passive voice in this rule and ensure the text aligns with the requirements of the Rulewriting Manual for Utah.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The changes do not impact the state budget because the Department of Agriculture and Food's (department) administration of the industrial hemp program is not changing, the rule changes just remove redundant language and add clarity.
B. Local governments:
Local governments do not participate in the program and will not be impacted.
C. Small businesses ("small business" means a business employing 1-49 persons):
The changes do not impact small businesses because the department's administration of the industrial hemp program is not changing, the rule changes just remove redundant language and add clarity.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
The changes do not impact non-small businesses because the department's administration of the industrial hemp program is not changing, the rule changes just remove redundant language and add clarity.

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 the industrial hemp program and will not be impacted.

F. Compliance costs for affected persons:

Compliance requirements for the program are not changing so there will be no additional costs.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 4-41-103.1

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Commissioner	Date:	07/25/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R66-34****Filing ID:** 57356**Agency Information**

1. Title catchline:		Agriculture and Food, Specialized Products	
Building:		TSOB South Bldg, Floor 2	
Street address:		4315 S 2700 W	
City, state:		Taylorsville, UT	
Mailing address:		PO Box 146500	
City, state and zip:		Salt Lake City, UT 84114-6500	
Contact persons:			
Name:	Phone:	Email:	
Brandon Forsyth	801-710-9945	bforsyth@utah.gov	
Camille Knudson	801-597-6010	camillek@utah.gov	
Amber Brown	385-245-5222	ambermbrown@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R66-34. Industrial Hemp Retailer Permit
4. Purpose of the new rule or reason for the change:
Changes are needed to ensure this rule does not exceed rulemaking authority in statute and to remove redundant or unnecessary language.
Additionally, language has been added requiring permittees to get a license with the Utah State Tax Commission so that they can administer the statutory requirements of the Cannabinoid Product Tax.
5. Summary of the new rule or change:
In Section R66-34-2, definitions that are currently in statute have been removed.
In other sections, language has been clarified to remove passive voice.
Additionally, a new section has been added to allow temporary events in certain circumstances.
In Section R66-34-5, language has been added requiring permittees to get a license with the Utah State Tax Commission so that they can administer the statutory requirements of the Cannabinoid Product Tax. This license will not be administered by the Department of Agriculture and Food (department).

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The rule will not impact the state budget. The changes are to clarify and remove redundant language.
B. Local governments:
Local governments are not industrial hemp retailers and will not be impacted.

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

Small businesses will not be impacted because the general requirements to sell industrial hemp are not changing. The rule changes are to clarify and remove redundant language.

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

Non-small businesses will not be impacted because the general requirements to sell industrial hemp are not changing. The rule changes are to clarify and remove redundant language.

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 as industrial hemp retailers and will not be impacted.

F. Compliance costs for affected persons:

Compliance requirements of the industrial hemp program are not changing.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

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

Section 4-41-103.1

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.****A. Comments will be accepted until:**

09/15/2025

10. This rule change MAY become effective on:	09/22/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Commissioner	Date:	07/25/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment

Rule or section number:	R66-36	Filing ID: 57357
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Agency Information

1. Title catchline:		Agriculture and Food, Specialized Products	
Building:		TSOB South Bldg, Floor 2	
Street address:		4315 S 2700 W	
City, state:		Taylorsville, UT 84119	
Mailing address:		PO Box 146500	
City, state and zip:		Salt Lake City, UT 84114-6500	
Contact persons:			
Name:	Phone:	Email:	
Brandon Forsyth	801-710-9945	bforsyth@utah.gov	
Camille Knudson	801-597-6010	camillek@utah.gov	
Amber Brown	385-245-5222	ambermbrown@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R66-36. Transport of Transportable Industrial Hemp Concentrate
4. Purpose of the new rule or reason for the change:
Changes are needed to remove redundant language and make this rule clearer.
5. Summary of the new rule or change:
In Section R66-36-2, definitions are clarified and removed because they are currently in statute.
In the remainder of this rule, other small changes are made to improve clarity.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The changes are clarifying in nature and will not impact the state budget.
B. Local governments:
Local governments do not participate in the hemp program and will not be impacted.

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

Small businesses will not be impacted because the requirements of the program are not changing.

The changes improve clarity and remove redundant language.

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

Non-small businesses will not be impacted because the requirements of the program are not changing.

The changes improve clarity and remove redundant language.

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 the hemp program and will not be impacted.

F. Compliance costs for affected persons:

The compliance requirements for the program are not changing, the changes are to clarify this rule and remove redundant language.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

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

Section 4-41-103.1

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.****A. Comments will be accepted until:** 09/15/2025**10. This rule change MAY become effective on:** 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Commissioner	Date:	07/27/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** New

Rule or section number:	R66-50	Filing ID: 57369
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Agency Information

1. Title catchline:	Agriculture and Food, Specialized Products
Building:	TSOB South Bldg, Floor 2
Street address:	4315 S 2700 W
City, state:	Taylorsville, UT
Mailing address:	PO Box 146500
City, state and zip:	Salt Lake City, UT 84114-6500

Contact persons:

Name:	Phone:	Email:
Camille Knudson	801-597-6010	camillek@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Amber Brown	385-245-5222	ambermbrown@utah.gov

Please address questions regarding information on this notice to the persons listed above.**General Information****2. Rule or section catchline:**

R66-50. Kratom Retail Permit

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

The kratom program has moved to the Department of Agriculture and Food's (department) Specialized Products Division. Due to this change, the department will be repealing the current Rule R70-580, that is housed in the Regulatory Services Division and filing this rule and two other new rules that will replace the repealed rule.

The department has chosen to file three rules to align the kratom program with the industrial hemp program, also housed in the Specialized Products Division.

(EDITOR'S NOTE: The proposed repeal of Rule R70-580 is under ID 57373 in this issue, August 15, 2025, of the Bulletin.)

5. Summary of the new rule or change:

This new rule outlines the requirements for retail permits for those that are selling kratom in Utah. This includes application requirements, testing requirements, permittee responsibilities, and consequences for violations.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

The rule imposes a new fee for a kratom retailer permit that is set in the fee schedule at \$100. The department estimates that 600 retailers will require a permit, which would lead to increased revenue of \$60,000.

B. Local governments:

Local governments will not be impacted because they do not participate in the kratom program.

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

Small businesses that are kratom retailers will be required to pay a permit fee of \$100. The department estimates this will cost small businesses approximately \$30,000 for 300 permits.

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

Non-small businesses that are kratom retailers will be required to pay a permit fee of \$100. The department estimates this will cost non-small businesses approximately \$30,000 for 300 permits.

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 the kratom program and will not be impacted.

F. Compliance costs for affected persons:

The compliance cost for kratom retailers will increase by \$100 due to a newly required permit fee.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Non-Small Businesses	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 4-45-107

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:

Kelly Pehrson, Commissioner

Date:

07/28/2025

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New

Rule or section number:

R66-51

Filing ID: 57370

Agency Information

1. Title catchline: Agriculture and Food, Specialized Products

Building: TSOB South Bldg, Floor 2

Street address: 4315 S 2700 W

City, state: Taylorsville, UT

Mailing address: PO Box 146500

City, state and zip: Salt Lake City, UT 84114-6500

Contact persons:

Name:

Phone:

Email:

Brandon Forsyth

801-710-9945

bforsyth@utah.gov

Camille Knudson

camillek@utah.gov

Amber Brown

385-245-5222

ambermbrown@utah.gov

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

General Information

2. Rule or section catchline:

R66-51. Kratom Product Registration and Labeling

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

The kratom program has moved to the Department of Agriculture and Food's (department) Specialized Products Division.

Due to this change, the department will be repealing the current Rule R70-580, that is housed in the Regulatory Services Division and filing this rule and two other new rules that will replace the repealed rule.

The department has chosen to file three rules to align the kratom program with the industrial hemp program, also housed in the Specialized Products Division.

(EDITOR'S NOTE: The proposed repeal of Rule R70-580 is under ID 57373 in this issue, August 15, 2025, of the Bulletin.)

5. Summary of the new rule or change:

This new rule sets requirements for kratom product registration and labeling. This includes the requirement to register products with the department prior to sale and test results that must be shown on a certificate of analysis, as well as consequences for violations.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

The registration and labeling requirements are consistent with prior requirements under Rule R70-580 and will not have an impact on the state budget.

B. Local governments:

Local governments do not participate in the kratom program and will not be impacted.

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

Small businesses will not be impacted by the changes because the registration and labeling requirements for the kratom program are not changing.

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

Non-small businesses will not be impacted by the changes because the registration and labeling requirements for the kratom program are 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**):

The changes will not impact other persons because the registration and labeling requirements for the kratom program are not changing.

F. Compliance costs for affected persons:

Compliance costs will not change because the registration and labeling requirements of the program are not changing.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0

Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
H. Department head comments on fiscal impact and approval of regulatory impact analysis:					
The Commissioner of the Utah Department of Agriculture and Food, Kelly Pehrson, has reviewed and approved this regulatory impact analysis.					

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 4-45-107		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	09/15/2025

10. This rule change MAY become effective on:	09/22/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Commissioner	Date:	07/28/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New		
Rule or section number:	R66-52	Filing ID: 57371

Agency Information

1. Title catchline:		Agriculture and Food, Specialized Products	
Building:		TSOB South Bldg, Floor 2	
Street address:		4315 S 2700 W	
City, state:		Taylorsville, UT	
Mailing address:		PO Box 146500	
City, state and zip:		Salt Lake City, UT 84114-6500	
Contact persons:			
Name:		Phone:	Email:
Brandon Forsyth		801-710-9945	bforsyth@utah.gov
Camille Knudson			cknudson@utah.gov
Amber Brown		385-245-5222	ambermbrown@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R66-52. Kratom Product Testing

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

The kratom program has moved to the Department of Agriculture and Food's (department) Specialized Products Division. Due to this change, the department will be repealing the current Rule R70-580, that is housed in the Regulatory Services Division and filing this rule and two other new rules that will replace the repealed rule. The department has chosen to file three rules to align the kratom program with the industrial hemp program, also housed in the Specialized Products Division.

(EDITOR'S NOTE: The proposed repeal of Rule R70-580 is under ID 57373 in this issue, August 15, 2025, of the Bulletin.)

5. Summary of the new rule or change:

This new rule sets requirements for kratom testing and establishes limits for various substances that may be identified through testing. Kratom products that violate the standards may not be registered and sold in Utah.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

The testing requirements and standards have increased compared to Rule R70-580 because the testing will now be in line with the requirements of the industrial hemp program. The testing will not be done at the state lab so this would not increase costs or revenue for the state.

B. Local governments:

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

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

The testing requirements and standards have increased compared to Rule R70-580 because the testing will now be in line with the requirements of the industrial hemp program. The department has added a requirement to test for foreign matter, pesticides, residual solvents, and controlled additives.

Overall estimated costs may increase by up to \$300 per product registered. The department estimates that there are 700 products registerable products and that approximately half of the products are manufactured by small businesses. This could be a total increased cost of \$105,000 for small businesses.

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

The testing requirements and standards have increased compared to Rule R70-580 because the testing will now be in line with the requirements of the industrial hemp program. The department has added a requirement to test for foreign matter, pesticides, residual solvents, and controlled additives.

Overall estimated costs may increase by up to \$300 per product registered. The department estimates that there are 700 products registerable products and that approximately half of the products are manufactured by non-small businesses. This could be a total increased cost of \$105,000 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**):

Other persons do not participate in the kratom program and will not be impacted.

F. Compliance costs for affected persons:

Compliance costs for testing may increase for up to \$300 per product registered.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$105,000	\$105,000	\$105,000	\$105,000	\$105,000
Non-Small Businesses	\$105,000	\$105,000	\$105,000	\$105,000	\$105,000
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$210,000	\$210,000	\$210,000	\$210,000	\$210,000
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$(210,000)	\$(210,000)	\$(210,000)	\$(210,000)	\$(210,000)

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

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

Citation Information

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

Section 4-45-107		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
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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

Agency head or designee and title:	Kelly Pehrson, Commissioner	Date:	07/25/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Repeal and Reenact		
Rule or section number:	R70-410	Filing ID: 57367

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services
Building:	Taylorsville State Office Buildings, South Bldg, Floor 2
Street address:	4315 S 2700 W
City, state:	Taylorsville, UT

Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Camille Knudson	801-597-6010	camillek@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R70-410. Grading and Inspection of Small Shell Egg Producers	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB 526 (2024 General Session)
4. Purpose of the new rule or reason for the change:	
<p>The Department of Agriculture and Food (department) is filing this repeal and reenact because during the 2024 General Session, HB 526 passed, modifying the provisions relating to the sale of eggs by small producers.</p> <p>In HB 526, the legislature revised Title 4, Chapter 4, Eggs, to allow small egg producers to sell their products in grocery stores and is filing the proposed rule to align with those changes.</p>	
5. Summary of the new rule or change:	
<p>This filing significantly condenses and streamlines this rule by repealing irrelevant definitions, repealing overly detailed sections on restricted egg handling and packaging, as well as repealing irrelevant details within the cleaning and sanitization standards that are only applicable to large producers.</p> <p>The new rule delineates the standards applicable to small producers who sell shell eggs to a grocery store, wholesale, or to a restaurant per the authorized rulemaking authority listed in Subsection 4-4-107(7).</p>	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The filing will not impact the state's budget because the filing clarifies and streamlines existing requirements while reducing redundant or irrelevant provisions.
B. Local governments:
This filing will not impact local governments because local governments do not administer or follow the program.
C. Small businesses ("small business" means a business employing 1-49 persons):
This filing does not impact small businesses because the proposed rule clarifies and streamlines essential safety and sanitization practices rather than imposing new costs.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
This filing will not impact non-small businesses because large producers are governed by federal regulations, and this filing only clarifies and streamlines provisions for small producers.
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 does not impact other persons because the changes are only clarifying and streamlining the requirements for small producers, and the costs are not changing.

F. Compliance costs for affected persons:

The proposed filing does not change the compliance costs for small producers.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Subsection 4-4-107(7)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Commissioner, Kelly Pehrson	Date:	07/31/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Repeal

Rule or section number:

R70-580

Filing ID: 57373

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Camille Knudson	801-597-6010	camillek@utah.gov
Amber Brown	385-245-5222	ambermbrown@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R70-580. Kratom Product Registration and Labeling
4. Purpose of the new rule or reason for the change:
This rule is being repealed because the kratom program has moved to the Specialized Products Division. The rule is being refiled as three new rules under the Specialized Product Title, R66.
5. Summary of the new rule or change:
The rule is being repealed in its entirety and will be reenacted as three separate rules under Title R66. The Department of Agriculture and Food (department) will be filing the repeal and new rule forms simultaneously.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
This repeal will not impact the state budget. The new rules are administratively the same and will be in place when the repeal is effective.
B. Local governments:
Local governments will not be impacted because they do not participate in the kratom program.
C. Small businesses ("small business" means a business employing 1-49 persons):
Small businesses will not be impacted. The department is not changing the administration of or requirements for the kratom program, the department is just moving the rules to a new title, R66.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses will not be impacted. The department is not changing the administration of or requirements for the kratom program, we are just moving the rules to a new title, R66.
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 the kratom program and will not be impacted.

F. Compliance costs for affected persons:

Compliance costs for the program will not be changing.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 4-45-107

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Commissioner	Date:	07/28/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:

R156-20b

Filing ID: 57366

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
David Wright	801-530-6179	davidwright@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R156-20b. Environmental Health Scientist Act Rule	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB160 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
<p>During the 2025 General Session, the legislature passed HB160 that removed the accreditation requirement and the requirement of a bachelor's degree in an earth-related science. An applicant only needs to have a bachelor's degree or higher in any degree. These proposed amendments remove the accreditation and course work requirements.</p> <p>Additional nonsubstantive formatting changes are also made throughout this rule to streamline and update this rule, clarify and update definitions, and comply with the Rulewriting Manual for Utah.</p>	
5. Summary of the new rule or change:	
<p>Sections R156-20b-103 and R156-20b-104 are combined into Section R156-20b-101 to consolidate the existing provisions for the rule's title, authority, and relationship to Rule R156-1.</p> <p>Section R156-20-b-102 is amended to update definitions and includes grammar and formatting corrections.</p> <p>Section R156-11a-302 is removed as it is covered in Section 58-1-501.</p> <p>Section R156-11a-302a is amended to remove accreditation requirements and areas of study. The amendments also clarify the standards for equivalent education and training including in expanding the list of approved credential evaluation services from only three listed services to evaluation services that are current members of the National Association of Credential Evaluation Service.</p> <p>Section R156-20b-302b is amended to clarify the examination requirements.</p> <p>Section R156-20c-302c is amended to clarify the supervision requirements with the removal of the accreditation requirement.</p> <p>Section R156-20b-304 is amended to include five new allowed providers of continuing education credits.</p> <p>Additional nonsubstantive formatting changes are made throughout this rule to facilitate compliance and enforcement and to make changes consistent with the Rulewriting Manual for Utah.</p>	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The Division of Professional Licensing (division) does not anticipate additional costs or savings to the state budget. Any costs associated with bringing this rule into conformity with HB160 (2025) have been included in that legislation's fiscal notes.

B. Local governments:

The division does not anticipate additional costs or savings to any local government. Any costs associated with bringing this rule into conformity with HB160 (2025) have been included in that legislation's fiscal notes.

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

The division does not anticipate additional costs or savings to small businesses. Costs associated with bringing this rule into conformity with HB160 (2025) have been included in that legislation's fiscal notes.

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

The division does not anticipate additional costs or savings to any non-small businesses. Costs associated with bringing this rule into conformity with HB160 (2025) have been included in that legislation's fiscal notes.

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 division does not anticipate additional costs or savings to any persons other than small businesses, non-small businesses, state, or local government entities. Costs associated with bringing this rule into conformity with HB160 (2025) have been included in that legislation's fiscal notes.

F. Compliance costs for affected persons:

The division does not anticipate additional costs or savings to any affected person when bringing the rule into compliance with HB160 (2025).

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-20b-101
Section 58-20b-302		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/15/2025

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time:	Place (physical address or URL):
09/03/2025	2:00 p.m.	Anchor Meeting Location: Heber M. Wells Building Fourth Floor, Room 474 160 E 300 S Salt Lake City, UT 84111 Google Meet joining information: Video call link: https://meet.google.com/uwe-ndmc-qho Or dial: (US) +1 208-590-7228 PIN: 728 294 468# More phone numbers: https://tel.meet/uwe-ndmc-qho?pin=7791767103177

10. This rule change MAY become effective on: 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Mark B. Steinagel, Division Director	Date:	07/12/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number: R392-103 **Filing ID:** 57352

Agency Information

1. Title catchline:	Health and Human Services, Population Health, Environmental Health	
Building:	Cannon Health Building	
Street address:	288 N 1450 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 142104	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact persons:		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:

R392-103. Food Handler Training and Certificate

3. Are any changes in this filing because of state legislative action?

Changes are because of legislative action.

If yes, any bill number and session: HB 434 (2025 General Session)**4. Purpose of the new rule or reason for the change:**

Digital food handler permits are being developed and evaluated by the local health departments in collaboration with the Utah Division of Technology Services in an effort to improve data modernization and government record accessibility, and stakeholders have requested that rule language be updated to reflect this change. Therefore, this rule is being amended to remove outdated language that limits a food handler permit to only a physical, hard-copy document.

Additionally, HB 434 from the 2025 General Session reorganized Section 26B-1-202, so references to rulemaking authority in this rule require updates.

5. Summary of the new rule or change:

Section R392-103-4 is amended to remove outdated language that describes the front and back of a physical document. The required food handler permit language is unchanged, but any descriptors of the required text being located on the front or back of a physical document are removed.

Additionally, this filing updates statutory citations for rulemaking authority.

Fiscal Information

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

Amending Rule R392-103 with this proposed change in rule is not anticipated to result in a cost or benefit to the state budget because it 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:

Amending Rule R392-103 with this proposed change in rule is not anticipated to result in a cost or benefit to a local health jurisdiction because the amendment does not require a change in current operations. Rather, it opens a pathway for data modernization. If a local health department transitions from issuing physical food handler permits to digital food handler permits in the future, that agency may experience an inestimable financial benefit due to the reduction in production, mailing, and reprinting costs which may or may not be offset by expenses related to digital data management. This rule amendment does not directly lead to the aforementioned fiscal benefit but creates the future opportunity for such.

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

Amending Rule R392-103 with this proposed change in rule is not anticipated to result in a cost or benefit to small businesses because this rule does not require any change in food handler permit operations or management.

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

Amending Rule R392-103 with this proposed change in rule is not anticipated to result in a cost or benefit to non-small businesses because this rule does not require any change in food handler permit operations or management.

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**):

Persons in this case are individual food handlers. Amending Rule R392-103 with this proposed change in rule is not anticipated to result in a cost or benefit to persons because this rule does not require any change in food handler permit operations or management, including fees. Currently, after a person completes a food handler course and passes the required exam, a food handler permit is mailed to the individual. In the future, that person might receive the permit in a digital format by email or text

message. Thus, even if permit issuance operations are modernized, there will be no fiscal impact to the person, though accessibility will likely improve.

F. Compliance costs for affected persons:

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, any of the applicable small and non-small businesses already operating, or individual food handlers.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Subsection 26B-1-202(2)(a)	Subsection 26B-1-202(2)(z)	Section 26B-7-413
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/18/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R392-106****Filing ID: 57350****Agency Information**

1. Title catchline:	Health and Human Services, Population Health, Environmental Health	
Building:	Cannon Health Building	
Street address:	288 N 1450 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 142104	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact persons:		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R392-106. Microenterprise Home Kitchen Sanitation	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 315 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
SB 315 from the 2025 General Session amended requirements in Section 26B-7-416 for microenterprise home kitchens, rendering this amendment necessary in order to match requirements in this rule with updated language in the authorizing statute to provide microenterprise home kitchen operators with 72 hours of food preparation time, rather than same day only.	
5. Summary of the new rule or change:	
This filing amends the language in Section R392-106-5 to allow an operator to cook, serve, or distribute TCS food within 72 hours of when the food was prepared when the operator follows certain specified conditions.	
For ease of reading, other sections of the rule may contain minor amendments to use the acronym of "TCS" rather than "time and temperature controlled" food.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:	
A. State budget:	
Amending Rule R392-106 is not anticipated to result in a cost or benefit to the state budget because it 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:	
Amending Rule R392-106 is not anticipated to result in a cost or benefit to a local health jurisdiction because this rule already allows a local health department to impose a fee for a microenterprise home kitchen permit in an amount that reimburses the local health department for the cost of regulating the microenterprise home kitchen. The proposed rule does not require alteration or discontinuation of any currently existing permit issued by a local health department or the associated permit fee.	

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

There are approximately 31 small businesses operating in Utah in the industry affected by this amendment. Enacting Rule R392-106 may result in an inestimable fiscal benefit to small businesses that operate a microenterprise home kitchen according to the requirements of Rule R392-106. Some microenterprise home kitchens may experience a fiscal benefit because they are able to broaden their menu options and reduce the amount of food waste resulting from this rule amendment that allows them to prepare and serve TCS food over a period of 72 hours rather than same day only.

The full fiscal impact to small businesses cannot be estimated as the necessary data are unavailable, and the cost to the state to obtain said data would be prohibitively costly and cannot be reasonably obtained. Unavailable data include the number of existing microenterprise home kitchens that will take advantage of the increased food preparation and sales timeframe, the number of new microenterprise home kitchens that may seek a permit as a result of the rule amendment, the current cost and profit margins of food items offered in a microenterprise home kitchen as compared to cost and profit margins of food items after enactment of the amended rule, the current cost of food waste compared to the cost of food waste after enactment of the amended rule, and the average sales volume of a microenterprise home kitchen in the state compared to the average sales volume of a microenterprise home kitchen after enactment of the amended rule.

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

There are no non-small businesses operating in Utah in the industry affected by this amendment, and therefore, there is no anticipated fiscal impact to non-small businesses as a result of this rule amendment.

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**):

Amending Rule R392-106 is not anticipated to result in a cost or benefit to other persons, as this rule does not apply to other persons.

F. Compliance costs for affected persons:

There are no anticipated compliance costs as a result of this rule amendment because this rule does not establish or modify any fees and it does not restrict operations or commerce or require any construction or equipment changes.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 26B-1-202

Section 26B-7-402

Section 26B-7-416

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:

Tracy S. Gruber, Executive Director

Date:

07/18/2025

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:

R392-200

Filing ID: 57349

Agency Information

1. Title catchline: Health and Human Services, Population Health, Environmental Health

Building: Cannon Health Building

Street address: 288 N 1450 W

City, state: Salt Lake City, UT

Mailing address: PO Box 142104

City, state and zip: Salt Lake City, UT 84114-2104

Contact persons:

Name:

Phone:

Email:

Karl Hartman

801-538-6191

khartman@utah.gov

Mariah Noble

385-214-1150

mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:

R392-200. Sanitation and Safety of Schools

3. Are any changes in this filing because of state legislative action?

Changes are because of legislative action.

If yes, any bill number and session: SB 272 (2025 General Session)

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

This proposed rule amendment has been completed in response to a statutory amendment as a result of SB 272 from the 2025 General Session. This bill amended the definition of "school" in Section 26B-7-201 to specifically exclude a micro-education entity or a home-based microschool.

Section 26B-7-402 directs the Department of Health and Human Services (department) to establish and enforce or provide for the enforcement of minimum rules of sanitation necessary to protect the public health, including rules necessary for the design, construction, operation, maintenance, or expansion of numerous places of business including public and private schools. Therefore, the department determined it is necessary to update this rule.

5. Summary of the new rule or change:

This rule is being amended to exempt a micro-education entity or a home-based microschool from public health regulation.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

This proposed filing is not anticipated to result in a cost or benefit to the state budget because it 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 proposed filing is not anticipated to result in a cost or benefit to a local health jurisdiction because this rule does not require or specify the payment of fees for regulatory services such as plan reviews, inspections, and permits.

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

This proposed filing may result in an inestimable fiscal benefit for small businesses due to a reduction in the regulatory burden for small businesses that operate as micro-education entities or home-based microschools, which will be exempt from the rule requirements. The fiscal benefit is inestimable because the department cannot predict the number of micro-education entities or home-based microschools that will open after the proposed filing is made effective. The following health and safety requirements will not apply to a micro-education entity or home-based microschool, and it is not possible for the department to determine whether or not any small business will elect to comply voluntarily with any of the requirements due to other pressures such as insurance, liability, or social expectations:

- a. a clinic room for sick children;
- b. playground safety;
- c. shop and other equipment safety;
- d. school building lighting;
- e. plumbing fixtures (toilets, showers, drinking fountains) number and condition;
- f. handwash sinks (number, locations, condition, etc.);
- g. chemical storage and security;
- h. solid and liquid waste collection, storage, and disposal;
- i. heating, ventilation and air conditioning;
- j. school grounds;
- k. animal control, handling, and safety;
- l. pest management; and
- m. diapering assistance in childcare and ADA.

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

This proposed filing is not anticipated to result in a cost or benefit to non-small businesses (schools that are not micro-education entities or home-based microschools) because they will not be exempt from this rule and will continue to operate under the same regulatory requirements.

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

This proposed filing is not anticipated to result in a cost or benefit to other persons, as this rule does not apply to other persons.

F. Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons as a result of this rule, as this rule is not anticipated to result in any fiscal impact to the department at the state level, any of the 13 local health departments, or any of the applicable small businesses already operating. The purpose of this rule is to remove compliance costs for certain small businesses.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 26B-1-202	Section 26B-7-113	Section 26B-7-402
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/15/2025

10. This rule change MAY become effective on: 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/18/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:	R392-702	Filing ID: 57351
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Agency Information

1. Title catchline:	Health and Human Services, Population Health, Environmental Health
Building:	Cannon Health Building
Street address:	288 N 1450 W
City, state:	Salt Lake City, UT

Mailing address:	PO Box 142104	
City, state and zip:	Salt Lake City, UT 84114-2104	
Contact persons:		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R392-702. Cosmetology Facility Sanitation	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 330 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
The Department of Health and Human Services (department) is filing this rule amendment to correct references to statutory definitions that were modified with the passage of SB 330 (2025). The applicable definitions have not been modified or altered, but their reference citations have been amended to direct the reader to the correct definition in statute.	
5. Summary of the new rule or change:	
This filing corrects reference citations to definitions that are established in statute.	
In Section R392-702-2, the term "permanent makeup" is updated to "permanent cosmetics" to align this rule with the way that term is described in statute.	
In Section R392-702-3, definitions for body art, body piercing, ear piercing, microblading, permanent cosmetics, and threading are added to clearly distinguish practices to which this rule does not apply.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
Amending Rule R392-702 with this proposed change in rule is not anticipated to result in a cost or benefit to the state budget because it 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:
Amending Rule R392-702 with this proposed change in rule is not anticipated to result in a cost or benefit to a local health jurisdiction because the amendment does not require a change in current operations. Rather, it clarifies applicability.
C. Small businesses ("small business" means a business employing 1-49 persons):
Amending Rule R392-702 with this proposed change in rule is not anticipated to result in a cost or benefit to small businesses because this rule does not require any change in procedures, operations, equipment, permitting, or management.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
Amending Rule R392-702 with this proposed change in rule is not anticipated to result in a cost or benefit to small businesses because this rule does not require any change in procedures, operations, equipment, permitting, or management.
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):

Amending Rule R392-702 with this proposed change in rule is not anticipated to result in a cost or benefit to a person because this rule does not require any change in procedures, operations, equipment, permitting, or management.

F. Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons as a result of this proposed rule amendment, as this rule is not anticipated to result in any fiscal impact to the department at the state level, any of the 13 local health departments, or any of the applicable small and non-small businesses.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 26B-1-202	Subsection 26B-7-402(14)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/18/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R402-2****Filing ID:** 57354**Agency Information**

1. Title catchline:	Health and Human Services, Family Health, Early Childhood	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 141007	
City, state and zip:	Salt Lake City, UT 84114-1007	
Contact persons:		
Name:	Phone:	Email:
Jennifer Floyd	385-377-0941	jfloyd@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R402-2. Early Childhood Utah Advisory Council Membership, Duties and Procedures
4. Purpose of the new rule or reason for the change:
The Early Childhood Utah Advisory Council has requested to change the membership requirements to expand for additional perspectives on the advisory board. To comply with this request, the Department of Health and Human Services (department) determined it is necessary to file this amendment.
5. Summary of the new rule or change:
This filing allows for greater flexibility to appointments on the Early Childhood Advisory Council (council) by allowing the executive committee to name additional voting members.
It also adds a member from child care licensing and corrects grammatical errors.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
There is no anticipated fiscal impact to the state budget as a result of this filing, as the filing allows for greater flexibility for who may be a voting member of the council and adds another member to the council from child care licensing.
This filing does not add, modify, or remove any fiscal responsibility of the council.
B. Local governments:
There is no anticipated fiscal impact to local governments as a result of this filing, as the filing allows for greater flexibility for who may be a voting member of the council.
This filing does not add, modify, or remove any fiscal responsibility of the council.
C. Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated fiscal impact to small businesses as a result of this filing, as the filing allows for greater flexibility for who may be a voting member of the council. This filing does not add, modify, or remove any fiscal responsibility of the council.

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

There is no anticipated fiscal impact to non-small businesses as a result of this filing, as the filing allows for greater flexibility for who may be a voting member of the council.

This filing does not add, modify, or remove any fiscal responsibility of the council.

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

There is no anticipated fiscal impact to other persons as a result of this filing, as the filing allows for greater flexibility for who may be a voting member of the council.

This filing does not add, modify, or remove any fiscal responsibility of the council.

F. Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons as a result of this filing, as the filing allows for greater flexibility for who may be a voting member of the council.

This filing does not add, modify, or remove any fiscal responsibility of the council.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

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

Section 26B-1-422		
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Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.****A. Comments will be accepted until:** 09/15/2025**10. This rule change MAY become effective on:** 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/21/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment

Rule or section number:	R414-10-5	Filing ID: 57359
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Agency Information**1. Title catchline:** Health and Human Services, Integrated Healthcare**Building:** Cannon Health Building**Street address:** 288 N 1460 W**City, state:** Salt Lake City, UT**Mailing address:** PO Box 143102**City, state and zip:** Salt Lake City, UT 84114-3102**Contact persons:**

Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

Please address questions regarding information on this notice to the persons listed above.**General Information****2. Rule or section catchline:**

R414-10-5. Service Coverage and Limitations

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

As a result of internal review, the Department of Health and Human Services (department) determined it was necessary to update this section to clarify service coverage for family planning under the Medicaid program.

5. Summary of the new rule or change:

This amendment removes specific restrictions to fertility coverage under the Medicaid program and makes nonsubstantive style and formatting changes in accordance with the Rulewriting Manual for Utah and other rules under the department.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

Based on agency data and research, the department estimates a cost of about \$1,781,500 to the state budget to cover a segment of the population who receive medical treatments that include surgery, radiation, chemotherapy, or other medical interventions that pose the risk of sterility or lead to iatrogenic infertility. This amount is based on the estimated number of new and current members who qualify for and receive in vitro fertilization (IVF) services.

The number of people estimated to qualify for and receive IVF services is 7% of the state's population. According to census data, there were approximately 3,500,000 people living in the state as of 2024, and 7% of that estimated population is about 245,000 people who would qualify.

B. Local governments:

Local governments are not anticipated to see any fiscal impact as they neither fund nor provide fertility services under the Medicaid program.

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

There is no anticipated fiscal impact to small businesses as a result of this filing, as there are no IVF clinics that qualify as small businesses at the time of this filing.

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

There is potential revenue for the 13 non-small business IVF clinics throughout the state at the time of this filing.

There is, however, no data to estimate an amount, as there is no method to indicate how many individuals will seek fertility treatment, nor how many will opt to receive services from these particular clinics.

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 or entities may see potential revenue or out-of-pocket savings. There is, however, no data to estimate these amounts as there is no method to indicate how many individuals will seek fertility treatment, nor how many will opt to receive services from clinics in the state.

F. Compliance costs for affected persons:

The compliance cost for the state budget is estimated to be approximately \$7.27 for each of the estimated 245,000 members who qualify for and receive IVF services.

There are no compliance costs for any other affected persons, as this change creates an inestimable amount of out-of-pocket savings for individuals who qualify for fertility service coverage and potential revenue for a single business or provider.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$1,781,500	\$1,781,500	\$1,781,500	\$1,781,500	\$1,781,500
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$1,781,500	\$1,781,500	\$1,781,500	\$1,781,500	\$1,781,500
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	(\$1,781,500)	(\$1,781,500)	(\$1,781,500)	(\$1,781,500)	(\$1,781,500)

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

Section 26B-1-213	Section 26B-3-108	Section 26B-3-215
Section 26B-3-216		

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.**

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R414-60-5	Filing ID: 57360

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 143102	
City, state and zip:	Salt Lake City, UT 84114-3102	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:	
R414-60-5. Limitations	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 39 (2023 General Session)

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

Upon determining it was necessary to file an amendment to Section R414-10-5, the Department of Health and Human Services (department) also determined it was necessary to update this section to reflect those changes and clarify service coverage for family planning under the Medicaid program.

5. Summary of the new rule or change:

This amendment removes restrictions on fertility coverage under the Medicaid program. It also clarifies coverage of drugs for weight loss.

Additionally, this filing makes style and formatting changes to comply with the Rulewriting Manual for Utah and to align with other rules under the department.

It also updates a statutory citation that has been renumbered from Section 26-18-2.4 to Section 26B-3-105.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

This filing is not anticipated to have a direct fiscal impact to the state budget, as it updates limitations based on an amendment to Section R414-10-5.

The anticipated cost for Medicaid covering in vitro fertility services is captured in the fiscal information section for the amendment to Section R414-10-5.

B. Local governments:

Local governments are not anticipated to see any fiscal impact as they neither fund nor provide fertility services under the Medicaid program.

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

This filing is not anticipated to have a direct fiscal impact to small businesses, as it updates limitations based on an amendment to Section R414-10-5.

Additionally, there are no IVF clinics that qualify as small businesses at the time of this filing.

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

This filing is not anticipated to have a direct fiscal impact to non-small businesses, as it updates limitations based on an amendment to Section R414-10-5.

The anticipated fiscal impact to non-small businesses is captured in the fiscal information section for the amendment to Section R414-10-5.

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 is not anticipated to have a direct fiscal impact to other persons, as it updates limitations based on an amendment to Section R414-10-5.

The anticipated fiscal impact to other persons is captured in the fiscal information section for the amendment to Section R414-10-5.

F. Compliance costs for affected persons:

There are no compliance costs for affected persons as a result of this filing, as this filing updates limitations based on an amendment to Section R414-10-5.

NOTICES OF PROPOSED RULES

The anticipated compliance cost for Medicaid covering in vitro fertility services is captured in the fiscal information section for the amendment to Section R414-10-5.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 26B-1-213	Section 26B-3-108	Section 26B-3-215
Section 26B-3-216		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/15/2025

10. This rule change MAY become effective on: 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New

Rule or section number: R500-3 **Filing ID:** 57364

Agency Information

1. Title catchline:	Health and Human Services, Ombudsman (Office of)	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Alianne Sipes	385-222-1273	asipes@utah.gov
Angie McCourt	385-505-3502	amccourt@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R500-3. Long-Term Care Ombudsman Program
4. Purpose of the new rule or reason for the change:
<p>Upon internal review, the Department of Health and Human Services (department) determined it is appropriate to consolidate rule titles within the department and, specifically, place all Office of Ombudsman's rules under Title R500.</p> <p>Therefore, this filing creates Rule R500-3 to replace Rule R510-200 and amends the content. The department is simultaneously filing a repeal of Rule R510-200.</p>
5. Summary of the new rule or change:
<p>This filing moves provisions that previously existed in Rule R510-200 into this new rule. This filing also clarifies and amends the training requirements for a long-term care ombudsman and volunteer long-term care ombudsman by expanding criteria for designation, updating criteria for de-designation and de-certification, and providing additional definitions. It further clarifies the criteria and authority for the disclosure of records.</p> <p>(EDITOR'S NOTE: The proposed repeal of Rule R510-200 is under ID 57365 in this issue, August 15, 2025, of the Bulletin.)</p>

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
<p>There is no anticipated fiscal impact to the state budget, as the amended portions of this rule are not related to administrative or programmatic costs or savings as a result of this rule.</p> <p>The remaining portions of this rule have been and are currently in effect under Rule R510-200, and moving those portions to this rule is not anticipated to result in a fiscal impact.</p>
B. Local governments:
<p>There is no anticipated fiscal impact to local governments as the provisions of this rule are currently in effect under Rule R510-200 and this move does not add to, modify, or remove the requirements for local governments.</p>
C. Small businesses ("small business" means a business employing 1-49 persons):
<p>There is no anticipated fiscal impact to small businesses as this rule does not apply to small businesses.</p>
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
<p>There is no anticipated fiscal impact to non-small businesses as this rule does not apply to non-small businesses.</p>

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

There is no anticipated fiscal impact to other persons as this rule as the provisions of this rule are currently in effect under Rule R510-200 and this move does not add to, modify, or remove the requirements for other persons.

F. Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons, as the amended portions of this rule are not related to administrative or programmatic costs as a result of this rule.

The remaining portions of this rule have been and are currently in effect under Rule R510-200, and moving those portions to this rule is not anticipated to result in a cost.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

Citation Information

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

Section 26B-2-304	42 U.S.C. 3058g	45 CFR 1324(A)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/29/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Repeal

Rule or section number:	R510-200	Filing ID: 57365
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Agency Information

1. Title catchline:		Health and Human Services, Aging and Adult Services	
Building:		Multi-Agency State Office Building	
Street address:		195 N 1950 W	
City, state:		Salt Lake City, UT	
Mailing address:		195 N 1950 W	
City, state and zip:		Salt Lake City, UT 84116	
Contact persons:			
Name:		Phone:	Email:
Alianne Sipes		385-222-1273	asipes@utah.gov
Angie McCourt		385-505-3502	amccourt@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

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

R510-200. Long-Term Care Ombudsman Program

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

The purpose of this filing is to repeal this rule entirely and remove Rule R510-200 from Title R510.

This rule, R510-200 Long-Term Care Ombudsman Program, will now exist under Title R500, as Rule R500-3, Long-Term Care Ombudsman Program. The Department of Health and Human Services (department) has simultaneously filed a proposed rule for R500-3. This is in an effort to consolidate rule titles within the department and allow all of the Office of Ombudsman's rules to exist under a single title. Minor changes have been made to the certification and training requirement for the Long-Term Care Ombudsman Program.

5. Summary of the new rule or change:

This filing repeals Rule R510-200 in its entirety, while a separate filing for a new rule moves an amended version of provisions from this rule into Rule R500-3.

(EDITOR'S NOTE: The proposed new Rule R500-3 is under ID 57364 in this issue, August 15, 2025, of the Bulletin.)

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

This repeal is not anticipated to have a fiscal impact to the state budget, as it removes this rule in its entirety, and any fiscal impact to amended provisions in the new Rule R500-3 is accounted for in the fiscal information section of that filing.

B. Local governments:

This repeal is not anticipated to have a fiscal impact to local governments, as it removes this rule in its entirety, and any fiscal impact to amended provisions in the new Rule R500-3 is accounted for in the fiscal information section of that filing.

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

This repeal is not anticipated to have a fiscal impact to small businesses, as it removes this rule in its entirety, and any fiscal impact to amended provisions in the new Rule R500-3 is accounted for in the fiscal information section of that filing.

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

This repeal is not anticipated to have a fiscal impact to non-small businesses, as it removes this rule in its entirety, and any fiscal impact to amended provisions in the new Rule R500-3 is accounted for in the fiscal information section of that filing.

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 is not anticipated to have a fiscal impact for other persons, as it removes this rule in its entirety, and any fiscal impact to amended provisions in the new Rule R500-3 is accounted for in the fiscal information section of that filing.

F. Compliance costs for affected persons:

There is no anticipated compliance cost for affected persons, as this repeal removes this rule in its entirety, and any fiscal impact to amended provisions in the new Rule R500-3 is accounted for in the fiscal information section of that filing.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

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

Title 26B, Chapter 2, Part 3	42 U.S.C. 3058g	45 CFR 1342 subpart A
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Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.**

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/18/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R523-18	Filing ID: 57361

Agency Information

1. Title catchline:	Health and Human Services, Substance Use and Mental Health	
Building:	Cannon Health Building	
Street address:	288 N 1460 W, Floor 3	
City, state:	Salt Lake City, UT	
Mailing address:	288 N 1460 W, Floor 3	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Thomas Dunford	801-538-4181	tdunford@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R523-18. Mobile Crisis Outreach Teams Certification Standards	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 45 (2022 General Session), SB 41 (2023 General Session)
4. Purpose of the new rule or reason for the change:	
This filing is necessary to update this rule following the reorganization of the Department of Health and Human Services (DHHS) and recodification of applicable statute.	
This filing is also intended to update statutory citations and comply with the Governor's Executive Order No. 2021-12 by aligning rule language with the Rulewriting Manual for Utah.	
Further, it removes sections of this rule that are not in compliance with the agency's rulewriting authority.	
5. Summary of the new rule or change:	
These proposed amendments update statutory citations, align this rule with the standards of the Rulewriting Manual for Utah, comply with the Governor's Executive Order No. 2021-12, correct grammatical and other errors, update definitions, remove redundant requirements that are already covered by training and examination requirements for designated examiners, align the corrective action section to be consistent with other Office of Substance Use and Mental Health rules, add a section describing how grants can be obtained to establish a new Mobile Crisis Outreach Team (MCOT), clarify or remove superfluous requirements, and provide more clarity to the reader.	
A rate table has also been added to make this rule compliant with requirements found in Subsection 26B-5-112.5(5).	

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

There is no anticipated fiscal impact to the state budget as a result of this filing.

Changes in this rule update style and formatting, update definitions, clarify language and remove redundancy, and align language about corrective action with other rules under the Office of Substance Use and Mental Health.

This filing also adds a section to describe the process for how to obtain grants to establish a new MCOT and a rate table for statutory compliance with statute. The new section and rate table contain information about practices that are already part of office operations and do not add, modify, or remove requirements for the state.

Therefore, these changes are not anticipated to generate a cost or savings.

B. Local governments:

There is no anticipated fiscal impact to local governments as a result of this filing.

Changes in this rule update style and formatting, update definitions, clarify language and remove redundancy, and align language about corrective action with other rules under the Office of Substance Use and Mental Health.

This filing also adds a section to describe the process for how to obtain grants to establish a new MCOT and a rate table for statutory compliance with statute. The new section and rate table contain information about practices that are already part of local government operations and do not add, modify, or remove requirements for the state.

Therefore, these changes are not anticipated to generate a cost or savings.

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

The statutory authority used to create this rule only applies to local substance use and mental health authorities. Local substance abuse authorities and local mental health authorities are county governments and defined in Subsection 17-43-201(1) and Subsection 17-43-301(2).

The Office of Substance Use and Mental health is only authorized to contract with a county to provide the substance use and mental health services described in this rule, therefore, this rule only applies to local governments and not small businesses.

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

The statutory authority used to create this rule only applies to local substance use and mental health authorities. Local substance abuse authorities and local mental health authorities are county governments and defined in Subsection 17-43-201(1) and Subsection 17-43-301(2).

The Office of Substance Use and Mental health is only authorized to contract with a county to provide the substance use and mental health services described in this rule, therefore, this rule only applies to local governments and not 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 statutory authority used to create this rule only applies to local substance use and mental health authorities. Local substance abuse authorities and local mental health authorities are county governments and defined in Subsection 17-43-201(1) and Subsection 17-43-301(2).

The Office of Substance Use and Mental health is only authorized to contract with a county to provide the substance use and mental health services described in this rule, therefore, this rule only applies to local governments and not persons other than small businesses, non-small businesses, state, or local government entities.

F. Compliance costs for affected persons:

There are no anticipated compliance costs for affected persons. Changes in this rule update style and formatting, update definitions, clarify language and remove redundancy, and align language about corrective action with other rules under the Office of Substance Use and Mental Health.

This filing also adds a section to describe the process for how to obtain grants to establish a new MCOT and a rate table for statutory compliance with statute. The new section and rate table contain information about practices that are already part of office operations and do not add, modify, or remove requirements for the state.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

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

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

Subsection 26B-5-112(5)	Subsection 26B-5-112.5(5)	Subsection 26B-5-609(2)
Subsection 26B-5-609(3)		

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.**

A. Comments will be accepted until: 09/15/2025

10. This rule change MAY become effective on: 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:****R590-146-11****Filing ID:** 57368**Agency Information**

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

General Information

2. Rule or section catchline:	
R590-146-11. Open Enrollment	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB 258 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
The rule is being amended to provide an annual open enrollment opportunity for a Medigap insurance enrollee with their current insurer. This change is required by HB 258, passed during the 2025 General Session.	
5. Summary of the new rule or change:	
This amendment adds a requirement that issuers offer Medigap enrollees an annual Medigap election period during which they are guaranteed the option to enroll in a different Medigap plan with their existing insurer, without underwriting.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
There is no anticipated cost or savings to the state budget. The rule change will not affect the workload of any state employees, or require any monies be paid to or by the Department of Insurance (department).
B. Local governments:
There is no anticipated cost or savings to local governments. This rule governs the relationship between the department and its insurance company licensees, and does not involve local governments in any way.
C. Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. All insurance companies active in the state employ 50 or more persons.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The required offer is expected to be added to an existing renewal notice sent to a Medigap insurance enrollee. The department exposed a draft of this rule to and requested comment from

companies in the industry that would need to comply with this rule. The department received no comments expressing concerns with anticipated costs.

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

Consumers who receive the option to enroll in a different Medigap plan may choose to exercise that option. In such cases, the consumer may see some costs or savings. However, as exercising the option is a personal decision based on many factors that vary from individual to individual, the department cannot make an estimate of aggregate savings.

F. Compliance costs for affected persons:

There are no compliance costs for any affected persons. There is no cost for any person to comply with this rule. The required offer is expected to be added to an existing renewal notice sent to a Medigap insurance enrollee.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 31A-2-201	Section 31A-2-201.1	Section 31A-22-620
Section 31A-23a-402		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/15/2025

10. This rule change MAY become effective on: 09/22/2025

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

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	08/01/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment

Rule or section number:	R765-264	Filing ID: 57363
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Agency Information

1. Title catchline:	Higher Education (Utah Board of,) Administration	
Building:	Utah Board of Higher Education Building, The Gateway	
Street address:	60 S 400 W	
City, state:	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
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
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R765-264. Student Religious Accommodations	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 192 (2024 General Session)
4. Purpose of the new rule or reason for the change:	
The purpose of this filing is to amend Rule R765-264, Student Religious Accommodations, to update the Utah Board of Higher Education's responsibilities based on SB 192 (2024) and clarify that the commissioner is responsible for distributing a list of religious holidays to Utah System of Higher Education institutions in alignment with SB 192 (2024).	
5. Summary of the new rule or change:	
The amendments to this rule remove requirements of the Utah Board of Higher Education to align with requirements in SB 192 (2024) regarding student religious accommodations and clarifies that the Commissioner of Higher Education is responsible for creating and distributing a list of religious holidays to Utah System of Higher Education institutions.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:	
A. State budget:	
Rule R765-264 has no direct impact on the state budget. This filing updates Rule R765-264 in accordance with changes from the 2024 General Session.	
The amendments to this rule will not result in direct, measurable costs for the state budget because it clarifies that the commissioner is responsible for certain responsibilities.	
B. Local governments:	
This rule will not impose any monetary impact on local governments. This filing updates Rule R765-264 in accordance with changes from the 2024 General Session. The fiscal note states that enactment of this legislation likely will not result in direct, measurable costs for local governments.	

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

This rule will not impose any monetary impact on small businesses. This filing updates Rule R765-264 in accordance with changes from the 2024 General Session.

The fiscal note states that enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses.

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

This rule will not have any monetary impact on non-small businesses. This filing updates Rule R765-264 in accordance with changes from the 2024 General Session.

The fiscal note states that 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 will not impose any monetary impact on persons other than small businesses, non-small businesses, state, or local government entities. This filing updates Rule R765-264 in accordance with changes from the 2024 General Session.

The fiscal note states that 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:

This rule will not impose compliance costs on affected persons. This filing updates Rule R765-264 in accordance with changes from the 2024 General Session.

The fiscal note did not reference any costs for affected persons.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Utah Commissioner of Higher Education, Geoffrey Landward, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 53B-27-405

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information

Agency head or designee and title:

Alison Adams, Board Secretary and Designee

Date:

07/29/2025

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:

R765-611

Filing ID: 57362

Agency Information

1. Title catchline:

Higher Education (Utah Board of), Administration

Building:

Utah Board of Higher Education Building, The Gateway

Street address:

60 S 400 W

City, state:

Salt Lake City, UT 84101

Contact persons:

Name:

Phone:

Email:

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

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

General Information

2. Rule or section catchline:

R765-611. Veterans Tuition Gap Program

3. Are any changes in this filing because of state legislative action?

Changes are because of legislative action

If yes, any bill number and session:

HB 341 (2025 General Session)

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

The purpose of this filing is to amend Rule R765-611, Veterans Tuition Gap Program, by updating the institutions that are eligible to participate in the grant program, clarifying that students must qualify for resident student status under Section 53B-8-102 and Board Policy R512, or be exempt from paying the nonresident portion of total tuition under Section 53B-8-106 and be domiciled in Utah, and other nonsubstantive edits for clarity.

5. Summary of the new rule or change:

The amendments to this rule update definitions and language to align with changes from the 2025 General Session and improve precision and readability.

The amendments also add a definition for Eligible Institutions that aligns with requirements in HB 341 (2025).

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

This rule does not impose any monetary impact on the state budget; it implements minor wording changes to improve clarity and updates the definition of Eligible Institution of Higher Education.

HB 341 (2025) has a fiscal note of \$0 and states that the enactment of this legislation likely will not materially impact state expenditures. Therefore, this rule does not have any monetary effect.

B. Local governments:

This rule does not impose any monetary impact on local governments; it implements minor wording changes to improve clarity and updates the definition of Eligible Institution of Higher Education.

It does not have any monetary effect.

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

This rule does not impose any monetary impact on small businesses; it implements minor wording changes to improve clarity and updates the definition of Eligible Institution of Higher Education.

It does not have any monetary effect.

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

This rule does not impose any monetary impact on non-small businesses; it implements minor wording changes to improve clarity and updates the definition of Eligible Institution of Higher Education.

It does not have any monetary effect.

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 impose any monetary impact persons other than small businesses, non-small businesses, state, or local government entities; it implements minor wording changes to improve clarity and updates the definition of Eligible Institution of Higher Education.

It does not have any monetary effect.

F. Compliance costs for affected persons:

This rule does not impose any monetary impact on affected persons; it implements minor wording changes to improve clarity and update the definition of Eligible Institution of Higher Education.

It does not have a monetary effect.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Utah Commissioner of Higher Education, Geoffrey Landward, has reviewed and approved this regulatory impact analysis.

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

Subsection 53B-13b-104(3)(c)

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.****A. Comments will be accepted until:**

09/15/2025

10. This rule change MAY become effective on:

09/22/2025

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

Agency Authorization Information**Agency head or designee and title:**

Alison Adams, Board Secretary and Designee

Date:

07/29/2025

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:

R895-14

Filing ID: 57353

Agency Information**1. Title catchline:**

Government Operations, Technology Services

Building:

Taylorsville State Office Building

Street address:

4315 S 2700 W

City, state:

Taylorsville, UT

Mailing address:

4315 S 2700 W

City, state and zip:

Taylorsville, UT 84129

Contact persons:**Name:****Phone:****Email:**

Stephanie Weteling

435-720-5315

stephanie@utah.gov

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

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

R895-14. Access to Information Technology for Users with Disabilities

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

Updates are needed to align with the Department of Justice's update to regulations for Title II of the Americans with Disabilities Act (ADA).

5. Summary of the new rule or change:

The change adds in the verbiage Level AA to the W3C Web Content Accessibility Guidelines (WCAG) Version 2.1.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

There is no anticipated cost or savings to the state budget because state agencies are already required to comply with updated federal guidelines.

B. Local governments:

There is no anticipated cost or savings to local governments because this rule only applies to state executive branch agencies.

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

There is no anticipated cost or savings to small businesses because this rule only applies to state executive branch agencies.

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

There is no anticipated cost or savings to non-small businesses because this rule only applies to state executive branch agencies.

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

There is no anticipated cost or savings to persons other than small businesses, non-small businesses, state, or local government entities because this rule only applies to state executive branch agencies.

F. Compliance costs for affected persons:

There is no expected compliance cost for affected persons because state agencies are already required to comply with updated federal guidelines.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
H. Department head comments on fiscal impact and approval of regulatory impact analysis:					
The Executive Director of the Department of Government Operations, Marvin Dodge, has reviewed and approved this regulatory impact analysis.					

Citation Information

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

Section 63A-16-205	Section 63A-16-209	
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Incorporation by Reference Information

8. Incorporation by Reference:	
A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. <i>If none, leave blank</i>):	
Official Title of Materials Incorporated (from title page)	Web Content Accessibility Guidelines (WCAG) 2.1
Publisher	World Wide Web Consortium (W3C)
Issue Date	May
Issue or Version	20250506

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	09/15/2025

10. This rule change MAY become effective on:	09/22/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Marvin Dodge, Executive Director	Date:	07/21/2025
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends September 15, 2025.

From the end of the 30-day waiting period through December 13, 2025, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** CPR (Change in Proposed Rule)**Rule or section number:****R317-2****Filing ID: 57091****Date of previous publication (only for CPRs):** **04/15/2025****Agency Information**

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

General Information

2. Rule or section catchline:
R317-2. Standards of Quality for Waters of the State
4. Purpose of the new rule or reason for the change:
The purpose of this change in proposed rule is to remove cyanotoxin criteria from the proposed rule at the request of the Utah Water Quality Board.
5. Summary of the new rule or change:
This change in proposed rule removes cyanotoxin criteria in Section R317-2-14 Table 2.14.1 from the proposed rule. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the April 15, 2025, issue of the Utah State Bulletin, on page 16. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
There were no direct costs or savings associated with adopting cyanotoxin criteria estimated in the proposed rule, so this change in proposed rule removing cyanotoxins does not alter the estimated costs or savings to the state budget reported in the proposed rule, published in the April 15, 2025, Utah State Bulletin.
B. Local governments:
There were no direct costs or savings associated with adopting cyanotoxin criteria estimated in the proposed rule, so this change in proposed rule removing cyanotoxins does not alter the estimated costs or savings to local governments reported in the proposed rule, published in the April 15, 2025, Utah State Bulletin.

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

There were no direct costs or savings associated with adopting cyanotoxin criteria estimated in the proposed rule, so this change in proposed rule removing cyanotoxins does not alter the estimated costs or savings to small businesses reported in the proposed rule, published in the April 15, 2025, Utah State Bulletin.

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

There were no direct costs or savings associated with adopting cyanotoxin criteria estimated in the proposed rule, so this change in proposed rule removing cyanotoxins does not alter the estimated costs or savings to non-small businesses reported in the proposed rule, published in the April 15, 2025, Utah State Bulletin.

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 were no direct costs or savings associated with adopting cyanotoxin criteria estimated in the proposed rule, so this change in proposed rule removing cyanotoxins does not alter the estimated costs or savings to other persons reported in the proposed rule, published in the April 15, 2025, Utah State Bulletin.

F. Compliance costs for affected persons:

There were no compliance costs associated with adopting cyanotoxin criteria estimated in the proposed rule, so this change in proposed rule removing cyanotoxins does not alter the estimated compliance costs reported in the proposed rule, published in the April 15, 2025, Utah State Bulletin.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

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

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

NOTICES OF CHANGES IN PROPOSED RULES

Citation Information

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

Section 19-5-104	Section 19-5-110	33 U.S.C. 1251, 1311-1317, 1329
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/15/2025
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10. This rule change MAY become effective on:	09/22/2025
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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

Agency head or designee and title:	John K. Mackey, Director Division	Date:	07/25/2025
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End of the Notices of Changes in Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

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

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

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

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

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

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

NOTICE OF EMERGENCY (120-DAY) RULE

Rule or section Number:	R156-60f	Filing ID: 57358
Effective date:	07/28/2025	

Agency Information

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

General Information

2. Rule or section catchline:
R156-60f. Substance Use Disorder Counselor Act Rule
4. Purpose of the new rule or reason for the change:
This rule is identical to and will replace Rule R156-60d, Substance Use Disorder Counselor Act Rule, which was effective 01/25/2024, and expired on 07/15/2025. This rule is necessary to allow the Division of Professional Licensing (division) oversight and enforcement authority of individuals licensed under Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act. This rule will be replaced by Rule R156-60e, Mental Health Professional Practice Act Rule, within the next 120 days.

5. Summary of the new rule or change:

This rule outlines the division's licensing requirements governing the following licenses:
 licensed advanced substance use disorder counselor (ASUDC),
 certified advanced substance use disorder counselor (CASUDC),
 certified advanced substance use disorder counselor intern (CASUDCI),
 licensed substance use disorder counselor (SUDC),
 certified substance use disorder counselor (CSUDC), and
 certified substance use disorder counselor intern (CSUDCI).

6A. The agency finds that regular rulemaking would:

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

B. Specific reasons and justifications for this finding:

This rule is necessary to protect the public health, safety, and welfare because it will continue to give the division authority to regulate licensees under Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act, and to take enforcement actions against licensees who violate the statute or rule.

Fiscal Information**7. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

There is no anticipated cost or savings to the state budget because this rule merely replaces Rule R156-60d, Substance Use Disorder Counselor Act Rule, without any changes.

B. Local governments:

There is no anticipated cost or savings to local governments because this rule merely replaces Rule R156-60d, Substance Use Disorder Counselor Act Rule, without any changes.

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

There is no anticipated cost or savings to small businesses because this rule merely replaces Rule R156-60d, Substance Use Disorder Counselor Act Rule, without any changes.

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

There is no anticipated cost or savings to persons other than small businesses, state, or local government entities because this rule merely replaces Rule R156-60d, Substance Use Disorder Counselor Act Rule, without any changes.

E. Compliance costs for affected persons:

There is no anticipated cost or savings to affected persons because this rule merely replaces Rule R156-60d, Substance Use Disorder Counselor Act Rule, without any changes.

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

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis and states that there will be no impact on businesses.

Citation Information**8. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 58-60-501	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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Incorporation by Reference Information**9. Incorporation by Reference:**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Code of Ethics
Publisher	Association for Addiction Professionals and the National Certification Commission for Addiction Professionals
Issue Date	01/01/2021

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Model Standards of Practice for Child Custody Evaluation
Publisher	Association of Family and Conciliation Courts
Issue Date	May 2006

Agency Authorization Information

Agency head or designee and title:	Deborah Blackburn, Assistant Division Director	Date:	07/28/2025
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End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. 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		
Rule number:	R458-2	Filing ID: 55297
Effective date:	07/18/2025	

Agency Information

1. Title catchline:	Cultural and Community Engagement, Library	
Street address:	3760 S Highland Dr	
City, state:	Salt Lake City, UT 84106	
Contact persons:		
Name:	Phone:	Email:
Heidi Tak	801-698-5567	hjtak@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R458-2. Public Library Online Access for Eligibility to Receive Public Funds	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 9-7-215	Creates provisions for internet and online access for state libraries.
Section 9-7-216	Creates a process and content standards for libraries' internet policies.
Section 9-7-213	Grants rulemaking authority for the Utah State Library to enforce online access standards.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments received since the last five-year review of this rule.	

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

Since Utah Code stipulates that public libraries follow Sections 9-7-215 and 9-7-216, and the Utah State Library administers state funds, Rule R458-2 ensures that state library staff are authorized to monitor compliance. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Donna Law, Executive Director	Date:	07/15/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R512-43	Filing ID: 57106
Effective date:	07/28/2025	

Agency Information

1. Title catchline:	Health and Human Services, Child and Family Services	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	120 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Corey Blythe	801-891-9068	coblythe@utah.gov
Cosette Mills	385-242-5482	cwmills@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R512-43. Adoption Assistance	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 80-2-302	Section 80-2-302 requires the Division of Child and Family Services (division) to make rules regarding placement for adoption or foster care that are consistent with, and no more restrictive than, applicable statute.
Section 80-2-806	Section 80-2-806 requires the division to establish by rule eligibility criteria for the receipt of adoption assistance and supplemental adoption assistance. Section 80-2-806 additionally describes how the state provides adoption assistance to eligible adoptive families to establish and maintain a permanent adoptive placement for a child who has a special need and who qualifies under state and federal law.
Section 80-2-807	Section 80-2-807 requires the division to, by rule, establish at least one advisory committee to review and make recommendations to the division on individual requests for supplemental adoption assistance. Section 80-2-807 also allows the division to make rules to provide supplemental adoption assistance for a child who has a special need and requires that those rules shall include a provision that establishes a threshold amount for requests for supplemental adoption assistance that require review by the advisory committee.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

42 U.S.C. 673	Adoption and Guardianship Assistance Program, 42 U.S.C. 673, authorizes federal adoption assistance and establishes criteria for states participating in adoption assistance.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule is necessary because this rule fulfills statutory requirements related to adoption assistance and provides oversight and criteria for the adoption assistance program, which aids adoptive families in establishing and maintaining a permanent adoptive living arrangement for a child who qualifies for the program under state or federal law. Therefore, this rule should be continued.	
As the division has not received any comments in opposition to this rule, it has not responded to any such comments.	

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R512-205	Filing ID: 55639
Effective date:	07/28/2025	

Agency Information

1. Title catchline:	Health and Human Services, Child and Family Services	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	120 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Corey Blythe	801-891-9068	coblythe@utah.gov
Cosette Mills	385-242-5482	cwmills@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R512-205. Child Protective Services, Investigation of Domestic Violence Related Child Abuse	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 76-5-114	Section 76-5-114 defines and describes what qualifies as domestic violence in the presence of a child.
Section 80-2-302	Section 80-2-302 requires the Division of Child and Family Services (division) to make rules regarding abuse, neglect, and dependency proceedings.

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

No comments have been received since the last five-year review of this rule.

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

This rule is necessary to fulfill statutory requirements and establish criteria for the investigation of, and basis for a finding of, domestic violence related child abuse. Therefore, this rule should be continued.

As the division has not received any comments in opposition to this rule, it has not responded to any such comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R527-34	Filing ID: 55582
Effective date:	07/28/2025	

Agency Information

1. Title catchline:	Health and Human Services, Recovery Services	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
PO Box 45033	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Jodi Witte	801-741-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R527-34. Non-IV-A Services	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 26B-1-202	Section 26B-1-202 authorizes the Department of Health and Human Services (department) to adopt rules necessary for providing social services to the people of this state.
Section 26B-9-108	Section 26B-9-108 gives the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out responsibilities under Title 26B, Chapter 9, Recovery Services and Administration of Child Support.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

45 CFR 302.33	45 CFR 302.33 requires that a state IV-D agency, which is ORS in Utah, must provide that an application fee will be charged for each individual who applies for services, that the state shall collect the application fee from the individual or pay the application fee out of state funds, and that the state may elect to recover any costs incurred in excess of any fees collected to cover administrative costs.
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4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

No comments have been received since the last five-year review of this rule.

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

This rule is necessary because the non-IV-A services outlined in this rule are still provided by ORS.

In addition, this rule is required by 45 CFR 302.33, which is still in effect. This federal regulation addresses costs that a state may elect to recover for providing non-IV-A services, and it is still necessary to specify the fees that ORS has elected to charge, or not charge, for child support services. Therefore, this rule should be continued.

As there were no comments in opposition to this rule, the department did not respond to any such comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R527-231	Filing ID: 56687
Effective date:	07/28/2025	

Agency Information

1. Title catchline:	Health and Human Services, Recovery Services	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Jodi Witte	801-741-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R527-231. Review and Adjustment of a Support Order	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:		
Section 26B-1-202	Section 26B-1-202 authorizes the Department of Health and Human Services (department) to adopt rules necessary for providing social services to the people of this state.	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Section 26B-9-108	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.
Section 26B-9-220	Section 26B-9-220 requires ORS to review and adjust child support orders every three years, taking into account the best interest of the child involved.
Section 26B-9-221	Section 26B-9-221 allows ORS to review a child support order at any time if there has been a substantial change in circumstances.
Section 81-6-212	Section 81-6-212 provides guidelines for establishing or modifying a judicial or administrative child support order.
45 CFR 303.8	45 CFR 303.8 requires that Utah have procedures for review and adjustment, taking into account the best interest of the child involved.

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

No comments have been received since the last five-year review of this rule.

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

This rule is necessary because the state and federal laws are still in effect which require review and adjustment processes for child support orders.

In addition, this rule provides essential clarification by listing specific situations where a review and adjustment will or will not be pursued by ORS. Therefore, this rule should be continued.

As there were no comments in opposition to this rule, the department did not respond to any such comment.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R527-936	Filing ID: 55554
Effective date:	07/28/2025	

Agency Information

1. Title catchline:	Health and Human Services, Recovery Services	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Jodi Witte	801-741-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R527-936. Third-Party Liability, Medicaid	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 26B-1-202	Section 26B-1-202 authorizes the Department of Health and Human Services (department) to adopt rules necessary for providing social services to the people of this state.
Section 26B-3-119	Section 26B-3-119 authorizes the department to enforce public assistance statutes.
Section 26B-3-1002	Section 26B-3-1002 authorizes a third-party liability Medicaid recovery program and establishes the legal liabilities of third parties and recipients.
Section 26B-9-108	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.
42 CFR 433.135 through 433.154	42 CFR 33.135 through 42 CFR 433.154 requires a state's IV-D agency (ORS in Utah) to establish and administer a third-party liability program and specify the requirements concerning third-party liability.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
<p>This rule is necessary because this rule establishes the third-party liability program as required by Title 26B, Chapter 3, Part 10, Medical Benefits Recovery, and provides the standards under which that program may be administered through the Office of Recovery Services.</p> <p>Additionally, continuation is necessary to comply with other state and federal statutory provisions, upon which this rule is based, that are still in effect. Therefore, this rule should be continued.</p> <p>As there were no comments in opposition to this rule, the department did not respond to any such comments.</p>	

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	07/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R623-6	Filing ID: 52758
Effective date:	07/18/2025	

Agency Information

1. Title catchline:	Lieutenant Governor, Elections
Building:	Utah State Capitol
Street address:	350 State Street, Suite 220
City, state:	Salt Lake City, UT
Mailing address:	PO Box 142220
City, state and zip:	Salt Lake City, UT 84114-2220

Contact persons:		
Name:	Phone:	Email:
Ryan Cowley	801-538-1041	ryancowley@utah.gov
Kenna Stringam	801-538-1041	kennastringam@utah.gov
Madi Topik	801-538-1041	mtopik@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R623-6. Verification of Requests to Withhold Voter Registration Information	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 20A-2-104(8)(c)	This section requires the director of elections to create rules establishing requirements for providing the verification of withholding request forms.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule is required by Subsection 20A-2-104(8)(c). This rule provides essential guidance to election officials, ensuring that election administration is carried out consistently and correctly across the state. It also establishes safeguards and protections for individuals who wish to keep their personal information private, as well as for those whose information must be withheld for legal or security reasons. Therefore, this rule should be continued.	
As there were no comments in opposition to this rule, the agency does not have any disagreements with such comments.	

Agency Authorization Information

Agency head or designee and title:	Ryan Cowley, Director	Date:	07/14/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R661-1	Filing ID: 51794
Effective date:	07/30/2025	

Agency Information

1. Title catchline:		Navajo Trust Fund, Trustees	
Building:		Blanding Government Services Building	
Street address:		151 E 500 N	
City, state:		Blanding, UT 84511	
Contact persons:			
Name:		Phone:	Email:
Maury Bergman		435-678-1462	mbergman@utah.gov
Tony Dayish		435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:	
R661-1. Utah Navajo Trust Fund Scope	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-10-205(4)	The Trust Administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule from interested persons.	
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 defines the scope of the Utah Navajo Trust Fund to be consistent with the Navajo Trust Fund Act. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/30/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R661-2	Filing ID: 51796
Effective date:	07/30/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustees	
Building:	Blanding Government Services Building	
Street address:	151 E 500 N	
City, state:	Blanding, UT 84511	
Mailing address:	151 E 500 N	
City, state and zip:	Blanding, UT 84511	
Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R661-2. Utah Navajo Trust Fund Definitions	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-10-205(4)	The Trust Administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.

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

No comments have been received since the last five-year review of this rule from interested persons.

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 defines Trust Fund terminology. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/01/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R661-3	Filing ID: 51787
Effective date:	07/30/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustees	
Building:	Blanding Government Services Building	
Street address:	151 E 500 N	
City, state:	Blanding, UT 84511	
Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R661-3. Utah Navajo Trust Fund Residency Policy	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-10-205(4)	The Trust Administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule from interested persons.	
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 defines Navajo residency in San Juan County, Utah. In order to be eligible for funding from the Utah Navajo Trust Fund, a beneficiary must be currently living in San Juan County, Utah and has done for the past five consecutive years. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/31/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule number:	R661-4	Filing ID: 51786
Effective date:	07/30/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustees	
Building:	Blanding Government Services Building	
Street address:	151 E 500 N	
City, state:	Blanding, UT 84511	
Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R661-4. Utah Navajo Trust Fund Chapter Projects	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	Subsection 51-10-205(4) The Trust Administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.	
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	No comments have been received since the last five-year review of this rule from interested persons.	
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 Utah Navajo Trust Fund to provide monetary assistance to Navajo Chapters to meet the needs of their communities by improving living conditions, and general welfare concerns. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/31/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule number:	R661-5	Filing ID: 51788
Effective date:	07/30/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustees	
Building:	Blanding Government Services Building	
Street address:	151 E 500 N	
City, state:	Blanding, UT 84511	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R661-5. Utah Navajo Trust Fund Blue Mountain Dine' Community	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-10-205(4)	The Trust Administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule from interested persons.	
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 Utah Navajo Trust Fund to provide monetary assistance to the Blue Mountain Dine' Community to meet their needs by improving living conditions, and general welfare concerns. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/31/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R661-8	Filing ID: 51801
Effective date:	07/30/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustees	
Building:	Blanding Government Services Building	
Street address:	151 E 500 N	
City, state:	Blanding, UT 84511	
Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R661-8. Utah Navajo Trust Fund Power Lines and House Wiring Program

3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-10-205(4)	The Trust Administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule from interested persons.	
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 Utah Navajo Trust Fund to provide monetary assistance for power lines and house wiring on the reservation. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/31/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R994-207	Filing ID: 54921
Effective date:	07/16/2025	

Agency Information

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

General Information

2. Rule catchline:	
R994-207. Unemployment	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 35A-1-104(1)	Authorizes the Department of Workforce Services (department) to adopt rules as authorized by Title 35A.
Subsection 35A-1-104(4)	Authorizes the department to establish eligibility standards for its programs.
Subsection 35A-4-502(1)(b)	Authorizes the department to make rules necessary for the administration of the Employment Security Act.
Section 35A-4-207	Requires the department to prescribe rules applicable to unemployed individuals and to make distinctions in the procedure as to total unemployment, part-total unemployment, partial unemployment, and other forms of short-time work, as the department considers necessary.

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

No comments have been received since the last five-year review of this rule.

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

Section 35A-4-207 of the Employment Security Act broadly defines "unemployment." This rule is necessary to further define terms and to explain distinctions between total, part-total, partial unemployment, and other forms of short-time work. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Casey Cameron, Executive Director	Date:	07/16/2025
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

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

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

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

NOTICE OF FIVE-YEAR REVIEW EXTENSION

Rule number:	R746-510	Filing ID: 52984
New deadline date:	11/24/2025	

Agency Information

1. Title catchline:	Public Service Commission, Administration	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S, 4th Floor	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 4558	
City, state and zip:	Salt Lake City, UT 84114-4558	
Contact persons:		
Name:	Phone:	Email:
John Delaney	801-530-6724	jdelaney@utah.gov
Melissa Paschal	801-530-6769	mpaschal@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R746-510. Funding for Speech and Hearing Impaired Certified Interpreter Training
3. Reason for requesting the extension:
The Public Service Commission (PSC) has decided to repeal this rule since the PSC has had no contract or arrangement in place regarding training of American Sign Language (ASL) interpreters since 12/31/2021. The PSC is requesting this extension so this rule can remain in effect until the repeal process is completed.

Agency Authorization Information

Agency head or designee and title:	Jerry D. Fenn, PSC Chair	Date:	07/23/2025
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End of the Notices of Five-Year Review Extensions Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Animal Industry

No. 57194 (Amendment) R58-28: Veterinarian Education Loan Repayment Program

Published: 06/15/2025

Effective: 08/04/2025

Specialized Products

No. 57229 (Amendment) R66-30: Industrial Hemp Program - Cannabinoid Product Processors

Published: 07/01/2025

Effective: 08/07/2025

No. 57193 (Repeal) R66-32: Industrial Hemp Testing Laboratory

Published: 06/15/2025

Effective: 07/25/2025

No. 57227 (Repeal) R66-37: Industrial Hemp Research

Published: 06/15/2025

Effective: 07/25/2025

Commerce

Professional Licensing

No. 57115 (Amendment) R156-9: Funeral Service Licensing Act Rule

Published: 05/15/2025

Effective: 07/23/2025

No. 57204 (Amendment) R156-17b: Pharmacy Practice Act Rule

Published: 06/15/2025

Effective: 08/08/2025

No. 57192 (Amendment) R156-40: Recreational Therapy Practice Act Rule

Published: 06/15/2025

Effective: 07/22/2025

No. 57162 (Amendment) R156-55b: Electricians Licensing Act Rule

Published: 06/01/2025

Effective: 08/01/2025

NOTICES OF RULE EFFECTIVE DATES

No. 57230 (Repeal) R156-60a: Social Worker Licensing Act Rule
Published: 07/01/2025
Effective: 08/11/2025

No. 57231 (Repeal) R156-60b: Marriage and Family Therapist Licensing Act Rule
Published: 07/01/2025
Effective: 08/11/2025

No. 57232 (Repeal) R156-60c: Clinical Mental Health Counselor Licensing Act Rule
Published: 07/01/2025
Effective: 08/11/2025

No. 57225 (New Rule) R156-60e: Mental Health Professional Practice Act Rule
Published: 06/15/2025
Effective: 08/11/2025

Education

Administration

No. 57280 (Amendment) R277-100: Definitions for Utah State Board of Education (Board) Rules
Published: 07/01/2025
Effective: 08/07/2025

No. 57281 (Amendment) R277-123: Process for Members of the Public to Report Violations of Statute and Board Rule
Published: 07/01/2025
Effective: 08/07/2025

No. 57282 (Amendment) R277-303: Educator Preparation Programs
Published: 07/01/2025
Effective: 08/07/2025

No. 57283 (Amendment) R277-313: Student Support License Areas of Concentration
Published: 07/01/2025
Effective: 08/07/2025

No. 57284 (Amendment) R277-326: Early Learning
Published: 07/01/2025
Effective: 08/07/2025

No. 57285 (Amendment) R277-406: Early Learning Program and Assessments
Published: 07/01/2025
Effective: 08/07/2025

No. 57286 (Amendment) R277-476: Local Innovations Civics Education Pilot Program
Published: 07/01/2025
Effective: 08/07/2025

No. 57287 (Amendment) R277-480: Charter School Revolving Account
Published: 07/01/2025
Effective: 08/07/2025

No. 57288 (Amendment) R277-609: Standards for LEA Discipline Policy
Published: 07/01/2025
Effective: 08/07/2025

No. 57289 (Amendment) R277-631: Student Toilet Training Requirements
Published: 07/01/2025
Effective: 08/07/2025

No. 57293 (New Rule) R277-632: Funding for At-Risk Students and Students Learning English
Published: 07/01/2025
Effective: 08/07/2025

No. 57290 (Amendment) R277-700: The Elementary and Secondary School General Core
Published: 07/01/2025
Effective: 08/07/2025

No. 57291 (Amendment) R277-707: Enhancement for Accelerated Students Programs
Published: 07/01/2025
Effective: 08/07/2025

No. 57292 (Amendment) R277-736: Juvenile Court or Law Enforcement Notice and Information Dissemination
Published: 07/01/2025
Effective: 08/07/2025

Environmental Quality

Air Quality

No. 57036 (Amendment) R307-150: Emission Inventories
Published: 03/01/2025
Effective: 08/01/2025

No. 57036 (Change in Proposed Rule) R307-150: Emission Inventories
Published: 07/01/2025
Effective: 08/01/2025

No. 57166 (Amendment) R307-230: NOx Emission Limits for Natural Gas-Fired Water Heaters
Published: 06/01/2025
Effective: 08/06/2025

Government Operations

Finance

No. 57094 (Amendment) R25-7: Travel-Related Reimbursements for State Travelers
Published: 05/01/2025
Effective: 07/22/2025

No. 57168 (Repeal) R25-21: Medical Cannabis Payment Provider Standards
Published: 06/01/2025
Effective: 07/22/2025

No. 57169 (Repeal) R25-22: Financial Institution Validation for Access to Medical Cannabis Inventory Control System
Published: 06/01/2025
Effective: 07/22/2025

Human Resource Management

No. 57205 (Amendment) R477-8: Working Conditions
Published: 06/15/2025
Effective: 07/22/2025

Health and Human Services

Integrated Healthcare

No. 57147 (Amendment) R414-502: Approval of Level of Care
Published: 05/15/2025
Effective: 07/28/2025

Residential Child Care Licensing

No. 57170 (Amendment) R430-90: License Required
Published: 06/01/2025
Effective: 07/28/2025

NOTICES OF RULE EFFECTIVE DATES

Health Care Facility Licensing

No. 56887 (Amendment) R432-270: Assisted Living Facilities

Published: 11/15/2024

Effective: 07/29/2025

No. 56887 (First Change in Proposed Rule) R432-270: Assisted Living Facilities

Published: 04/01/2025

Effective: 07/29/2025

No. 56887 (Second Change in Proposed Rule) R432-270: Assisted Living Facilities

Published: 06/01/2025

Effective: 07/29/2025

Human Services Program Licensing

No. 57159 (Amendment) R501-12: Foster Care Services

Published: 05/15/2025

Effective: 07/18/2025

Services for People with Disabilities

No. 57117 (New Rule) R539-13: Division Definitions

Published: 05/15/2025

Effective: 07/18/2025

Higher Education (Utah Board of)

Administration

No. 57195 (Amendment) R765-119: Utah Board of Higher Education Qualifications

Published: 06/15/2025

Effective: 07/24/2025

No. 57234 (New Rule) R765-124: Government Records Access and Management

Published: 07/01/2025

Effective: 08/07/2025

No. 57157 (Repeal and Reenact) R765-609: Regents' Scholarship

Published: 05/15/2025

Effective: 07/21/2025

No. 57163 (Repeal) R765-613: Public Safety Officer Career Advancement Reimbursement Program

Published: 06/01/2025

Effective: 07/24/2025

No. 57235 (Repeal) R765-649: Utah Higher Education Assistance Authority Privacy Policy

Published: 07/01/2025

Effective: 08/07/2025

Insurance

Administration

No. 57248 (Amendment) R590-261: Health Benefit Plan Adverse Benefit Determinations

Published: 07/01/2025

Effective: 08/07/2025

No. 57246 (New Rule) R590-290: Investment Requirements for Health Maintenance Organizations

Published: 07/01/2025

Effective: 08/07/2025

Natural Resources

Oil, Gas and Mining; Carbon Sequestration

No. 57207 (New Rule) R644-1: Carbon Sequestration Definitions

Published: 06/15/2025

Effective: 07/31/2025

No. 57208 (New Rule) R644-2: General Rules
Published: 06/15/2025
Effective: 07/31/2025

No. 57209 (New Rule) R644-3: Permit Requirements, Application Signatories
Published: 06/15/2025
Effective: 07/31/2025

No. 57210 (New Rule) R644-4: Application Content
Published: 06/15/2025
Effective: 07/31/2025

No. 57211 (New Rule) R644-5: Legal Permit Conditions
Published: 06/15/2025
Effective: 07/31/2025

No. 57212 (New Rule) R644-6: Permitting Process
Published: 06/15/2025
Effective: 07/31/2025

No. 57213 (New Rule) R644-7: Permit Modification, Revocation and Reissuance, Termination, Transfer or Renewal
Published: 06/15/2025
Effective: 07/31/2025

No. 57214 (New Rule) R644-8: Siting Criteria, Area of Review, and Corrective Action
Published: 06/15/2025
Effective: 07/31/2025

No. 57215 (New Rule) R644-9: Well Construction and Completion
Published: 06/15/2025
Effective: 07/31/2025

No. 57216 (New Rule) R644-10: Pre-Operations – Completion Report and Site Reassessment
Published: 06/15/2025
Effective: 07/31/2025

No. 57217 (New Rule) R644-11: Operations
Published: 06/15/2025
Effective: 07/31/2025

No. 57218 (New Rule) R644-12: Emergency Response
Published: 06/15/2025
Effective: 07/31/2025

No. 57219 (New Rule) R644-13: Testing and Monitoring
Published: 06/15/2025
Effective: 07/31/2025

No. 57220 (New Rule) R644-14: Mechanical Integrity
Published: 06/15/2025
Effective: 07/31/2025

No. 57221 (New Rule) R644-15: Reporting
Published: 06/15/2025
Effective: 07/31/2025

No. 57222 (New Rule) R644-16: Well Plugging and Abandonment
Published: 06/15/2025
Effective: 07/31/2025

NOTICES OF RULE EFFECTIVE DATES

No. 57223 (New Rule) R644-17: Closure and Post-Closure
Published: 06/15/2025
Effective: 07/31/2025

No. 57224 (New Rule) R644-18: Administrative Penalties
Published: 06/15/2025
Effective: 07/31/2025

Oil, Gas and Mining; Oil and Gas
No. 57092 (Amendment) R649-6: Waste Crude Oil Treatment Facilities
Published: 04/15/2025
Effective: 07/31/2025

Forestry, Fire and State Lands
No. 57305 (Amendment) R652-20: Mineral Resources
Published: 07/01/2025
Effective: 08/07/2025

Wildlife Resources
No. 57294 (Amendment) R657-4: Possession and Release of Pen-reared Gamebirds
Published: 07/01/2025
Effective: 08/07/2025

No. 57295 (Amendment) R657-9: Taking Migratory Game Birds - Waterfowl, Snipe, Coot, American Crow, Band-Tailed Pigeon, Mourning Dove, White-Winged Dove, and Sandhill Crane
Published: 07/01/2025
Effective: 08/07/2025

No. 57296 (Amendment) R657-10: Taking Cougar
Published: 07/01/2025
Effective: 08/07/2025

No. 57297 (Amendment) R657-28: Use of Division Lands
Published: 07/01/2025
Effective: 08/07/2025

No. 57298 (Amendment) R657-33: Taking Bear
Published: 07/01/2025
Effective: 08/07/2025

No. 57299 (Amendment) R657-38: Dedicated Hunter Program
Published: 07/01/2025
Effective: 08/07/2025

No. 57300 (Amendment) R657-39: Wildlife Board and Regional Advisory Councils
Published: 07/01/2025
Effective: 08/07/2025

No. 57301 (Amendment) R657-41: Conservation and Sportsman Permits
Published: 07/01/2025
Effective: 08/07/2025

No. 57302 (Amendment) R657-61: Valuation of Real Property Interests for Purposes of Acquisition or Disposal
Published: 07/01/2025
Effective: 08/07/2025

No. 57303 (New Rule) R657-72: Licensing and Operation of Outfitters, Guides, and Spotters
Published: 07/01/2025
Effective: 08/07/2025

Public Safety

Administration

No. 57189 (Amendment) R698-13: School Safety

Published: 06/15/2025

Effective: 07/28/2025

Transportation Commission

Administration

No. 57226 (New Rule) R940-12: County of the First Class Infrastructure Bank Fund

Published: 06/15/2025

Effective: 07/22/2025

End of the Notices of Rule Effective Dates Section