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Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3764. Additional rulemaking information and electronic versions of all administrative rule publications are available at <http://www.rules.utah.gov/>.

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <http://www.rules.utah.gov/publicat/digest.htm> for additional information.

Division of Administrative Rules, Salt Lake City 84114

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EXECUTIVE DOCUMENTS

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

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

Calling the Sixty-First Legislature Into the Ninth Extraordinary Session, Utah Proclamation No. 2015-9E

PROCLAMATION

WHEREAS, since the close of the 2015 General Session of the 61st Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

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

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 61st Legislature of the State of Utah into the Ninth Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 16th day of December 2015, at 3:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2015 General Session of the Legislature of the State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, this 14th day of December 2015.

(State Seal)

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2015/09/E

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 December 02, 2015, 12:00 a.m., and December 15, 2015, 11:59 p.m. are included in this, the January 01, 2016, issue of the *Utah State Bulletin*.

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.

Following the **RULE ANALYSIS**, the text of the **PROPOSED RULE** is usually printed. New rules or additions made to existing rules are underlined (example). Deletions made to existing rules are struck out with brackets surrounding them (~~example~~). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (.) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not usually printed. If a **PROPOSED RULE** is too long to print, the Division of Administrative Rules may include only the **RULE ANALYSIS**. A copy of each rule that is too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Bulletin* until at least February 1, 2016. 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 April 30, 2016, the agency may notify the Division 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 Bulletin*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Division of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE OF 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

**Commerce, Occupational and
Professional Licensing
R156-26a
Certified Public Accountant Licensing
Act Rule**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39982

FILED: 12/08/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule change is made to: 1) update the name of an accrediting organization to their new name; and 2) require 3 hours of the 80-hour continuing education requirement for licensed certified public accountants (CPAs) be in ethics courses and 1 hour be in Utah laws and rules.

SUMMARY OF THE RULE OR CHANGE: In Subsection R156-26a-302a(1)(a), the amendments update the name of an accrediting organization to their new name. In Subsection R156-26a-303b(2)(a), the amendment adds a requirement that 3 hours of the 80-hour continuing education requirement for CPAs be in ethics courses and 1 hour be in Utah laws and rules. Subsection R156-26a-303b(3)(d) changes the requirement that ethical issues "shall" be included in individual courses to "may" be included. After discussion with the Utah Association of CPAs (UACPA) and the Utah Board of Accountancy, they found that the current methods of including ethical requirements in the continuing education requirement did not adequately focus the discussion on ethical issues like a separate course would.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-26a-101 and Subsection 58-1-106(1)(a) and Subsection 58-1-202(1)(a)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The proposed amendments apply only to licensed certified public accountants and applicants for licensure in that classification. As a result, the proposed amendments do not apply to local governments.

◆ **LOCAL GOVERNMENTS:** The proposed amendments apply only to licensed certified public accountants and applicants for licensure in that classification. As a result, the proposed amendments do not apply to local governments.

◆ **SMALL BUSINESSES:** The proposed amendments apply only to licensed certified public accountants and applicants for licensure in that classification. Licensees and applicants for licensure may work in a small business; however, the Division anticipates the proposed amendments will not add any additional costs to small businesses. The proposed amendment does not increase the amount of continuing education required but simply requires a small portion of that

continuing education to be in ethics courses. Accordingly, there should be little, if any, added costs to licensed CPAs.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The proposed amendments apply only to licensed certified public accountants and applicants for licensure in that classification. The proposed amendment does not increase the amount of continuing education required but simply requires a small portion of that continuing education to be in ethics courses. Accordingly, there should be little, if any, added costs to licensed CPAs. The Division anticipates the proposed amendments will not add any additional costs to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendments apply only to licensed certified public accountants and applicants for licensure in that classification. The proposed amendment does not increase the amount of continuing education required but simply requires a small portion of that continuing education to be in ethics courses. Accordingly, there should be little, if any, added costs to licensed CPAs.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This filing updates the name of an accrediting organization, and adds requirements that 3 of the 80 continuing education hours required for licensure relate to ethics, and 1 relate to Utah laws and rules. No fiscal impact to businesses is anticipated.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE
OCCUPATIONAL AND PROFESSIONAL
LICENSING
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY, UT 84111-2316
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Dan Jones by phone at 801-530-6720, by FAX at 801-530-6511, or by Internet E-mail at dansjones@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/04/2016

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

◆ 02/03/2016 01:30 PM, Heber Wells Bldg, 160 E 300 S, Conference Room 402, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 02/11/2016

AUTHORIZED BY: Mark Steinagel, Director

R156. Commerce, Occupational and Professional Licensing.**R156-26a. Certified Public Accountant Licensing Act Rule.****R156-26a-302a. Qualifications for CPA Licensure - Education Requirements.**

The education requirements for CPA licensure in Subsection 58-26a-302(1)(d) are defined, clarified, or established as follows:

(1) An applicant shall submit transcripts showing completion of course work consisting of a minimum of 150 semester hours (225 quarter hours) as follows:

(a) a graduate or undergraduate program within an institution whose business or accounting education program is accredited by the Association of Advanced Collegiate Schools of Business (AACSB), or the ~~Association of Collegiate~~ Accreditation Council for Business Schools and Programs (ACBSP), from which the applicant received one of the following:

(i) a graduate degree in accounting;

(ii) a graduate degree in taxation, or a master of business administration degree which includes not less than:

(A) 24 semester hours (36 quarter hours) in upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting;

(B) 15 semester hours (23 quarter hours) graduate level accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting;

(C) an equivalent combination of graduate and upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting with one hour of graduate level course work being equivalent to 1.6 hours of upper division course work; or

(iii) a baccalaureate degree in business or accounting and 30 semester hours (45 quarter hours) beyond the requirements for a baccalaureate degree which includes not less than:

(A) 16 semester hours (24 quarter hours) in upper division accounting courses, which when combined with the accounting courses listed in Subsection (B) below, have at least one course with a minimum of two semester hours (three quarter hours) each covering the subjects of financial accounting, auditing, taxation, and management accounting;

(B) eight semester hours (12 quarter hours) in graduate level accounting courses, which when combined with the accounting courses listed in Subsection (A) above, have at least one course each covering the subjects of financial accounting, auditing, taxation, and management accounting;

(C) 12 semester hours (18 quarter hours) in upper division non-accounting business courses;

(D) 12 semester hours (18 quarter hours) in graduate level business or accounting courses; and

(E) 10 semester hours (15 quarter hours) of either graduate or upper division accounting or business courses.

(b) a graduate or undergraduate program from an institution accredited by the Northwest Commission on Colleges and Universities, North Central Association of Colleges and Schools, Middle States Association of Colleges and Schools, New England Association of Colleges and Schools, Southern Association of Colleges and Schools and Western Association of Schools and Colleges from which the applicant received a baccalaureate or graduate degree with not less than:

(i) 30 semester hours (45 quarter hours) in business or related courses providing a minimum of two semester hours (three quarter hours) in each of the following subjects:

(A) business law;

(B) computers;

(C) economics;

(D) ethics;

(E) finance;

(F) statistics and quantitative methods;

(G) written and oral communications; and

(H) business administration such as marketing, production, management, policy or organizational behavior;

(ii) 24 semester hours (36 quarter hours) in upper division accounting courses with a minimum of two semester hours (three quarter hours) in each of the following subjects:

(A) auditing;

(B) finance;

(C) managerial or cost;

(D) systems; and

(E) taxes; and

(iii) 30 semester hours (45 quarter hours) beyond the requirements for a baccalaureate degree of additional business related course work including not less than:

(A) eight semester hours (12 quarter hours) in graduate accounting courses;

(B) 12 semester hours (18 quarter hours) in graduate accounting or graduate business courses; and

(C) 10 semester hours (15 quarter hours) of additional business related hours shall be taken in upper division undergraduate or graduate level courses.

(2) The Division in collaboration with the Board or the education subcommittee of the board may make a written finding for cause that a particular accredited institution or program is not acceptable.

(3) The Division in collaboration with the Board or the education subcommittee of the board may accept education of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from the National Association of State Boards of Accountancy (NASBA) verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the 2007 Uniform Accountancy Act licensure requirements or a version of the Uniform Accountancy Act having substantially equivalent requirements.

(4) In accordance with Section 58-26a-306, the qualifications to sit for the AICPA examination are clarified or supplemented as follows:

(a) In accordance with Subsection 58-26a-306(1)(a), the form of application approved by the Division shall be the application that CPA Examination Services (CPAES) requires in order to sit for the examination.

(b) In accordance with Subsection 58-26a-306(1)(b), the fee shall be the fee charged by CPAES. No additional fee shall be due to the Division.

(c) In accordance with Subsections 58-26a-306(1)(c) and (d), the Board has approved CPAES to make the determination of whether the applicant has met the education requirements, provided however that, if an applicant disputes the finding of CPAES, the Board shall make a final determination of whether the applicant is qualified to sit for the AICPA examination.

R156-26a-303b. Renewal and Reinstatement Requirements - Continuing Professional Education (CPE).

(1) All CPAs are required to maintain current knowledge, skills, and abilities in all areas in which they provide services in order to provide services in a competent manner. To maintain or to obtain the knowledge, skills and abilities to competently provide services, a CPA may be required to obtain CPE above and beyond the 80 minimum CPE credits specified in Section 58-26a-304.

The following standards have been broadly stated in recognition of the diversity of practice and experience among CPAs. They establish a framework for the development, presentation, measurement, and reporting of CPE programs and thereby help to ensure that CPAs maintain the required knowledge, skills and abilities necessary to competently provide services and to enable to the CPA to provide evidence of meeting the minimum CPE requirements specified under this rule.

(2) General Standards for CPAs.

(a) Standard No. 1. All CPAs must participate in CPE learning activities that maintain and/or improve their professional competence. This CPE must include a minimum of 80 hours of CPE in each two-year period ending on December 31 of each odd numbered year. The 80 hours shall include at least one hour of education on the Utah Certified Public Accountant Licensing Act and Certified Public Accountant Licensing Act Rule and at least three hours of ethics education which shall cover one or more of the following areas: the AICPA Code of Professional Conduct, case-based instruction focusing on real-life situational learning, ethical dilemmas faced by accounting professionals, or business ethics.

(i) The term "must", as used in these standards, means departure from those specific standards is not permitted. The term "should", as used in these standards, means that CPAs and CPE program sponsors are expected to follow such standards as written and are required to justify any departures from such standards when unusual circumstances warrant such departures.

(ii) Selection of CPE learning activities should be a thoughtful, reflective process addressing the individual CPA's current and future professional plans, current knowledge and skills level, and desired or needed additional competence to meet future opportunities and/or professional responsibilities.

(iii) A CPA's field of employment does not limit the need for CPE. CPAs performing professional services need to have a broad range of knowledge, skills, and abilities. Thus, the concept of professional competence should be interpreted broadly. Accordingly, acceptable continuing education encompasses programs contributing to the development and maintenance of both technical and non-technical professional skills.

(iv) Acceptable CPE subjects include accounting, assurance/auditing, consulting services, specialized knowledge and applications, management, taxation, and ethics. Other subjects, including personal development, may also be acceptable if they maintain and/or improve the CPA's professional competence. Such subjects may include, but are not limited to: accounting and

auditing, taxation, management advisory services, information technology, communication arts, mathematics, statistics, probability and quantitative analysis, economics, business law and litigation support, functional fields of business such as finance, production, marketing, personnel relations, development and management, business management and organizations, social environment of business, and specialized areas of industry such as film industry, real estate, or farming.

(v) To help guide their professional development, CPAs may find it useful to develop a learning plan. The learning plan can be used to evaluate learning and professional competence development.

(A) A learning plan means a structured process that helps guide CPAs in their professional development. A learning plan is used to evaluate and document learning and professional competence development. A learning plan should be reviewed regularly and modified as a CPA's professional competence needs change. A learning plan should include:

(I) a self-assessment of the gap between current and needed knowledge, skills, and abilities;

(II) a set of learning objectives arising from this assessment; and

(III) learning activities to be undertaken to fulfill the learning plan.

(b) Standard No 2. CPAs should comply with all applicable CPE requirements and should claim CPE credit only for CPE programs when the CPE program sponsors have complied with the Standards for CPE Program Presentation (Nos. 8 - 11) and Standard for CPE Program Reporting No. 17.

(i) In addition to minimum CPE requirements specified in this rule, CPAs are responsible for compliance with all applicable CPE requirements, rules, and regulations of other state licensing bodies, other governmental entities and other professional organizations or bodies who have standard setting authority. CPAs should contact each appropriate entity to which they report to determine its specific requirements or any exceptions it may have to the standards presented herein.

(ii) Periodically, CPAs may participate in learning activities which do not comply with all applicable CPE requirements, for example specialized industry programs offered through industry sponsors. If CPAs propose to claim credit for such learning activities, they should retain all relevant information regarding the program to provide documentation to the Division, other state licensing bodies, and/or all other professional organizations or bodies showing that the learning activity is equivalent to one which meets all these or other applicable Standards.

(c) Standard No. 3. CPAs are responsible for accurate reporting of CPE credits earned and should retain appropriate documentation of their participation in learning activities, including: name and contact information of CPE program sponsor, title and description of content, date of program, location and number of CPE credits, all of which should be included in documentation provided by the CPE program sponsor.

(i) Although CPAs are required to document a minimum level of CPE hours, through periodic reporting of CPE, the objective of CPE must always be maintenance/enhancement of professional competence, not just attainment of minimum credits.

(ii) Compliance with regulatory and other requirements mandates that CPAs keep documentation of their participation in activities designed to maintain and/or improve professional competence. In the absence of legal or other requirements for longer retention, a CPA must retain documentation for a minimum of five years from the end of the year in which the learning activities were completed.

(iii) Participants must document their claims of CPE credit. Examples of acceptable evidence of completion include:

(A) For group and independent study programs, a certificate or other verification supplied by the CPE program sponsor.

(B) For self-study programs, a certificate supplied by the CPE program sponsor after satisfactory completion of an examination.

(C) For instruction credit, a certificate or other verification supplied by the CPE program sponsor.

(D) For a university or college course that is successfully completed for credit, a record or transcript of the grade the participant received.

(E) For university or college non-credit courses, a certificate of attendance issued by a representative of the university or college.

(F) For published articles, books, or CPE programs, (1) a copy of the publication (or in the case of a CPE program, course development documentation) that names the writer as author or contributor, (2) a statement from the writer supporting the number of CPE hours claimed, and (3) the name and contact information of the independent reviewer or publisher.

(d) Standard No. 4. CPAs who complete sponsored learning activities that maintain or improve their professional competence should claim the CPE credits recommended by CPE program sponsors.

(i) CPAs may participate in a variety of sponsored learning activities, such as workshops, seminars and conferences, self-study courses, Internet-based programs, and independent study. While CPE program sponsors determine credits, CPAs should claim credit only for activities through which they maintained or improved their professional competence. CPAs who participate in only part of a program should claim CPE credit only for the portion they attended or completed.

(ii) In order to qualify as CPE, an Internet-based program must qualify as a group program as provided in Subsection R156-26a-303b(3)(b)(i) or as a self-study program as provided in Subsection R156-26a-303b(3)(g).

(e) Standard No. 5. CPAs may engage in independent study under the direction of a CPE program sponsor who has met the applicable standards for CPE program sponsors when the subject matter and level of study maintain or improve their professional competence.

(i) Independent study is an educational process designed to permit a participant to learn a given subject under the guidance of a CPE program sponsor one-on-one. Participants in an independent study program should:

(A) Enter into a written learning contract with a CPE program sponsor who must comply with the applicable standards for CPE program sponsors.

(B) Accept the written recommendation of the CPE program sponsor as to the number of credits to be earned upon successful completion of the proposed learning activities. CPE credits will be awarded only if:

(I) all the requirements of the independent study as outlined in the learning contract are met;

(II) the CPE program sponsor reviews and signs the participant's report;

(III) the CPE program sponsor reports to the participant the actual credits earned; and

(IV) the CPE program sponsor provides the participant with contact information.

(ii) The credits to be recommended by an independent study CPE program sponsor should be agreed upon in advance and should be equated to the effort expended to improve professional competence. The credits cannot exceed the time devoted to the learning activities and may be less than the actual time involved.

(iii) Retain the necessary documentation to satisfy regulatory requirements as to the content, inputs, and outcomes of the independent study.

(iv) Complete the program of independent study in 15 weeks or less.

(3) Standards for CPE Program Sponsors (Standard 1), Standards for CPE Program Development (Standards 2-7), Standards for CPE Program Presentation (Standards 8-11), Standards for Program Measurement (Standards 12-16), and Standards for CPE Program Reporting (Standards 17-18). "CPE sponsor", as used herein, means the individual or organization responsible for setting learning objectives, developing the program materials to achieve such objectives, offering a program to participants, and maintaining the documentation required by these standards. The term "CPE program sponsor" may include associations of CPAs, whether formal or informal, as well as employers who offer in-house programs.

(a) Standard No. 1. CPE program sponsors are responsible for compliance with all applicable standards and other CPE requirements.

(i) In addition to the minimum requirements under this rule, CPE program sponsors may have to meet specific CPE requirements of other state licensing bodies, other governmental entities, and/or other professional organizations or bodies. CPE program sponsors should contact the appropriate entity to determine requirements.

(b) Standard No. 2. Sponsored learning activities must be based on relevant learning objectives and outcomes that clearly articulate the knowledge, skills, and abilities that can be achieved by participants in the learning activities.

(i) Learning activities, meaning an educational endeavor that improves or maintains professional competence, provided by CPE program sponsors for the benefit of CPAs, should specify the level, content, and learning objectives so that potential participants can determine if the learning activities are appropriate to their professional competence development needs. Learning activity levels include, for example, basic, intermediate, advanced, update, and overview as defined as follows:

(A) Advanced. Learning activity level most useful for individuals with mastery of the particular topic. This level focuses

on the development of in-depth knowledge, a variety of skills, or a broader range of applications. Advanced level programs are often appropriate for seasoned professionals within organizations; however, they may also be beneficial for other professionals with specialized knowledge in a subject area.

(B) Basic. Learning activity level most beneficial to CPAs new to a skill or an attribute. These individuals are often at the staff or entry level in organizations, although such programs may also benefit a seasoned professional with limited exposure to the area.

(C) Intermediate. Learning activity level that builds on a basic program, most appropriate for CPAs with detailed knowledge in an area. Such persons are often at a mid-level within the organization, with operational and/or supervisory responsibilities.

(D) Overview. Learning activity level that provides a general review of a subject area from a broad perspective. These programs may be appropriate for professionals at all organizational levels.

(E) Update. Learning activity level that provides a general review of new developments. This level is for participants with a background in the subject area who desire to keep current.

(c) Standard No. 3. CPE program sponsors should develop and execute learning activities in a manner consistent with the prerequisite education, experience, and/or advance preparation of participants.

(i) To the extent it is possible to do so, CPE program sponsors should make every attempt to equate program content and level with the backgrounds of intended participants. All programs must clearly identify prerequisite education, experience, and/or advance preparation, if any, in precise language so that potential participants can readily ascertain whether they qualify for the program.

(d) Standard No. 4. CPE program sponsors must use activities, materials, and delivery systems that are current, technically accurate, and effectively designed, and may include discussions of ethical issues that may apply to the subject matter. CPE program sponsors must be qualified in the subject matter.

(i) To best facilitate the learning process, sponsored programs and materials must be prepared, presented and updated in a timely manner. Learning activities must be developed by individuals or teams having expertise in the subject matter. Expertise may be demonstrated through practical experience or education.

(ii) CPE program sponsors must review the course materials periodically to ensure that they are accurate and consistent with currently accepted standards relating to the program's subject matter.

(e) Standard No. 5. CPE program sponsors of group and self-study programs must ensure learning activities are reviewed by qualified persons other than those who developed them to ensure that the program is technically accurate and current and addresses the stated learning objectives. These reviews must occur before the first presentation of these materials and again after each significant revision of the CPE programs.

(i) Individuals or teams qualified in the subject matter must review programs. When it is impractical to review certain programs in advance, such as lectures given only once, greater reliance should be placed on the recognized professional competence of the instructors or presenters. Using independent

reviewing organizations familiar with these standards may enhance quality assurance.

(f) Standard No. 6. CPE program sponsors of independent study learning activities must be qualified in the subject matter.

(i) A CPE program sponsor of independent study learning activities must have expertise in the specific subject area related to the independent study. The CPE program sponsor must also:

(A) Review, evaluate, approve and sign the proposed independent study learning contract, including agreeing in advance on the number of credits to be recommended upon successful completion.

(B) Review and sign the written report developed by the participant in independent study.

(C) Retain the necessary documentation to satisfy regulatory requirements as to the content, inputs, and outcomes of the independent study.

(g) Standard No. 7. Self-study programs must employ learning methodologies that clearly define learning objectives, guide the participant through the learning process, and provide evidence of a participant's satisfactory completion of the program.

(i) To guide participants through a learning process, CPE program sponsors of self-study programs must elicit participant responses to test for understanding of the material, offer evaluative feedback to incorrect responses, and provide reinforcement feedback to correct responses. To provide evidence of satisfactory completion of the course, CPE program sponsors of self-study programs must require participants to successfully complete a final examination with a minimum-passing grade of at least 70 percent before issuing CPE credit for the course.

(A) Evaluative feedback, as used in this subsection, means: specific response to incorrect answers to questions in self-study programs. Unique feedback must be provided for each incorrect response, as each one is likely to be wrong for differing reasons.

(B) Reinforcement feedback, as used in this subsection, means: specific responses to correct answers to questions in self-study programs. Such feedback restates why the answer selected was correct.

(ii) Examinations may contain questions of varying format (for example, multiple-choice, essay and simulations.) If objective type questions are used, at least five questions per CPE credit must be included on the final examination. For example, the final examination for a five-credit course must include at least 25 questions.

(iii) Self-study programs must be based on materials specifically developed for instructional use. Self-study programs requiring only the reading of general professional literature, IRS publications, or reference manuals followed by a test will not be acceptable. However, the use of the publications and reference materials in self-study programs as supplements to the instructional materials could qualify if the self-study program complies with each of the CPE standards.

(h) Standard No. 8. CPE program sponsors must provide descriptive materials that enable CPAs to assess the appropriateness of learning activities. To accomplish this, CPE program sponsors must inform participants in advance of: learning objectives, prerequisites, program level, program content, advance preparation, instructional delivery methods, recommended CPE credit, and

course registration requirements. Instructional delivery methods, as used in this subsection, means: delivery strategies such as case studies, computer-assisted learning, lectures, group participation, programmed instruction, teleconferencing, use of audiovisual aids, or work groups employed in group, self-study, or independent study programs.

(i) For potential participants to effectively plan their CPE, the program sponsor should disclose the significant features of the program in advance (e.g., through the use of brochures, Internet notices, invitations, direct mail, or other announcements). When CPE programs are offered in conjunction with non-educational activities, or when several CPE programs are offered concurrently, participants should receive an appropriate schedule of events indicating those components that are recommended for CPE credit. The CPE program sponsor's registration policies and procedures should be formalized, published, and made available to participants.

(ii) CPE program sponsors should distribute program materials in a timely manner and encourage participants to complete any advance preparation requirements. All programs should clearly identify prerequisite education, experience, and/or advance preparation requirements, if any, in the descriptive materials. Prerequisites should be written in precise language so that potential participants can readily ascertain whether they qualify for the program.

(i) Standard No. 9. CPE program sponsors must ensure instructors are qualified with respect to both program content and instructional methods used.

(i) Instructors are key ingredients in the learning process for any group program. Therefore, it is imperative that CPE program sponsors exercise great care in selecting qualified instructors for all group programs. Qualified instructors are those who are capable, through training, education, or experience of communicating effectively and providing an environment conducive to learning. They should be competent and current in the subject matter, skilled in the use of the appropriate instructional methods and technology, and prepared in advance. As used in this subsection, Group Program means: An educational process designed to permit a participant to learn a given subject through interaction with an instructor and other participants either in a classroom or conference setting or by using the Internet.

(ii) CPE program sponsors should evaluate the instructor's performance at the conclusion of each program to determine the instructor's suitability to serve in the future.

(j) Standard No. 10. CPE program sponsors must employ an effective means for evaluating learning activity quality with respect to content and presentation, as well as provide a mechanism for participants to assess whether learning objectives were met.

(i) The objectives of evaluation are to assess participant satisfaction with specific programs and to increase subsequent program effectiveness. Evaluations, whether written or electronic, should be solicited from participants and instructors for each program session, including self-study, to determine, among other things, whether:

(A) Stated learning objectives were met.

(B) If applicable, prerequisite requirements were appropriate.

(C) Program materials were accurate.

(D) Program materials were relevant and contributed to the achievement of the learning objectives.

(E) Time allotted to the learning activity was appropriate.

(F) If applicable, individual instructors were effective.

(G) Facilities and/or technological equipment was appropriate.

(H) Handout or advance preparation materials were satisfactory.

(I) Audio and video materials were effective.

(ii) CPE program sponsors should periodically review evaluation results to assess program effectiveness and should inform developers and instructors of evaluation results.

(k) Standard No. 11. CPE program sponsors must ensure instructional methods employed are appropriate for the learning activities. Instructional methods means: delivery strategies such as case studies, computer-assisted learning, lectures, group participation, programmed instruction, teleconferencing, use of audiovisual aids, or work groups employed in group, self-study, or independent study programs. Learning activities should be presented in a manner consistent with the descriptive and technical materials provided.

(i) CPE program sponsors should evaluate the instructional methods employed for the learning activities to determine if the delivery is appropriate and effective. Integral aspects in the learning environment that should be carefully monitored include the number of participants and the facilities and technologies employed in the delivery of the learning activity.

(ii) CPE program sponsors are expected to present learning activities that comply with course descriptions and objectives. Appropriate supplemental materials may also be used.

(l) Standard No. 12. Sponsored learning activities are measured by program length, with one 50-minute period equal to one CPE credit. One-half CPE credit increments (equal to 25 minutes) are permitted after the first credit has been earned in a given learning activity.

(i) For learning activities in which individual segments are less than 50 minutes, the sum of the segments should be considered one total program. For example, five 30-minute presentations would equal 150 minutes and should be counted as three CPE credits.

(ii) When the total minutes of a sponsored learning activity are greater than 50, but not equally divisible by 50, the CPE credits granted should be rounded down to the nearest one-half credit. Thus, learning activities with segments totaling 140 minutes should be granted two and one-half CPE credits.

(iii) While it is the participant's responsibility to report the appropriate number of credits earned, CPE program sponsors must monitor group learning activities to assign the correct number of CPE credits.

(iv) For university or college credit courses that meet these CPE Standards, each unit of college credit shall equal the following CPE credits: semester system 15 credits; quarter system 10 credits.

(v) For university or college non-credit courses that meet these CPE standards, CPE credits shall be awarded only for the actual classroom time spent in the non-credit course.

(vi) Credit is not granted to participants for preparation time.

(vii) Only the portions of committee or staff meetings that are designed as programs of learning and comply with these standards qualify for CPE credit.

(m) Standard No. 13. CPE credit for self-study learning activities must be based on a pilot test of the average completion time.

(i) A sample of intended professional participants should be selected to test program materials in an environment and manner similar to that in which the program is to be presented. The sample group of at least three individuals must be independent of the program development group and possess the appropriate level of knowledge before taking the program.

(ii) The sample does not have to ensure statistical validity. CPE credits should be recommended based on the average completion time for the sample. If substantive changes are subsequently made to program materials, further pilot tests of the revised program materials should be conducted to affirm or amend, as appropriate, the average completion time.

(n) Standard No. 14. Instructors or discussion leaders of learning activities should receive CPE credit for both their preparation and presentation time to the extent the activities maintain or improve their professional competence and meet the requirements of these CPE standards.

(i) Instructors, discussion leaders, or speakers who present a learning activity for the first time should receive CPE credit for actual preparation time up to two times the number of CPE credits to which participants would be entitled, in addition to the time for presentation. For example, for learning activities in which participants could receive 8 CPE credits, instructors may receive up to 24 CPE credits (16 for preparation plus 8 for presentation).

(ii) For repeat presentations, CPE credit can be claimed only if it can be demonstrated that the learning activity content was substantially changed and such change required significant additional study or research.

(iii) The maximum credit for instructors, discussion leaders or speakers cannot exceed 50 percent of the CPE requirement.

(o) Standard No. 15. Writers of published articles, books, or CPE programs should receive CPE credit for their research and writing time to the extent it maintains or improves their professional competence.

(i) Writing articles, books, or CPE programs for publication is a structured activity that involves a process of learning. For the writer to receive CPE credit, the article, book, or CPE program must be formally reviewed by an independent party. CPE credits should be claimed only upon publication.

(ii) The maximum credit for books or articles cannot exceed 25 percent of the CPE requirement.

(p) Standard No. 16. CPE credits recommended by a CPE program sponsor of independent study must not exceed the time the participant devoted to complete the learning activities specified in the learning contract.

(i) The credits to be recommended by an independent study CPE program sponsor should be agreed upon in advance and should be equated to the effort expended to improve professional competence. The credits cannot exceed the time devoted to the learning activities and may be less than the actual time involved.

(q) Standard No. 17. CPE program sponsors must provide program participants with documentation of their participation, which includes the following: CPE program sponsor name and

contact information, participant's name, course title, course field of study, date offered or completed, if applicable, location, the name of the CPE registry issuing approval, and the approval number assigned to that program by the Registry, type of instructional/delivery method used, amount of CPE credit recommended, verification by CPE program sponsor representative.

(i) CPE program sponsors should provide participants with documentation to support their claims of CPE credit. Acceptable evidence of completion includes:

(A) For group and independent study programs, a certificate or other verification supplied by the CPE program sponsor.

(B) For self-study programs, a certificate supplied by the CPE program sponsor after satisfactory completion of an examination.

(C) For instruction credit, a certificate or other verification supplied by the CPE program sponsor.

(D) For a university or college course that is successfully completed for credit, a record or transcript of the grade the participant received.

(E) For university or college non-credit courses, a certificate of attendance issued by a representative of the university or college.

(F) For published articles, books, or CPE programs: (1) a copy of the publication (or in the case of a CPE program, course development documentation) that names the writer as author or contributor, (2) a statement from the writer supporting the number of CPE hours claimed, and (3) the name and contact information of the independent reviewer(s) or publisher.

(r) Standard No. 18. CPE program sponsors must retain adequate documentation for five years to support their compliance with these standards and the reports that may be required of participants.

(i) Evidence of compliance with responsibilities set forth under these Standards which is to be retained by CPE program sponsors includes, but is not limited to: records of participation, dates and locations, instructor names and credentials, number of CPE credits earned by participants, and results of program evaluations.

(ii) Information to be retained by developers includes copies of program materials, evidence that the program materials were developed and reviewed by qualified parties, and a record of how CPE credits were determined.

(iii) For CPE program sponsors offering self-study programs, appropriate pilot test records must be retained regarding the following:

(A) When the pilot test was conducted.

(B) The intended participant population.

(C) How the sample was determined.

(D) Names and profiles of sample participants.

(E) A summary of participants' actual completion time.

(4) Programs or Activities Which Do Not Qualify. The following activities do not satisfy the standards for programs of this section and are not eligible for satisfaction of CPE requirements:

(a) Personal study: personal study includes reading professional journals and publications, studying and researching matters such as tax code revisions, practicing software programs on a computer and watching video movies of a conference; and

(b) Committee meetings, dinner and luncheon meetings, firm meetings or other activities that do not meet the standards outlined in this section.

(5) Reporting Requirements. Each licensee applying for license renewal shall report, by January 31 of each even numbered year, demonstrating completion of at least the minimum number of credits required in Section 58-26a-304 for qualified continuing professional education hours completed for the preceding two calendar years. Each person applying for license reinstatement shall file a report at the time of application demonstrating completion of the CPE required under Subsection R156-26a-307.

(a) Such report shall be by means of one of the following:

(i) certification from an approved continuing professional education registry of the hours of qualified continuing education completed; or

(ii) a report to the Division for review and approval of continuing professional education.

(b) It is the responsibility of the applicant or licensee to demonstrate to the Division that the applicant or licensee successfully completed all CPE reported and meets the requirements of this section or that the CPE has been approved by an approved continuing professional education registry and that reported courses maintained or increased the professional competence of the applicant or licensee.

(6) Continuing Professional Education Registry. To obtain approval as a continuing professional education registry, an organization shall:

(a) be a professional association primarily consisting of individuals licensed as certified public accountants;

(b) be organized and in good standing according to the laws of the state;

(c) enter into a written agreement with the Division under which the organization agrees to:

(i) review and approve only those programs which meet the standards set forth under this section;

(ii) publish and disseminate to their members or other CPAs on request, listings of continuing professional education programs which meet the standards and are approved for qualified continuing professional education credit;

(iii) maintain accurate records of qualified continuing professional education completed by each of its registrants and provide each of its registrants with a certificate on a timely basis to permit the registrant to file that certificate with the registrant's application to the Division for renewal or reinstatement of his license as a certified public accountant. The certificate shall contain the name of the instructor, the date of the program, location of the program, title of the program, the name of the sponsor, the name of the CPE registry issuing approval, and the approval number assigned to that program by the Registry, and the number of CPE hours granted; and

(iv) make records of approved of qualified continuing professional education programs and records of qualified continuing professional education completed by registrants available for audit by representatives of the Division, the Board or peer advisory committees of the board.

(7) Fees. A registry may charge a reasonable fee to registrants for services provided for approval of courses. Sponsors of approved courses may charge a lower fee to members of the

sponsoring association for participation as a registrant than it charges to non-members of the association.

(8) Other CPE requirements and failure to complete CPE requirements.

(a) Interim Licensure CPE requirements. Those individuals who become licensed or certified between renewal periods shall be required to complete CPE based upon ten hours per calendar quarter for the remaining quarters of the reporting period.

(b) Carry Forward Provision. A licensee who completes more than 80 hours of CPE during the two year reporting period may carry forward up to 40 hours to the next succeeding reporting period.

(c) Failure to comply with CPE requirements.

(i) Failure to meet the 80 hour requirement. An individual holding a current Utah license who fails to complete the required 80 hours of CPE by the reporting deadline will not be allowed to renew their license unless they complete and report to the Division at least 30 days prior to their expiration date two times the number of CPE hours the license holder was short for the reporting period (penalty hours). The penalty hours shall not be considered to satisfy in whole or part any of the CPE hours required for subsequent renewal of the license.

(ii) Non-Qualifying or Disqualified CPE hours. An individual who reports nonqualifying hours or who has hours disqualified by the Utah Board of Accountancy shall not be allowed to renew their license unless they complete and report to the Division, within 60 days of receiving notification by the Division of their shortage and the relevant penalty hours requirement under R156-26-303b(8)(c)(i).

(iii) Waiver for Medical Reasons. A licensee may request the Board to waive the requirements or grant an extension for continuing professional education on the basis that the licensee was not able to complete the continuing professional education due to medical or related conditions confirmed by a qualified health care provider. Such medical confirmation shall include the beginning and ending dates during which the medical condition would have prevented the licensee from completing the continuing professional education, the extent of the medical condition and the effect that the medical condition had upon the ability of the licensee to continue to engage in the practice of accountancy. The Board in determining whether the waiver is appropriate shall consider whether or not the licensee continued to be engaged in the practice of accountancy practice on a full or part time basis during the period specified by the medical confirmation. Granting a waiver of meeting the minimum CPE hours shall not be construed as a waiver of a CPA being required to provide services in a competent manner with current knowledge, skill and ability. When medical or other conditions prevent the CPA from providing services in a competent manner, the CPA shall refrain from providing such services.

KEY: accountants, licensing, peer review, continuing professional education

Date of Enactment or Last Substantive Amendment: [April 2, 2015]2016

Notice of Continuation: November 15, 2011

Authorizing, and Implemented or Interpreted Law: 58-26a-101; 58-1-106(1)(a); 58-1-202(1)(a)

**Commerce, Occupational and
Professional Licensing
R156-82-201
Security**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39980

FILED: 12/07/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Arthur Hunsaker from the office of Legislative Research and General Council, in a 11/10/2015 email to the Division, notified the Division that an incorporation by reference in this rule may need to be adjusted. The purpose of this filing is to correct an awkward and unnecessary Code of Federal Regulation (CFR) incorporation by reference in this rule.

SUMMARY OF THE RULE OR CHANGE: The awkward incorporation by reference of 21 CFR 1311, dated 04/01/2012 is removed in favor of a clarified citation to the CFR as amended 03/31/2010, and subsequently amended.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-82-101 and Subsection 58-1-106(1) (a)

MATERIALS INCORPORATED BY REFERENCES:

- ◆ Removes 21 CFR 1311, published by Government Printing Office, 04/01/2012

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The Division will incur minimal costs of approximately \$25 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

◆ **LOCAL GOVERNMENTS:** The proposed amendments apply to licensed practitioners and pharmacies who transmit and receive controlled substances prescriptions. As a result, the proposed amendments do not apply to local governments.

◆ **SMALL BUSINESSES:** The proposed amendments apply to licensed practitioners and pharmacies who transmit and receive controlled substance prescriptions. The proposed amendments are a technical clarification and will not have any cost or savings impact on small business.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The proposed amendments apply to licensed practitioners and pharmacies who transmit and receive controlled substance prescriptions. The proposed amendments are a technical clarification and will not have any cost or savings impact on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendments apply to licensed practitioners and pharmacies who transmit and receive controlled substance prescriptions. The proposed amendments are a technical clarification and will not have any cost or savings impact on affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This filing is a technical clarification, which rewords a reference to the Code of Federal Regulations, and will not impact businesses. No fiscal impact to businesses is anticipated.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE
OCCUPATIONAL AND PROFESSIONAL
LICENSING
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY, UT 84111-2316
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ W. Ray Walker by phone at 801-530-6256, by FAX at 801-530-6511, or by Internet E-mail at raywalker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Mark Steinagel, Director

**R156. Commerce, Occupational and Professional Licensing.
R156-82. Electronic Prescribing Act Rule.
R156-82-201. Security.**

(1) Practitioners and pharmacies who transmit and receive controlled substance prescriptions shall comply with 21 CFR 1311, [dated April 1, 2012, which is adopted and incorporated by reference] as amended March 31, 2010, and subsequently amended.

(2) Electronic prescribing for non-controlled substances shall be conducted in a secure manner, consistent with industry standards.

KEY: licensing, electronic prescribing

Date of Enactment or Last Substantive Amendment: [March 11, 2013] 2016

Authorizing, and Implemented or Interpreted Law: 58-1-106(1) (a); 58-82-101

Education, Administration
R277-497
School Grading System

NOTICE OF PROPOSED RULE
 (Amendment)
 DAR FILE NO.: 39984
 FILED: 12/08/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is amended to provide a formula to calculate growth targets for each student to determine sufficient growth in response to S.B. 245 from the 2015 General Session. The formula is based on the statewide cohort of students with the same scale scores on a particular statewide assessment and used for comparison within the conditional distribution.

SUMMARY OF THE RULE OR CHANGE: The Student Growth Percentile (SGP) student growth formula for calculating student growth targets to determine sufficient growth is included in Rule R277-497.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Article X, Section 3 and Section 53A-1-1104 and Section 53A-1-1113 and Section 53A-11-1107.5 and Subsection 53A-1-401(3)

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The SGP student growth formula will calculate whether a student demonstrates sufficient growth for the 2015-16 school year and succeeding school years which likely will not result in a cost or savings to the state budget.
- ◆ **LOCAL GOVERNMENTS:** The SGP student growth formula will calculate whether a student demonstrates sufficient growth for the 2015-16 school year and succeeding school years for purposes of calculating a school's grade, which likely will not result in a cost or savings to local government.
- ◆ **SMALL BUSINESSES:** The SGP student growth formula will calculate whether a student demonstrates sufficient growth for the 2015-16 school year and succeeding school years for purposes of calculating a school's grade, which likely will not result in a cost or savings to small businesses.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The SGP student growth formula will calculate whether a student demonstrates sufficient growth for the 2015-16 school year and succeeding school years for purposes of calculating a school's grade, which likely will not result in a cost or savings to persons other than small businesses, businesses, or local government entities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The SGP student growth formula will calculate whether a student

demonstrates sufficient growth for the 2015-16 school year and succeeding school years for purposes of calculating a school's grade, which likely will not result in any compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: To the best of my knowledge, there should be no fiscal impact on businesses resulting from the amendments to this rule.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 EDUCATION
 ADMINISTRATION
 250 E 500 S
 SALT LAKE CITY, UT 84111-3272
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 ◆ Angela Stallings by phone at 801-538-7656, by FAX at 801-538-7768, or by Internet E-mail at angie.stallings@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Angela Stallings, Associate Superintendent, Policy and Communication

R277. Education, Administration.
R277-497. School Grading System.
R277-497-1. Authority and Purpose.

- (1) This rule is authorized by:
 - (a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board;
 - (b) Section 53A-1-1113, which directs the Board to adopt rules to implement a school grading system;
 - (c) Section 53A-1-1104, which authorizes the Board to make a rule to establish an accountability plan for an alternative school or special needs school that the Board has exempted from school grading; and
 - (d) Subsection 53A-1-401(3), which allows the Board to adopt rules in accordance with its responsibilities.
- (2) The purpose of this rule is to provide consistent definitions, standards, and procedures for LEAs to report school data through a school grading system.

R277-497-2. Definitions.

- (1) "Alternative school" means the same as that term is defined in Section 53A-1-1102.
- (2) "Special needs school" means a school that only enrolls a student that:
 - (a) has at least one of the following disabilities:
 - (i) an intellectual disability;
 - (ii) a hearing impairment or deafness;

- (iii) a speech or language impairment;
- (iv) a visual impairment, including blindness;
- (v) deafblindness;
- (vi) an emotional disturbance;
- (vii) an orthopedic impairment;
- (viii) autism;
- (ix) developmental delay;
- (x) traumatic brain injury;
- (xi) other health impairment;
- (xii) multiple disabilities; or
- (xiii) specific learning disabilities; and

(b) has been determined to need placement in a special school by an IEP team.

~~[(3) "Sufficient student growth" means a student growth percentile of 40 or above.]~~

R277-497-3. Board Responsibilities.

(1) The Board may not count a student who does not participate in required testing under Section 53A-1-603 due to parent excuse provisions of Subsection 53A-15-1403(9) and Section R277-404-6 in determining the participation rate for purposes of school grades.

(2) The Board and LEAs shall take necessary actions within their authority to satisfy Subsection 53A-15-1403(9)(b).

(3) The Superintendent shall calculate student growth targets by determining scale scores set at the 40th percentile for each student as compared to the student's academic peers with similar end of level results.

R277-497-4. LEA Responsibilities.

(1) An LEA shall provide accurate and timely data as required under Rule R277-484 to allow for the development of the school reports.

(2) An LEA shall use the school reports as a communication tool to inform parents and the community about school performance.

(3) An LEA shall ensure that the school reports are available for all parents.

R277-497-5. School Responsibilities.

(1) A school shall provide data for the school report as provided in Rule R277-484.

(2) A school shall cooperate with the Board and LEAs to ensure that the school report is available for all parents.

R277-497-6. Exemption from School Grading.

(1)(a) As authorized by Section 53A-1-1104, an alternative school or a special needs school may submit a request for an exemption from school grading for the next three school years to the Board by July 1.

(b) The request shall demonstrate that:

(i) the school meets the definition of an alternative school or a special needs school;

(ii) the school has the approval of:

(A) the school's LEA governing board; or

(B) if the school is the Utah Schools for the Deaf and the Blind, the USDB advisory committee; and

(iii) if the school has received an exemption for a previous school year, the school has timely submitted to the

Superintendent all information necessary for the Board to evaluate the school as required by Section 53A-1-1104.

(2)(a) The Board shall exempt a school from school grading if the school meets the requirements of Subsection (1).

(b) Except as provided by Subsection (2)(c), an exemption from school grading is valid for three school years.

(c) The Board may revoke an exemption if a school fails to timely submit to the Superintendent all information necessary for the Board to annually evaluate the school in accordance with the accountability plan.

R277-497-7. Accountability Plan -- General Provisions.

(1)(a) This rule incorporates by reference the Guide to Utah's Comprehensive Accountability System for Alternative Schools - June 6, 2014, which describes the accountability plan required by Section 53A-1-1104, with the exceptions for a special needs school described in Section R277-497-8.

(b) The Superintendent shall annually evaluate a school in accordance with the accountability plan by calculating a school's composite score, which has a maximum value of 1500, by summing the school's weighted indicator scores.

(2) The accountability plan consists of five indicators weighted as follows:

(a) growth, which measures student academic progress based on a school's median student growth percentile for all students and below proficient students, is 20% with a maximum score of 300;

(b) attendance, which is the higher of a school's attendance rate in the current year or improvement in cohort attendance rate from the previous year, is 25% with a maximum score of 375;

(c) credit earning, which measures the degree to which a student enrolled in the current year is successfully completing courses in which the student is enrolled or is making improvement in cohort credit earning rate from the previous year, is 25% with a maximum score of 375;

(d) attainment, which measures the extent to which a student successfully completes or makes substantial progress toward completion of meaningful educational goals, is 20% with a maximum score of 300; and

(e) school climate, which measures whether a school is collecting data to evaluate school climate and using results to inform efforts to improve climate, is ten percent with a maximum score of 150.

(3) The Superintendent shall assign the scores based on the rubrics established in the guide.

R277-497-8. Accountability Plan Exceptions.

(1) At the request of a special needs school, the Superintendent may exempt a student from the attendance indicator score calculation if the student has a documented medical condition that prevents the student from attending 160 days of school.

(2) In accordance with a Section 53A-1-111, a student with a disability may take an alternative assessment to determine the student's growth instead of the Student Assessment of Growth and Excellence.

(3) If required by Section R277-410-5, a special needs school shall report on the school's progress on the school's accreditation improvement plan in the School Snapshot section of

the school's report card published by the Superintendent under Subsection 53A-1-1104(5)(b)(ii).

KEY: school reports, school grading [systems]accountability
Date of Enactment or Last Substantive Amendment:
[2015]2016
Notice of Continuation: August 13, 2015
Authorizing, and Implemented or Interpreted Law: Art X, Sec
3; 53A-1-1104; 53A-1-1113; 53A-1-401(3)

Education, Administration **R277-726** Statewide Online Education Program

NOTICE OF PROPOSED RULE

(Amendment)
 DAR FILE NO.: 39996
 FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Utah State Board of Education's Law and Licensing Committee directed Utah State Office of Education staff to make changes to Rule R277-726 based on the Committee's discussion of the rule and policy decisions that were made by the Committee. Numerous technical and conforming changes are also made throughout the rule.

SUMMARY OF THE RULE OR CHANGE: The amendments provide changes to the requirements for a local education agency and a Statewide Online Education Program provider (SOEP provider) to manage a Section 504 accommodation plan and to serve SOEP students with disabilities. Changes also provide for the responsibilities of a SOEP provider that is a higher education entity, how fee waiver eligible materials are provided to SOEP students, how to manage the SOEP appropriation for home and private school students, and also include technical and conforming changes throughout the rule.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Article X, Section 3 and Section 53A-15-1210 and Section 53A-15-1213 and Subsection 53A-1-401(3)

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The changes to Rule R277-726 provide clarification on how the SOEP is administered, including technical and conforming changes that likely will not result in a cost or savings to the state budget.
- ◆ **LOCAL GOVERNMENTS:** The changes to Rule R277-726 provide clarification on how the SOEP is administered, including technical and conforming changes that likely will not result in a cost or savings to local government.
- ◆ **SMALL BUSINESSES:** The changes to Rule R277-726 provide clarification on how the SOEP is administered,

including technical and conforming changes that likely will not result in a cost or savings to small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The changes to Rule R277-726 provide clarification on how the SOEP is administered, including technical and conforming changes that likely will not result in a cost or savings to persons other than small businesses, businesses, or local government entities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The changes to Rule R277-726 provide clarification on how the SOEP is administered, including technical and conforming changes that likely will not result in any compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: To the best of my knowledge, there should be no fiscal impact on businesses resulting from the amendments to this rule.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 EDUCATION
 ADMINISTRATION
 250 E 500 S
 SALT LAKE CITY, UT 84111-3272
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Angela Stallings by phone at 801-538-7656, by FAX at 801-538-7768, or by Internet E-mail at angie.stallings@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Angela Stallings, Associate Superintendent, Policy and Communication

R277. Education, Administration.

R277-726. Statewide Online Education Program.

R277-726-[2]1. Authority and Purpose.

- [A-](1) This rule is authorized by:
- (a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board[;];
 - (b) Section 53A-15-1210, which requires the Board to make rules providing for the administration of statewide assessments to students enrolled in online courses[;];
 - (c) Section 53A-15-1213, which requires the Board to make rules that establish a course credit acknowledgment form and procedures for completing and submitting the form to the Board[;]; and
 - (d) Subsection 53A-1-401(3), which permits the Board to adopt rules in accordance with its responsibilities.

~~[B-](2)~~ The purpose of this rule is to:

~~(a)~~ define necessary terms[;];

~~(b)~~ provide and describe a [P]program registration agreement; and

~~(c)~~ provide other requirements for an LEA[s], ~~the~~ USOE, a parent[s] and a student[s], and a [P]provider[s] for [P]program implementation and accountability.

R277-726-~~[4]~~2. Definitions.

~~[A-](1)~~ "Actively participates" means the student actively participates as defined by the [P]provider.

~~[B-]~~ "Board" means the Utah State Board of Education[.];

~~[C-](2)~~ "Course completion" means that a student has completed a course with a passing grade and the [P]provider has transmitted the grade and credit to the primary LEA of enrollment.

~~[D-](3)(a)~~ "Course Credit Acknowledgment" or ~~["CCA"]~~ means ~~the~~ an agreement and registration record using ~~the~~ USOE provided Statewide Online Education Program form.

~~(b)~~ Except as provided in Subsection 53A-15-1208(3)(h), ~~[F]~~the CCA shall be signed by the ~~student, parent,~~ designee of the primary school of enrollment, and the qualified [P]provider.

~~[E-](4)~~ "Eligible student" means a student enrolled in grades 9-12 in a public school, but does not include a student[s] enrolled in an adult education program[s].

~~[F-](5)~~ "Enrollment confirmation" means the student initially registered and actively participated, as defined under Subsection ~~[R277-726-](1)[A]~~.

~~[G-](6)(a)~~ "Executed CCA" means a CCA that has been signed by all parties ~~have signed the CCA and the CCA has been~~ and received by ~~the~~ USOE.

~~(b)~~ Following enrollment confirmation and participation, ~~the~~ USOE directs funds to the [P]provider, consistent with Sections 53A-15-1206, 53A-15-1206.5, and 53A-15-1207.

~~[H-](7)~~ "LEA" ~~means a~~ or "local education agency" ~~including local school boards/public school districts, charter schools, and,~~ for purposes of this rule[;] includes the Utah Schools for the Deaf and the Blind.

~~[I-](8)~~ "Online course" means a course of instruction offered through the Statewide Online Education Program.

~~[J-](9)~~ "Online course payment" means the amount withheld from ~~the~~ a student's primary LEA and disbursed to the designated [P]provider following satisfaction of the requirements of the law, and as directed in Section 53A-15-1207.

~~[K-](10)~~ "Online course provider" or ~~["P]provider"]~~ means:

~~(a)~~ a school district school[;];

~~(b)~~ a charter school[~~or~~];

~~(c)~~ an LEA program created for the purpose of serving Utah students in grades 9-12 online[;]; or

~~(d)~~ a program of an institution of higher education described in Subsection 53A-15-1205(3).

~~[L-](11)~~ "Primary LEA of enrollment" means the LEA in which an eligible student is enrolled for courses other than online courses offered through the Statewide Online Education Program.

~~[M-](12)~~ "Primary school of enrollment" means:

~~(a)~~ a student's school of record ~~where the student takes the majority of his classes~~; and

~~(b)~~ the school that maintains the student's cumulative file, enrollment information, and transcript for purposes of high school graduation.

~~(13)~~ "Resident school" means the district school within whose attendance boundaries the student's custodial parent or legal guardian resides.

~~[N-]~~ "SEOP" means student education occupation plan as defined in ~~R277-700~~;

~~[O-](14)~~ "Statewide assessment" means ~~Criterion-Referenced]~~ a test[s] or ~~computer adaptive tests]~~ assessment required under Rule R277-404.

~~[P-](15)~~ "Statewide Online Education Program" or ~~["P]program"]~~ means courses offered to students under ~~[Section 53A-15-1201 through 53A-15-1217]~~ Title 53A, Chapter 15, Part 12, Statewide Online Education Program Act.

~~[Q-]~~ "USOE" means the Utah State Office of Education[.];

~~[R-](16)~~ "USOE course code" means a code for a designated subject matter course assigned by the ~~[USOE]~~ Superintendent.

~~[S-](17)~~ "Withdrawal from online course" means that a student withdraws or ceases participation in an online course as follows:

~~(1)~~ a within 20 calendar days of the start date of the course, if the student enrolls on or before the start date;

~~(2)~~ b within 20 calendar days of enrolling in a course, if the student enrolls after the start date; or

~~(3)~~ c within 20 calendar days after the start date of the second .5 credit of a 1.0 credit course; or

~~(4)~~ d as the result of a student suspension from an online course following adequate documented due process by the [P]provider.

R277-726-3. Course Credit Acknowledgment (CCA) Process.

~~[A-](1)~~ A student, a student's parent, or a [P]provider may initiate a CCA.

~~[B-](2)(a)~~ A counselor designated by ~~the~~ a student's primary school of enrollment shall review the student's CCA to ensure consistency with:

~~(i)~~ graduation requirements[;];

~~(ii)~~ the student's SEOP[;];

~~(iii)~~ the student's ~~Individualized Education Plan~~ (~~IEP~~);

~~(iv)~~ the student's Section 504 plan[;]; or

~~(v)~~ the student's international baccalaureate program ~~if applicable~~.

~~(b)~~ The primary school of enrollment shall return the CCA to the ~~[USOE]~~ Superintendent within 72 business hours.

~~[C-](3)(a)~~ A [P]provider- ~~initiated~~ CCA may be sent directly to the ~~[USOE]~~ Superintendent if the course is consistent with the student's SEOP.

~~(b)~~ The primary school of enrollment ~~need~~ is not required to meet with the student or parent.

~~(c)~~ The Superintendent shall notify a primary school of enrollment ~~and shall be notified of such an~~ of a student's enrollment ~~by the USOE in the program.~~

~~[D-](4)~~ If ~~the~~ a student enrolling in the program has an IEP or a Section 504 plan, the primary LEA or school of enrollment

shall forward the IEP or description of 504 accommodations to the [P]provider within 72 business hours of receiving notice from the [USOE]Superintendent that the [P]provider has accepted the enrollment request.

[E-](5) The [USOE]Superintendent shall develop and administer procedures for facilitation of [the]a CCA that informs all appropriate parties.

R277-726-4. Eligible Student[~~/~~] and Parent Rights and Responsibilities.

[A-](1)(a) An [E]eligible student[s] may register for [~~up to two P~~]program credits [~~in the 2012-2013 school year~~]consistent with Section 53A-15-1204[;].

(b) [~~however~~]Notwithstanding Subsection (1)(a), a student's primary LEA of enrollment or the Board may allow an eligible student to enroll in additional online courses consistent with Section 53A-15-1204 with documentation from the LEA.

[B-](2) A student enrolled in a [P]program course[~~(s)~~] may earn no more credits in a year than the number of credits a student may earn by taking a full course load during the regular school day in the student's primary school of enrollment.

[C-](3) An [E]eligible student[s] may register for more than [~~two online~~]the maximum number of credits described in Subsection 53A-15-1204(2) if:

(a) the student's[~~current~~] SEOP indicates[~~specifically~~] that the student intends to complete high school graduation requirements and exit high school before the rest of the student's high school cohort; and

(b) the student's schedule demonstrates progress toward early graduation.

[D-](4)(a) An [E]eligible student[s~~are~~] is expected to complete courses in which the[~~y~~] student enrolls in a timely manner consistent with Section 53A-15-1206.

(b) If a student changes [his]the student's enrollment for any reason, it is the student's[~~/~~] or student's parent's responsibility to notify the [P]provider immediately.

[E-](5) A [S]student[s] should enroll in online courses, or declare an intention to enroll, during the high school course registration period designated by the primary LEA of enrollment for regular course registration.

[F-](6) A student may alter a course schedule by dropping a traditional course and adding an online course [by]in accordance with the primary school of enrollment's same established deadline for dropping and adding traditional courses.

[G-](7)(a) Notwithstanding [this]Subsection (6), an underenrolled student may enroll in an online course at any time during a calendar year.

(b) If [this occurs]an underenrolled student enrolls in an online course as described in Subsection (7)(a), the primary school of enrollment may immediately claim the student for the adjusted portion of enrollment.

R277-726-5. LEA Requirements and Responsibilities.

[A-](1) A primary school of enrollment shall facilitate student enrollment with any and all eligible [P]providers selected by an eligible student[s] consistent with course credit limits.

[B-](2) A primary school of enrollment or a [P]provider LEA shall use the CCA form, records, and processes provided by the [USOE]Superintendent for the [P]program.[~~A school counselor~~

~~or a Provider shall use a separate form for each course selected by parent/student.]~~

[C-](3) A primary school or LEA of enrollment shall provide information about available online courses and programs;

(a) in registration materials; [~~or through other reasonable communication and~~]

(b) on the LEA's[~~or school's~~] website; [~~or using a link to the USOE's website~~] and

(c) on the school's website.

[D-](4) A primary school of enrollment shall include a student's online courses in the student's enrollment records and, upon course completion, include online course grades and credits on the student's transcripts.

R277-726-6. [State Board of Education (Board)]Superintendent Requirements and Responsibilities.

[A-](1) The [Board]Superintendent shall develop and provide a website for the [P]program that provides information required under Section 53A-15-1212 and other information as determined by the Board.

[B-](2) The [Board]Superintendent shall direct a [P]provider[s] to administer state[~~designated~~]wide assessments consistent with Rule R277-404[~~and R277-473~~] for identified courses using LEA-adopted and state-approved assessments.

[C-](3)(a) The Board may determine space availab[~~le~~]ility standards and appropriate course load standards for online courses consistent with Subsections 53A-15-1006(2) and 53A-15-1208(3) (d).

(b) Course load standards may differ based on subject matter and differing accreditation standards.

[D-](4) The Board shall withhold funds from a primary LEA[s] of enrollment and make payments to a [P]provider[s] consistent with Sections 53A-15-1206, 53A-15-1206.5, and 53A-15-1207.

[E-]The Board shall establish an appeals process for students who request more than two online courses in the 2011-2012 school year and who are first denied by their primary LEA or school of enrollment.]

[F-](5) The Board may refuse to provide funds under a CCA if the Board finds that information has been submitted fraudulently or in violation of the law or Board [requirements]rule by any of the parties to a CCA.

[G-](6) The [USOE]or the Board's designee] Superintendent shall receive[;] and investigate complaints, and impose sanctions, if appropriate, regarding course integrity, financial mismanagement, enrollment fraud or inaccuracy, or violations of the law or this rule specific to the requirements and provisions of th[is]e [P]program.

[H-](7) If a Board investigation finds that a [P]provider has violated the IDEA or Section 504 provisions for a student[s] taking online courses, the [P]provider shall compensate the student's primary LEA of enrollment for all costs related to compliance.

[I-](8)(a) The [USOE]Superintendent may audit, at the Board's sole discretion, an LEA's or [P]program participant's compliance with any requirement of state or federal law or Board rule under the [P]program.

(b) All participants shall provide timely access to all records, student information, financial data or other information

requested by the Board, the Board's auditors, or the Superintendent ~~[or the Superintendent's designee]~~ upon request.

~~[J-](9)~~ The Board may ~~[impose penalties,]~~ withhold funds ~~[, or sanction]~~ from a [P]program participant[s] for the participant[s]' failure to comply with a reasonable request[s] for records or information.

~~[K-](10)~~ ~~[All records related to the Program that do not disclose protected student information are public records and shall be available upon request under Section 63G-2-301 or 63G-2-305]~~ Program records are available to the public subject to the Government Records Access and Management Act. (GRAMA).

(11) The Superintendent shall withhold online course payment from a primary LEA of enrollment and payments to an eligible provider at the nearest monthly transfer of funds, subject to verification of information, in an amount consistent with, and at the time a provider qualifies to receive payment, under Subsection 53A-15-1206(4).

(12) The Superintendent shall pay a provider consistent with Minimum School Program funding transfer schedules.

(13)(a) The Superintendent may make decisions on questions or issues unresolved by Title 53A, Chapter 15, Part 12, Statewide Online Program Act or this rule on a case-by-case basis.

(b) The Superintendent shall report decisions described in Subsection (13)(a) to the Board consistent with the purposes of the law and this rule.

R277-726-7. Provider Requirements and Responsibilities.

~~[A-](1)(a)~~ A [P]provider[s] shall administer state-~~designated~~wide assessments as directed by the ~~[Board]~~Superintendent, including proctoring statewide assessments, consistent with Section 53A-15-1210 and Rule R277-4[73]04.

(b) A [P]provider[s] shall pay administrative and proctoring costs for all state-~~designated~~wide assessments.

~~[B-](2)~~ A [P]provider[s] shall provide a parent[s] or a student[s] with email and telephone contacts for the [P]provider during regular business hours in order to facilitate parent information.

~~[C-](3)~~ A [P]provider[s] and any third part[ies]y working with a [P]provider[s] shall, for all eligible students, satisfy all Board requirements for:

(a) consistency with course ~~curriculum,~~ standards;

(b) criminal background checks for [P]provider employees[-];

(c) documentation of student enrollment and participation; and

(d) compliance with:

(i) the IDEA[-];

(ii) Section 504[-]; and

(iii) requirements for ELL students ~~[for all eligible students].~~

~~[D-](4)~~ A [P]provider[s] shall receive payments for a student[s] properly enrolled in the [P]program from the ~~[USOE]~~Superintendent consistent with:

(a) Board procedures[-];

(b) Board timelines; and

(c) Sections 53A-15-1206, 53A-15-1206.5, 53A-15-1207, and 53A-15-1208.

~~[E-](5)(a)~~ A [P]provider[s] may charge a fee[s] consistent with other secondary schools.

(b) If ~~the~~ a [P]provider intends to charge a fee[s], the [P]provider:

(i) shall notify the primary school of enrollment with whom the [P]provider has the CCA of the purpose for fees[-] and amounts of fees[-and];

(ii) provide timely notice to a parent[s] of required fees and fee waiver opportunities[-and];

(iii) post fees on the [P]provider website[-]; and
(2)iv) shall be responsible for fee waivers for an eligible student[s], including all materials for a student[s] designated fee waiver eligible by a student's primary school of enrollment.

~~[F-](6)~~ A [P]provider[s] shall maintain a student's records and comply with the federal Family Educational Rights and Privacy Act, Title 53A, Chapter 13, Part 3, Utah Family Educational Rights and Privacy Act, and Rule R277-487, including protecting the confidentiality of a student's records and providing a parent[s] and an eligible student[s] access to records.

~~[G-](7)~~ Except as provided in Subsection R277-726-8A)2, ~~the P]a~~ provider shall submit a student's credit and grade ~~[within 30 days after a student satisfactorily completes an online semester course]~~ to the ~~[USOE]~~Superintendent, primary school of enrollment, and the student's parent[+] no later than:

(a) 30 days after a student satisfactorily completes an online semester or quarter course; or

(b) June 30 of the school year.

~~[H-](8)~~ A [P]provider[s] ~~shall~~ may not withhold a student[s]' credits, grades, or transcripts from the student[s], parent[s], or the student[s]' school[s] of enrollment for any reason.

~~[I-](9)(a)~~ If a [P]provider ~~[desires]~~seeks to suspend a student from an online course for disciplinary reasons, the [P]provider is responsible for all student due process procedures, including the ~~[Individuals with Disabilities Education Act (-)IDEA] 20 U.S.C. 1400~~ and Section 504 of the Rehabilitation Act of 1973.

(b) A provider shall notify the Superintendent of a student's withdrawal. If [a]the student is suspended for more than 10 days[-, the Provider shall notify the USOE of a withdrawal].

~~[J-](10)(a)~~ A [P]provider[s] shall provide to the ~~[USOE]~~Superintendent a list of course options using ~~the~~USOE-provided course codes.

(b){a} All program courses shall be coded as semester or quarter courses[-].

(c) [Course offerings]A provider shall ~~[be]~~ update[d] the provider's course offerings in January and August annually.

~~[K-](11)~~ A [P]provider[s] shall serve a[H] student[s] on a first-come-first-served basis who desires to take courses and who ~~[are]~~is designated eligible by a primary school of enrollment if desired courses have space available.

~~[L-](12)~~ A [P]provider[s] shall provide all records maintained as part of a public online school or program, including:

(a) financial and enrollment records[-]; and

(b) information for accountability and audit purposes upon request by the ~~[USOE,]~~Superintendent and the [P]provider's external auditor[(-s)].

~~[M-](13)~~ A [P]provider[s] shall maintain documentation of student work, including dates of submission, for [P]program audit purposes.

~~[N-](14)~~ A [P]provider[s] ~~are primarily~~ is responsible for complete and timely submissions of record changes to executed

CCAs and submission of other reports and records as required by the [USOE]Superintendent.

~~(15)~~ A [P]provider[s] shall inform a student[s] and the student's parent[s] of expectations for active participation in course work.

~~(16)~~ An LEA[s] may participate in the [P]program as a [P]provider[s] by offering a school[s] or program[s ~~or both~~] to a Utah student[s] in grades 9-12 who [are]is not a resident student[s] of the LEA consistent with Section 53A-15-1205(~~3~~2).

~~(17)~~ A [P]program school[s] or program[s] shall:

~~(1)~~a) [shall]be accredited by the [Northwest Accreditation Commission]accrediting entity adopted by the Board consistent with Rule R277-41(~~3~~0);

~~(2)~~b) [shall]have a designated administrator who meets the requirements of Section 53A-6-110[~~or Section 53A-1a-512(5)~~];

~~(3)~~c) [shall]ensure that a student[s] who qualif[~~y~~]ies for a fee waiver[s] shall receive all services offered by and through the public schools consistent with Section 53A-12-103 and Rule R277-407;

~~(4)~~d) [shall]maintain student records consistent with:

(i) the federal Family Educational Rights and Privacy Act, 20 U.S.C. Sec 1232g and 34 CFR Part 99; and

(ii) Rule R277-487; and

~~(5)~~e) shall offer course work;

(i) aligned with Utah Core standards[~~;~~];

(ii) [course]in accordance with program requirements[~~;~~];

and

(iii) in accordance with the provisions of Rules R277-700 and R277-404[~~, and R277-473~~].

~~(18)~~ An LEA[s] that offers an online program[s] or school[s] as a [P]provider[s] under the [P]program:

~~(1)~~a) shall employ only licensed Utah educators as teachers;

~~(2)~~b) [shall]may not employ an individual[s] whose educator license[s] ha[~~ve~~]s been suspended or revoked;

~~(3)~~c) shall require all employees to meet requirements of Sections [53A-3-410 and R277-516]53A-15-1503 and 53A-15-1504 prior to the [P]provider offering services to a student[s];

~~(4)~~d) [shall]may only employ teachers who meet the requirements of Rule R277-510, Educator Licensing - Highly Qualified Assignment;

~~(5)~~e) shall agree to administer and have the capacity to carry out state[~~-designated~~]wide assessments, including proctoring statewide assessments, consistent with Section 53A-15-1210(2)[~~;~~] and Rule R277-404[~~and R277-473~~];

~~(6)~~f) in accordance with Section R277-726-8, shall provide services to a student[s] consistent with requirements of the IDEA, Section 504, and Title VI of the Civil Rights Act of 1964 for English Language Learners (ELL);

~~(7)~~g) shall maintain copies of all CCAs [~~(f)~~for audit purposes~~);~~] and

~~(8)~~h) shall agree that funds shall be withheld by the [USOE]Superintendent consistent with Sections 53A-15-1206 and 53A-15-1206.5.

~~(19)~~ A [P]provider shall cooperate with the [USOE]Superintendent in providing timely documentation of student participation, enrollment, and other additional data consistent with Board directives and procedures and as requested[~~;~~ and].

~~(9)~~ shall ensure that third parties assisting with LEA online schools or programs comply with R277-726-7R, R277-404 and R277-473.]

~~(S)~~(20) A [P]provider[s] shall post all required information online on the[~~ir~~] provider's individual website[s] including required assessment and accountability information.

R277-726-8. Services to Students with Disabilities Participating in the Program.

(1)(a) If a student requests services related to a Section 504 accommodation under the Americans with Disabilities Act, a provider shall:

(i) except as provided in Subsection (1)(b), prepare a Section 504 plan for the student; and

(ii) provide the services or accommodations to the student in accordance with the student's Section 504 plan.

(b) An LEA of enrollment shall provide a Section 504 plan of a student described in Subsection (1)(a) to a provider within 72 business hours if:

(i) the student is enrolled in a primary LEA of enrollment; and

(ii) the primary LEA of enrollment has a current Section 504 plan for the student.

(2) For a student enrolled in a primary LEA of enrollment, if a student participating in the program qualifies to receive services under the IDEA:

(a) the student's primary LEA of enrollment shall:

(i) prepare an IEP for the student in accordance with the timelines required by the IDEA;

(ii) provide the IEP described in Subsection (2)(a)(i) to the provider within 72 business hours of completion of the student's IEP; and

(iii) continue to claim the student in the primary LEA of enrollment's membership; and

(b) the provider shall provide special education services to the student in accordance with the student's IEP described in Subsection (2)(a)(i).

(3) If a home or private school student participating in the program qualifies to receive special education services under the IDEA, the home or private school student:

(a) may waive the student's right to receive the special education services; or

(b) subject to the requirements of Subsection (4), enroll in the home or private school student's resident school for the purpose of receiving special education services.

(4) If a home or private school student requests to receive special education services as described in Subsection (3)(b):

(a) the home or private school student's resident school shall:

(i) prepare an IEP for the student in accordance with the timelines required by the IDEA;

(ii) provide the IEP described in Subsection (4)(a)(i) to the provider within 72 business hours of completion of the student's IEP; and

(iii) claim the student in the resident school's membership; and

(b) the provider shall provide special education services to the student in accordance with the student's IEP described in Subsection (4)(a)(i).

R277-726-[8]9. Other Information.

~~[(1)]~~ ~~A~~ [P]primary school[s] of enrollment shall set reasonable timelines and standards ~~and~~.

(2) ~~A~~ [P]provider[s] shall adhere to timelines and standards described in Subsection (1) for student grades and enrollment in online courses for purposes of:

~~[(1)]~~a) school awards and honors;

(2)b) Utah High School Activities Association participation; and

~~[(3)]~~c) high school graduation.

~~[B.] Withholding of the online course payment from a primary LEA of enrollment and payments to the eligible Provider shall occur at the nearest monthly transfer of funds subject to verification of information, in an amount consistent with and at the time a Provider qualifies to receive payment under Section 53A-15-1206(4).~~

~~C. The USOE shall pay the Provider consistent with Minimum School Program funding transfer schedules.~~

~~D. The Superintendent or the Superintendent's designee may make decisions on questions or issues unresolved by Section 53A-15-1002 et seq. or R277-726 on a case-by-case basis. The Superintendent shall report decisions to the Board consistent with the purposes of the law and this rule.]~~

KEY: statewide online education program

Date of Enactment or Last Substantive Amendment: ~~[October 9, 2012]~~2016

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-15-1210; 53A-15-1213; 53A-1-401(3)

Education, Administration

R277-920-3

Superintendent's Designation of Low Performing Schools and Waiver Authority

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39997

FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section R277-920-3 is amended to provide the Superintendent with an additional option to waive a low-performing school from participation in the school turnaround program.

SUMMARY OF THE RULE OR CHANGE: The amendment to Section R277-920-3 provides that the Superintendent may issue a waiver and exclude a low-performing school from participating in the school turnaround program if the low-performing school is in the school's first three years of operation.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Article X, Section 3 and Subsection 53A-1-401(3) and Title 53A, Chapter 1, Part 12

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The Superintendent issuing a waiver to a low-performing school in its first three years of operation likely will not result in a cost or savings to the state budget.

◆ **LOCAL GOVERNMENTS:** The Superintendent issuing a waiver to a low-performing school in its first three years of operation likely will not result in a cost or savings to local government.

◆ **SMALL BUSINESSES:** The Superintendent issuing a waiver to a low-performing school in its first three years of operation likely will not result in a cost or savings to small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The Superintendent issuing a waiver to a low-performing school in its first three years of operation likely will not result in a cost or savings to persons other than small businesses, businesses, or local government entities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Superintendent issuing a waiver to a low-performing school in its first three years of operation likely will not result in any compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: To the best of my knowledge, there should be no fiscal impact on businesses resulting from the amendments to the rule.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

EDUCATION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Angela Stallings by phone at 801-538-7656, by FAX at 801-538-7768, or by Internet E-mail at angie.stallings@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Angela Stallings, Associate Superintendent, Policy and Communication

R277. Education, Administration.
R277-920. Implementation of the School Turnaround and Leadership Development Act.
R277-920-3. Superintendent's Designation of Low Performing Schools and Waiver Authority.

(1) The Superintendent may issue a waiver and exclude a low performing school from participating in the school turnaround program if:

(a) the low performing school:
 ([a]i) has been designated a priority school by the Superintendent;

([b]ii) received school improvement grant money for the school year immediately following the school year for which the school is being graded; and

([e]iii) is already working with a turnaround expert through the school improvement grant[-]; or

(b) the low performing school is in the school's first three years of operation.

(2) If the Superintendent excludes a low performing school from the school turnaround program as described in Subsection (1), the Superintendent shall designate additional schools, outside of the lowest performing 3% of schools statewide according to the percentage of possible points earned under the school grading system, until the school turnaround program includes at least 3% of the total public schools statewide.

(3) When selecting an additional school described in Subsection (2), the Superintendent shall include the next lowest performing schools according to the percentage of possible points earned under the school grading system.

KEY: school[-] improvements, principals, school leaders
Date of Enactment of Last Substantive Amendment: [2015]2016
Authorizing, and Implemented or Interpreted Law: Art X, Sec 3; 53A-1-401(3); 53A-1-12

Environmental Quality, Air Quality
R307-101-2
Definitions

NOTICE OF PROPOSED RULE
 (Amendment)

DAR FILE NO.: 39994
 FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose is to update an out-of-date reference to a PM10 maintenance plan.

SUMMARY OF THE RULE OR CHANGE: The rule currently references a maintenance plan adopted by the Air Quality Board on 07/06/2005. This reference is being changed to 12/02/2015, which is the date of adoption for the current maintenance plan.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-2-104

ANTICIPATED COST OR SAVINGS TO:

♦ **THE STATE BUDGET:** None--All of the substantive requirements are contained within the Utah State Implementation Plan (SIP), Section IX.A and IX.H, and other Air Quality Rules that are part of the SIP. This amendment merely changes a date that helps define the geographic region of the PM10 maintenance area.

♦ **LOCAL GOVERNMENTS:** None--All of the substantive requirements are contained within the Utah State Implementation Plan (SIP), Section IX.A and IX.H, and other Air Quality Rules that are part of the SIP. This amendment merely changes a date that helps define the geographic region of the PM10 maintenance area.

♦ **SMALL BUSINESSES:** None--All of the substantive requirements are contained within the Utah State Implementation Plan (SIP), Section IX.A and IX.H, and other Air Quality Rules that are part of the SIP. This amendment merely changes a date that helps define the geographic region of the PM10 maintenance area.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** None--All of the substantive requirements are contained within the Utah State Implementation Plan (SIP), Section IX.A and IX.H, and other Air Quality Rules that are part of the SIP. This amendment merely changes a date that helps define the geographic region of the PM10 maintenance area.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no compliance costs for affected persons. All of the substantive requirements are contained within the Utah State Implementation Plan (SIP), Section IX.A and IX.H, and other Air Quality Rules that are part of the SIP. This amendment merely changes a date that helps define the geographic region of the PM10 maintenance area.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This amendment will not have a fiscal impact on businesses. All of the substantive requirements are contained within the Utah State Implementation Plan (SIP), Section IX.A and IX.H, and other Air Quality Rules that are part of the SIP. This amendment merely changes a date that helps define the geographic region of the PM10 maintenance area.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY
 AIR QUALITY
 FOURTH FLOOR
 195 N 1950 W
 SALT LAKE CITY, UT 84116-3085
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 ♦ Ryan Stephens by phone at 801-536-4419, by FAX at 801-536-0085, or by Internet E-mail at rstephens@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Bryce Bird, Director

R307. Environmental Quality, Air Quality.

R307-101. General Requirements.

R307-101-2. Definitions.

Except where specified in individual rules, definitions in R307-101-2 are applicable to all rules adopted by the Air Quality Board.

"Actual Emissions" means the actual rate of emissions of a pollutant from an emissions unit determined as follows:

(1) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operations. The director shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(2) The director may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(3) For any emission unit, other than an electric utility steam generating unit specified in (4), which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(4) For an electric utility steam generating unit (other than a new unit or the replacement of an existing unit) actual emissions of the unit following the physical or operational change shall equal the representative actual annual emissions of the unit, provided the source owner or operator maintains and submits to the director, on an annual basis for a period of 5 years from the date the unit resumes regular operation, information demonstrating that the physical or operational change did not result in an emissions increase. A longer period, not to exceed 10 years, may be required by the director if the director determines such a period to be more representative of normal source post-change operations.

"Acute Hazardous Air Pollutant" means any noncarcinogenic hazardous air pollutant for which a threshold limit value - ceiling (TLV-C) has been adopted by the American Conference of Governmental Industrial Hygienists (ACGIH) in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, (2009)."

"Air Contaminant" means any particulate matter or any gas, vapor, suspended solid or any combination of them, excluding steam and water vapors (Section 19-2-102(1)).

"Air Contaminant Source" means any and all sources of emission of air contaminants whether privately or publicly owned or operated (Section 19-2-102(2)).

"Air Pollution" means the presence in the ambient air of one or more air contaminants in such quantities and duration and under conditions and circumstances, as is or tends to be injurious to human health or welfare, animal or plant life, or property, or would

unreasonably interfere with the enjoyment of life or use of property as determined by the standards, rules and regulations adopted by the Air Quality Board (Section 19-2-104).

"Allowable Emissions" means the emission rate of a source calculated using the maximum rated capacity of the source (unless the source is subject to enforceable limits which restrict the operating rate, or hours of operation, or both) and the emission limitation established pursuant to R307-401-8.

"Ambient Air" means the surrounding or outside air (Section 19-2-102(4)).

"Appropriate Authority" means the governing body of any city, town or county.

"Atmosphere" means the air that envelops or surrounds the earth and includes all space outside of buildings, stacks or exterior ducts.

"Authorized Local Authority" means a city, county, city-county or district health department; a city, county or combination fire department; or other local agency duly designated by appropriate authority, with approval of the state Department of Health; and other lawfully adopted ordinances, codes or regulations not in conflict therewith.

"Board" means Air Quality Board. See Section 19-2-102(8) (a).

"Breakdown" means any malfunction or procedural error, to include but not limited to any malfunction or procedural error during start-up and shutdown, which will result in the inoperability or sudden loss of performance of the control equipment or process equipment causing emissions in excess of those allowed by approval order or Title R307.

"BTU" means British Thermal Unit, the quantity of heat necessary to raise the temperature of one pound of water one degree Fahrenheit.

"Calibration Drift" means the change in the instrument meter readout over a stated period of time of normal continuous operation when the VOC concentration at the time of measurement is the same known upscale value.

"Carbon Adsorption System" means a device containing adsorbent material (e.g., activated carbon, aluminum, silica gel), an inlet and outlet for exhaust gases, and a system for the proper disposal or reuse of all VOC adsorbed.

"Carcinogenic Hazardous Air Pollutant" means any hazardous air pollutant that is classified as a known human carcinogen (A1) or suspected human carcinogen (A2) by the American Conference of Governmental Industrial Hygienists (ACGIH) in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, (2009)."

"Chargeable Pollutant" means any regulated air pollutant except the following:

(1) Carbon monoxide;

(2) Any pollutant that is a regulated air pollutant solely because it is a Class I or II substance subject to a standard promulgated or established by Title VI of the Act, Stratospheric Ozone Protection;

(3) Any pollutant that is a regulated air pollutant solely because it is subject to a standard or regulation under Section 112(r) of the Act, Prevention of Accidental Releases.

"Chronic Hazardous Air Pollutant" means any noncarcinogenic hazardous air pollutant for which a threshold limit value - time weighted average (TLV-TWA) having no threshold limit value - ceiling (TLV-C) has been adopted by the American Conference

of Governmental Industrial Hygienists (ACGIH) in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, (2009)."

"Clean Air Act" means federal Clean Air Act as [amended in 1990] found in 42 U.S.C. Chapter 85.

"Clean Coal Technology" means any technology, including technologies applied at the precombustion, combustion, or post combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

"Clean Coal Technology Demonstration Project" means a project using funds appropriated under the heading "Department of Energy-Clean Coal Technology," up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency. The Federal contribution for a qualifying project shall be at least 20 percent of the total cost of the demonstration project.

"Clearing Index" means an indicator of the predicted rate of clearance of ground level pollutants from a given area. This number is provided by the National Weather Service.

"Commence" as applied to construction of a major source or major modification means that the owner or operator has all necessary pre-construction approvals or permits and either has:

(1) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(2) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

"Condensable PM2.5" means material that is vapor phase at stack conditions, but which condenses and/or reacts upon cooling and dilution in the ambient air to form solid or liquid particulate matter immediately after discharge from the stack.

"Compliance Schedule" means a schedule of events, by date, which will result in compliance with these regulations.

"Construction" means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of a source which would result in a change in actual emissions.

"Control Apparatus" means any device which prevents or controls the emission of any air contaminant directly or indirectly into the outdoor atmosphere.

"Department" means Utah State Department of Environmental Quality. See Section 19-1-103(1).

"Director" means the Director of the Division of Air Quality. See Section 19-1-103(1).

"Division" means the Division of Air Quality.

"Electric Utility Steam Generating Unit" means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

"Emission" means the act of discharge into the atmosphere of an air contaminant or an effluent which contains or may contain an air contaminant; or the effluent so discharged into the atmosphere.

"Emissions Information" means, with reference to any source operation, equipment or control apparatus:

(1) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics related to air quality of any air contaminant which has been emitted by the source operation, equipment, or control apparatus;

(2) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any air contaminant which, under an applicable standard or limitation, the source operation was authorized to emit (including, to the extent necessary for such purposes, a description of the manner or rate of operation of the source operation), or any combination of the foregoing; and

(3) A general description of the location and/or nature of the source operation to the extent necessary to identify the source operation and to distinguish it from other source operations (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source operation).

"Emission Limitation" means a requirement established by the Board, the director or the Administrator, EPA, which limits the quantity, rate or concentration of emission of air pollutants on a continuous emission reduction including any requirement relating to the operation or maintenance of a source to assure continuous emission reduction (Section 302(k)).

"Emissions Unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Clean Air Act.

"Enforceable" means all limitations and conditions which are enforceable by the Administrator, including those requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within the State Implementation Plan and R307, any permit requirements established pursuant to 40 CFR 52.21 or R307-401.

"EPA" means Environmental Protection Agency.

"EPA Method 9" means 40 CFR Part 60, Appendix A, Method 9, "Visual Determination of Opacity of Emissions from Stationary Sources," and Alternate 1, "Determination of the opacity of emissions from stationary sources remotely by LIDAR."

"Executive Director" means the Executive Director of the Utah Department of Environmental Quality. See Section 19-1-103(2).

"Existing Installation" means an installation, construction of which began prior to the effective date of any regulation having application to it.

"Facility" means machinery, equipment, structures of any part or accessories thereof, installed or acquired for the primary purpose of controlling or disposing of air pollution. It does not include an air conditioner, fan or other similar device for the comfort of personnel.

"Filterable PM2.5" means particles with an aerodynamic diameter equal to or less than 2.5 micrometers that are directly emitted by a source as a solid or liquid at stack or release conditions and can be captured on the filter of a stack test train.

"Fireplace" means all devices both masonry or factory built units (free standing fireplaces) with a hearth, fire chamber or similarly prepared device connected to a chimney which provides the operator with little control of combustion air, leaving its fire chamber fully or at least partially open to the room. Fireplaces include those devices with

circulating systems, heat exchangers, or draft reducing doors with a net thermal efficiency of no greater than twenty percent and are used for aesthetic purposes.

"Fugitive Dust" means particulate, composed of soil and/or industrial particulates such as ash, coal, minerals, etc., which becomes airborne because of wind or mechanical disturbance of surfaces. Natural sources of dust and fugitive emissions are not fugitive dust within the meaning of this definition.

"Fugitive Emissions" means emissions from an installation or facility which are neither passed through an air cleaning device nor vented through a stack or could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

"Garbage" means all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food, including wastes attendant thereto.

"Gasoline" means any petroleum distillate, used as a fuel for internal combustion engines, having a Reid vapor pressure of 4 pounds or greater.

"Hazardous Air Pollutant (HAP)" means any pollutant listed by the EPA as a hazardous air pollutant in conformance with Section 112(b) of the Clean Air Act. A list of these pollutants is available at the Division of Air Quality.

"Household Waste" means any solid or liquid material normally generated by the family in a residence in the course of ordinary day-to-day living, including but not limited to garbage, paper products, rags, leaves and garden trash.

"Incinerator" means a combustion apparatus designed for high temperature operation in which solid, semisolid, liquid, or gaseous combustible wastes are ignited and burned efficiently and from which the solid and gaseous residues contain little or no combustible material.

"Installation" means a discrete process with identifiable emissions which may be part of a larger industrial plant. Pollution equipment shall not be considered a separate installation or installations.

"LPG" means liquified petroleum gas such as propane or butane.

"Maintenance Area" means an area that is subject to the provisions of a maintenance plan that is included in the Utah state implementation plan, and that has been redesignated by EPA from nonattainment to attainment of any National Ambient Air Quality Standard.

(a) The following areas are considered maintenance areas for ozone:

- (i) Salt Lake County, effective August 18, 1997; and
- (ii) Davis County, effective August 18, 1997.

(b) The following areas are considered maintenance areas for carbon monoxide:

- (i) Salt Lake City, effective March 22, 1999;
- (ii) Ogden City, effective May 8, 2001; and
- (iii) Provo City, effective January 3, 2006.

(c) The following areas are considered maintenance areas for PM10:

(i) Salt Lake County, effective on the date that EPA approves the maintenance plan that was adopted by the Board on ~~July 6, 2005~~ December 2, 2015; and

(ii) Utah County, effective on the date that EPA approves the maintenance plan that was adopted by the Board on ~~July 6, 2005~~ December 2, 2015; and

(iii) Ogden City, effective on the date that EPA approves the maintenance plan that was adopted by the Board on ~~July 6, 2005~~ December 2, 2015.

(d) The following area is considered a maintenance area for sulfur dioxide: all of Salt Lake County and the eastern portion of Tooele County above 5600 feet, effective on the date that EPA approves the maintenance plan that was adopted by the Board on January 5, 2005.

"Major Modification" means any physical change in or change in the method of operation of a major source that would result in a significant net emissions increase of any pollutant. A net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone. Within Salt Lake and Davis Counties or any nonattainment area for ozone, a net emissions increase that is significant for nitrogen oxides shall be considered significant for ozone. Within areas of nonattainment for PM10, a significant net emission increase for any PM10 precursor is also a significant net emission increase for PM10. A physical change or change in the method of operation shall not include:

- (1) routine maintenance, repair and replacement;
- (2) use of an alternative fuel or raw material by reason of an order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974, or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;
- (3) use of an alternative fuel by reason of an order or rule under section 125 of the federal Clean Air Act;
- (4) use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;
- (5) use of an alternative fuel or raw material by a source:
 - (a) which the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any enforceable permit condition; or
 - (b) which the source is otherwise approved to use;
- (6) an increase in the hours of operation or in the production rate unless such change would be prohibited under any enforceable permit condition;
- (7) any change in ownership at a source
- (8) the addition, replacement or use of a pollution control project at an existing electric utility steam generating unit, unless the director determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(a) when the director has reason to believe that the pollution control project would result in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of Title I of the Clean Air Act, if any, and

(b) the director determines that the increase will cause or contribute to a violation of any national ambient air quality standard or PSD increment, or visibility limitation.

(9) the installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:

- (a) the Utah State Implementation Plan; and
- (b) other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

"Major Source" means, to the extent provided by the federal Clean Air Act as applicable to R307:

(1) any stationary source of air pollutants which emits, or has the potential to emit, one hundred tons per year or more of any pollutant subject to regulation under the Clean Air Act; or

(a) any source located in a nonattainment area for carbon monoxide which emits, or has the potential to emit, carbon monoxide in the amounts outlined in Section 187 of the federal Clean Air Act with respect to the severity of the nonattainment area as outlined in Section 187 of the federal Clean Air Act; or

(b) any source located in Salt Lake or Davis Counties or in a nonattainment area for ozone which emits, or has the potential to emit, VOC or nitrogen oxides in the amounts outlined in Section 182 of the federal Clean Air Act with respect to the severity of the nonattainment area as outlined in Section 182 of the federal Clean Air Act; or

(c) any source located in a nonattainment area for PM10 which emits, or has the potential to emit, PM10 or any PM10 precursor in the amounts outlined in Section 189 of the federal Clean Air Act with respect to the severity of the nonattainment area as outlined in Section 189 of the federal Clean Air Act.

(2) any physical change that would occur at a source not qualifying under subpart 1 as a major source, if the change would constitute a major source by itself;

(3) the fugitive emissions and fugitive dust of a stationary source shall not be included in determining for any of the purposes of these R307 rules whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

- (a) Coal cleaning plants (with thermal dryers);
- (b) Kraft pulp mills;
- (c) Portland cement plants;
- (d) Primary zinc smelters;
- (e) Iron and steel mills;
- (f) Primary aluminum or reduction plants;
- (g) Primary copper smelters;
- (h) Municipal incinerators capable of charging more than

250 tons of refuse per day;

- (i) Hydrofluoric, sulfuric, or nitric acid plants;
- (j) Petroleum refineries;
- (k) Lime plants;
- (l) Phosphate rock processing plants;
- (m) Coke oven batteries;
- (n) Sulfur recovery plants;
- (o) Carbon black plants (furnace process);
- (p) Primary lead smelters;
- (q) Fuel conversion plants;
- (r) Sintering plants;
- (s) Secondary metal production plants;
- (t) Chemical process plants;

(u) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British Thermal Units per hour heat input;

(v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

- (w) Taconite ore processing plants;
- (x) Glass fiber processing plants;
- (y) Charcoal production plants;

(z) Fossil fuel-fired steam electric plants of more than 250 million British Thermal Units per hour heat input;

(aa) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the federal Clean Air Act.

"Modification" means any planned change in a source which results in a potential increase of emission.

"National Ambient Air Quality Standards (NAAQS)" means the allowable concentrations of air pollutants in the ambient air specified by the Federal Government (Title 40, Code of Federal Regulations, Part 50).

"Net Emissions Increase" means the amount by which the sum of the following exceeds zero:

(1) any increase in actual emissions from a particular physical change or change in method of operation at a source; and

(2) any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable. For purposes of determining a "net emissions increase":

(a) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date five years before construction on the particular change commences; and the date that the increase from the particular change occurs.

(b) An increase or decrease in actual emissions is creditable only if it has not been relied on in issuing a prior approval for the source which approval is in effect when the increase in actual emissions for the particular change occurs.

(c) An increase or decrease in actual emission of sulfur dioxide, nitrogen oxides or particulate matter which occurs before an applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available. With respect to particulate matter, only PM10 emissions will be used to evaluate this increase or decrease.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is enforceable at and after the time that actual construction on the particular change begins; and

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(iv) It has not been relied on in issuing any permit under R307-401 nor has it been relied on in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

"New Installation" means an installation, construction of which began after the effective date of any regulation having application to it.

"Nonattainment Area" means an area designated by the Environmental Protection Agency as nonattainment under Section 107, Clean Air Act for any National Ambient Air Quality Standard. The designations for Utah are listed in 40 CFR 81.345.

"Offset" means an amount of emission reduction, by a source, greater than the emission limitation imposed on such source by these regulations and/or the State Implementation Plan.

"Opacity" means the capacity to obstruct the transmission of light, expressed as percent.

"Open Burning" means any burning of combustible materials resulting in emission of products of combustion into ambient air without passage through a chimney or stack.

"Owner or Operator" means any person who owns, leases, controls, operates or supervises a facility, an emission source, or air pollution control equipment.

"PSD" Area means an area designated as attainment or unclassifiable under section 107(d)(1)(D) or (E) of the federal Clean Air Act.

"PM2.5" means particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers as measured by an EPA reference or equivalent method.

"PM10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by an EPA reference or equivalent method.

"PM10 Precursor" means any chemical compound or substance which, after it has been emitted into the atmosphere, undergoes chemical or physical changes that convert it into particulate matter, specifically PM10.

"Part 70 Source" means any source subject to the permitting requirements of R307-415.

"Person" means an individual, trust, firm, estate, company, corporation, partnership, association, state, state or federal agency or entity, municipality, commission, or political subdivision of a state. (Subsection 19-2-103(4)).

"Pollution Control Project" means any activity or project at an existing electric utility steam generating unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:

(1) The installation of conventional or innovative pollution control technology, including but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators;

(2) An activity or project to accommodate switching to a fuel which is less polluting than the fuel used prior to the activity or project, including, but not limited to natural gas or coal reburning, or the cofiring of natural gas and other fuels for the purpose of controlling emissions;

(3) A permanent clean coal technology demonstration project conducted under Title II, sec. 101(d) of the Further Continuing Appropriations Act of 1985 (sec. 5903(d) of title 42 of the United States Code), or subsequent appropriations, up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency; or

(4) A permanent clean coal technology demonstration project that constitutes a repowering project.

"Potential to Emit" means the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

"Primary PM2.5" means the sum of filterable PM2.5 and condensable PM2.5.

"Process Level" means the operation of a source, specific to the kind or type of fuel, input material, or mode of operation.

"Process Rate" means the quantity per unit of time of any raw material or process intermediate consumed, or product generated, through the use of any equipment, source operation, or control apparatus. For a stationary internal combustion unit or any other fuel burning equipment, this term may be expressed as the quantity of fuel burned per unit of time.

"Reactivation of a Very Clean Coal-Fired Electric Utility Steam Generating Unit" means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

(1) Has not been in operation for the two-year period prior to the enactment of the Clean Air Act Amendments of 1990, and the emissions from such unit continue to be carried in the emission inventory at the time of enactment;

(2) Was equipped prior to shutdown with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than 85 percent and a removal efficiency for particulates of no less than 98 percent;

(3) Is equipped with low-NOx burners prior to the time of commencement of operations following reactivation; and

(4) Is otherwise in compliance with the requirements of the Clean Air Act.

"Reasonable Further Progress" means annual incremental reductions in emission of an air pollutant which are sufficient to provide for attainment of the NAAQS by the date identified in the State Implementation Plan.

"Refuse" means solid wastes, such as garbage and trash.

"Regulated air pollutant" means any of the following:

(a) Nitrogen oxides or any volatile organic compound;

(b) Any pollutant for which a national ambient air quality standard has been promulgated;

(c) Any pollutant that is subject to any standard promulgated under Section 111 of the Act, Standards of Performance for New Stationary Sources;

(d) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act, Stratospheric Ozone Protection;

(e) Any pollutant subject to a standard promulgated under Section 112, Hazardous Air Pollutants, or other requirements established under Section 112 of the Act, including Sections 112(g), (j), and (r) of the Act, including any of the following:

(i) Any pollutant subject to requirements under Section 112(j) of the Act, Equivalent Emission Limitation by Permit. If the Administrator fails to promulgate a standard by the date established pursuant to Section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to Section 112(e) of the Act;

(ii) Any pollutant for which the requirements of Section 112(g)(2) of the Act (Construction, Reconstruction and Modification) have been met, but only with respect to the individual source subject to Section 112(g)(2) requirement.

"Repowering" means replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Administrator, in consultation with the Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990.

(1) Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy.

(2) The director shall give expedited consideration to permit applications for any source that satisfies the requirements of this definition and is granted an extension under section 409 of the Clean Air Act.

"Representative Actual Annual Emissions" means the average rate, in tons per year, at which the source is projected to emit a pollutant for the two-year period after a physical change or change in the method of operation of unit, (or a different consecutive two-year period within 10 years after that change, where the director determines that such period is more representative of source operations), considering the effect any such change will have on increasing or decreasing the hourly emissions rate and on projected capacity utilization. In projecting future emissions the director shall:

(1) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, filings with the State of Federal regulatory authorities, and compliance plans under title IV of the Clean Air Act; and

(2) Exclude, in calculating any increase in emissions that results from the particular physical change or change in the method of operation at an electric utility steam generating unit, that portion of the unit's emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the particular change, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole.

"Residence" means a dwelling in which people live, including all ancillary buildings.

"Residential Solid Fuel Burning" device means any residential burning device except a fireplace connected to a chimney that burns solid fuel and is capable of, and intended for use as a space heater, domestic water heater, or indoor cooking appliance, and has an air-to-fuel ratio less than 35-to-1 as determined by the test procedures prescribed in 40 CFR 60.534. It must also have a useable firebox volume of less than 6.10 cubic meters or 20 cubic feet, a minimum burn rate less than 5 kilograms per hour or 11 pounds per hour as determined by test procedures prescribed in 40 CFR 60.534, and weigh less than 800 kilograms or 362.9 pounds. Appliances that are described as prefabricated fireplaces and are designed to accommodate doors or other accessories that would create the air starved operating conditions of a residential solid fuel burning device shall be considered as such. Fireplaces are not included in this definition for solid fuel burning devices.

"Road" means any public or private road.

"Salvage Operation" means any business, trade or industry engaged in whole or in part in salvaging or reclaiming any product or material, including but not limited to metals, chemicals, shipping containers or drums.

"Secondary Emissions" means emissions which would occur as a result of the construction or operation of a major source or major modification, but do not come from the major source or major modification itself.

Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the source or modification which causes the secondary emissions. Secondary emissions include emissions from any off-site support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

Fugitive emissions and fugitive dust from the source or modification are not considered secondary emissions.

"Secondary PM2.5" means particles that form or grow in mass through chemical reactions in the ambient air well after dilution and condensation have occurred. Secondary PM2.5 is usually formed at some distance downwind from the source.

"Significant" means:

(1) In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Carbon monoxide: 100 ton per year (tpy);

Nitrogen oxides: 40 tpy;

Sulfur dioxide: 40 tpy;

PM10: 15 tpy;

PM2.5: 10 tpy;

Particulate matter: 25 tpy;

Ozone: 40 tpy of volatile organic compounds;

Lead: 0.6 tpy.

"Solid Fuel" means wood, coal, and other similar organic material or combination of these materials.

"Solvent" means organic materials which are liquid at standard conditions (Standard Temperature and Pressure) and which are used as solvers, viscosity reducers, or cleaning agents.

"Source" means any structure, building, facility, or installation which emits or may emit any air pollutant subject to regulation under the Clean Air Act and which is located on one or more continuous or adjacent properties and which is under the control of the same person or persons under common control. A building, structure, facility, or installation means all of the pollutant-emitting activities which belong to the same industrial grouping. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e. which have the same two-digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (US Government Printing Office stock numbers 4101-0065 and 003-005-00176-0, respectively).

"Stack" means any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct but not including flares.

"Standards of Performance for New Stationary Sources" means the Federally established requirements for performance and record keeping (Title 40 Code of Federal Regulations, Part 60).

"State" means Utah State.

"Temporary" means not more than 180 calendar days.

"Temporary Clean Coal Technology Demonstration Project" means a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the Utah State Implementation Plan and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

"Threshold Limit Value - Ceiling (TLV-C)" means the airborne concentration of a substance which may not be exceeded, as adopted by the American Conference of Governmental Industrial Hygienists in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, (2009)."

"Threshold Limit Value - Time Weighted Average (TLV-TWA)" means the time-weighted airborne concentration of a substance adopted by the American Conference of Governmental Industrial Hygienists in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, (2009)."

"Total Suspended Particulate (TSP)" means minute separate particles of matter, collected by high volume sampler.

"Toxic Screening Level" means an ambient concentration of an air contaminant equal to a threshold limit value - ceiling (TLV-C) or threshold limit value -time weighted average (TLV-TWA) divided by a safety factor.

"Trash" means solids not considered to be highly flammable or explosive including, but not limited to clothing, rags, leather, plastic, rubber, floor coverings, excelsior, tree leaves, yard trimmings and other similar materials.

"Volatile Organic Compound (VOC)" means VOC as defined in 40 CFR 51.100(s), effective as of the date referenced in R307-101-3, is hereby adopted and incorporated by reference.

"Waste" means all solid, liquid or gaseous material, including, but not limited to, garbage, trash, household refuse, construction or demolition debris, or other refuse including that resulting from the prosecution of any business, trade or industry.

"Zero Drift" means the change in the instrument meter readout over a stated period of time of normal continuous operation when the VOC concentration at the time of measurement is zero.

KEY: air pollution, definitions

Date of Enactment or Last Substantive Amendment: ~~August 7, 2014~~ **2016**

Notice of Continuation: May 8, 2014

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)

Environmental Quality, Air Quality R307-104 Conflict of Interest

NOTICE OF PROPOSED RULE

(New Rule)

DAR FILE NO.: 39995

FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the rule is to satisfy Section 128(a)(2) of the federal Clean Air Act.

SUMMARY OF THE RULE OR CHANGE: This rule requires any board or body that approves permits or enforcement orders, the head of the Utah Division of Air Quality with similar powers, and the head of the Utah Department of Environmental Quality with similar powers to disclose conflicts of interest exceeding \$2,000.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-2-104

ANTICIPATED COST OR SAVINGS TO:

♦ **THE STATE BUDGET:** The rule places no obligations on anyone other than public employees with potential conflicts. Therefore, the state budget is not impacted by the rule.

♦ **LOCAL GOVERNMENTS:** The rule places no obligations on anyone other than public employees with potential conflicts. Therefore, no costs or savings are anticipated for local governments.

♦ **SMALL BUSINESSES:** The rule places no obligations on anyone other than public employees with potential conflicts. Therefore, small businesses are not affected by the rule.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The rule places no obligations on anyone other than public employees with potential conflicts. Therefore, other persons are not affected by the rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The rule places no obligations on anyone other than public employees with potential conflicts. Therefore, there will be no additional compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The rule places no obligations on anyone other than public employees with potential conflicts. Therefore, the new rule will have no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY
AIR QUALITY
FOURTH FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Ryan Stephens by phone at 801-536-4419, by FAX at 801-536-0085, or by Internet E-mail at rstephens@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Bryce Bird, Director

Environmental Quality, Radiation Control **R313-15** Standards for Protection Against Radiation

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39989

FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: As an agreement, the State of Utah is required to have rules that are compatible with Nuclear Regulatory Commission (NRC) rules. The rule changes are required to maintain compatibility. The amendment incorporates changes promulgated by the NRC on 06/17/2011 (76FR35512).

SUMMARY OF THE RULE OR CHANGE: The changes: 1) set the assumed annual rate of return to be used in assessing sufficiency of financial assurance of trust funds; 2) remove insurance or other guarantees as financial assurance options; 3) add a condition for termination of having sufficient financial assurance; 4) add an operating standard that requires that operations will be conducted to minimize introduction of residual radioactivity to the site; 5) require site surveys to include the subsurface; 6) change "necessary" to "reasonable"; and 7) set recordkeeping requirements for site surveys.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-3-104 and Section 19-6-107

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The rule changes will not require any state resources above those already required to review licenses.
- ◆ **LOCAL GOVERNMENTS:** No local governments will be affected by the rule change. No local governments own facilities that are affected by this rule.
- ◆ **SMALL BUSINESSES:** The rule change will not affect small businesses as they do not handle radioactive material of the type covered by the rule. The NRC, in its rulemaking that necessitated the change in Utah rule, noted that small businesses were not affected.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The rule change will not affect persons other than businesses.

R307. Environmental Quality, Air Quality.

R307-104. Conflict of Interest.

R307-104-1. Authority.

This rule establishes procedures that are necessary for promulgating federally approvable air quality standards as permitted by subsection 19-2-104(1)(b).

R307-104-2. Purpose.

R307-104 satisfies the conflict of interest requirement of 42 U.S.C. 7428 (a)(2).

R307-104-3. Disclosure of conflict of interest.

(1) This rule applies to any member of the board or body which approves permits or enforcement orders, the head of the Utah Division of Air Quality with similar powers, and the head of the Utah Department of Environmental Quality with similar powers.

(2) Every individual listed in R307-104-3(1) who is an officer, director, agent, employee, or the owner of a substantial interest in any business entity which is subject to the regulation of the agency by which the individual listed in R307-104-3(1) is employed, shall disclose any position held and the precise nature and value of the interest upon first becoming a public officer or public employee listed in R307-104-3(1), and again whenever his or her position in the business entity changes significantly or if the value of his or her interest in the entity is significantly increased.

(3) The disclosure required under R307-104-3(2) shall be made in a sworn statement filed with:

(a) the state attorney general in the case of the head of the Utah Division of Air Quality and the head of the Utah Department of Environmental Quality; and

(b) the state attorney general and the head of the agency with which the member of the board or body is affiliated in the case of a member of the board of body.

(4) This rule does not apply to instances where the total value of the interest does not exceed \$2,000, and life insurance policies and annuities shall not be considered in determining the value of any such interest.

(5) Disclosures made under R307-104-3 are public information and shall be available for examination by the public.

KEY: conflict of interest, Clean Air Act

Date of Enactment or Last Substantive Amendment:
[2015]2016

Authorizing, and Implemented or Interpreted Law: 19-1-201;
19-2-104

COMPLIANCE COSTS FOR AFFECTED PERSONS: Changes in this rule along with changes in Rules R313-19, R313-22, and R313-24 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period, or \$1,333 per year. (DAR NOTE: The proposed amendment to Rule R313-19 is under DAR No. 39990, the proposed amendment to Rule R313-22 is under DAR No. 39991, and the proposed amendment to Rule R313-24 is under DAR No. 39992 in this issue, January 1, 2016, of the Bulletin.)

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Changes to Rules R313-15, R313-19, R313-22, and R313-24 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period, or \$1,333 per year. The number of businesses affected in Utah is unknown but is estimated to be less than 10 for a total cost per year of \$13,333.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY
RADIATION CONTROL
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Ralph Bohn by phone at 801-536-0212, by FAX at 801-536-0222, or by Internet E-mail at rbohn@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Alan Matheson, Executive Director

R313. Environmental Quality, Radiation Control.
R313-15. Standards for Protection Against Radiation.
R313-15-403. Criteria for License Termination Under Restricted Conditions.

A site will be considered acceptable for license termination under restricted conditions if:

(1) The licensee can demonstrate that further reductions in residual radioactivity necessary to comply with the provisions of Section R313-15-402 would result in net public or environmental harm or were not being made because the residual levels associated with restricted conditions are ALARA. Determination of the levels which are ALARA must take into account consideration of any detriments, such as traffic accidents, expected to potentially result from decontamination and waste disposal; and

(2) The licensee has made provisions for legally enforceable institutional controls that provide reasonable assurance that the total effective dose equivalent from residual radioactivity distinguishable from background to the average member of the critical group will not exceed 0.25 mSv (0.025 rem) per year; and

(3) The licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site. Acceptable financial assurance mechanisms are:

(a) Funds placed into an account segregated from the licensee's assets outside the licensee's administrative control, and in which the adequacy of the trust funds is to be assessed based on an assumed annual one percent real rate of return on investment [~~as described in Subsection R313-22-35(6)(a)~~];

(b) [~~Surety method, insurance, or other guarantee method as described in Subsection R313-22-35(6)(b)~~];

—(e)—A statement of intent in the case of Federal, State, or local Government licensees, as described in Subsection R313-22-35(6)(d); or

(c[~~d~~]) When a governmental entity is assuming custody and ownership of a site, an arrangement that is deemed acceptable by such governmental entity; and

(4) The licensee has submitted a decommissioning plan or license termination plan to the Director indicating the licensee's intent to decommission in accordance with Subsection R313-22-36(4) and specifying that the licensee intends to decommission by restricting use of the site. The licensee shall document in the license termination plan or decommissioning plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and incorporated, as appropriate, following analysis of that advice;

(a) Licensees proposing to decommission by restricting use of the site shall seek advice from such affected parties regarding the following matters concerning the proposed decommissioning:

(i) Whether provisions for institutional controls proposed by the licensee;

(A) Will provide reasonable assurance that the total effective dose equivalent from residual radioactivity distinguishable from background to the average member of the critical group will not exceed 0.25 mSv (0.025 rem) total effective dose equivalent per year;

(B) Will be enforceable; and

(C) Will not impose undue burdens on the local community or other affected parties; and

(ii) Whether the licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site; and

(b) In seeking advice on the issues identified in Subsection R313-15-403(4)(a), the licensee shall provide for:

(i) Participation by representatives of a broad cross section of community interests who may be affected by the decommissioning;

(ii) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(iii) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement among the participants on the issues; and

(5) Residual radioactivity at the site has been reduced so that if the institutional controls were no longer in effect, there is reasonable assurance that the total effective dose equivalent from residual radioactivity distinguishable from background to the average member of the critical group is as low as reasonably achievable and would not exceed either:

- (a) one mSv (0.1 rem) per year; or
- (b) five mSv (0.5 rem) per year provided the licensee:

(i) Demonstrates that further reductions in residual radioactivity necessary to comply with the one mSv (0.1 rem) per year value of Subsection R313-15-403(5)(a) are not technically achievable, would be prohibitively expensive, or would result in net public or environmental harm;

- (ii) Makes provisions for durable institutional controls; and
- (iii) Provides sufficient financial assurance to enable a

responsible government entity or independent third party, including a governmental custodian of a site, both to carry out periodic rechecks of the site no less frequently than every five years to assure that the institutional controls remain in place as necessary to meet the criteria of Subsection R313-15-403(2) and to assume and carry out responsibilities for any necessary control and maintenance of those controls. Acceptable financial assurance mechanisms are those in Subsection R313-15-403(3).

R313-15-404. Alternate Criteria for License Termination.

(1) The Director may terminate a license using alternative criteria greater than the dose criterion of Section R313-15-402, and Subsections R313-15-403(2) and R313-15-403(4)(a)(i)(A), if the licensee:

(a) Provides assurance that public health and safety would continue to be protected, and that it is unlikely that the dose from all man-made sources combined, other than medical, would be more than the one mSv (0.1 rem) per year limit of Subsection R313-15-301(1)(a), by submitting an analysis of possible sources of exposure; and

(b) Has employed, to the extent practical, restrictions on site use according to the provisions of Section R313-15-403 in minimizing exposures at the site; and

(c) Reduces doses to ALARA levels, taking into consideration any detriments such as traffic accidents expected to potentially result from decontamination and waste disposal; and

(d) Has submitted a decommissioning plan or license termination plan to the Director indicating the licensee's intent to decommission in accordance with Subsection R313-22-36(4), and specifying that the licensee proposes to decommission by use of alternate criteria. The licensee shall document in the decommissioning plan or license termination plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and addressed, as appropriate, following analysis of that advice. In seeking such advice, the licensee shall provide for:

(i) Participation by representatives of a broad cross section of community interests who may be affected by the decommissioning; and

(ii) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(iii) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement among the participants on the issues.

(e) Has provided sufficient financial assurance in the form of a trust fund to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance of the site.

(2) The use of alternate criteria to terminate a license requires the approval of the Director after consideration of recommendations from the Division's staff, comments provided by federal, state and local governments, and any public comments submitted pursuant to Section R313-15-405.

R313-15-406. Minimization of Contamination.

(1) Applicants for licenses, other than renewals, shall describe in the application how facility design and procedures for operation will minimize, to the extent practicable, contamination of the facility and the environment, facilitate eventual decommissioning, and minimize, to the extent practicable, the generation of waste.

(2) Licensees shall, to the extent practical, conduct operations to minimize the introduction of residual radioactivity into the site, including the subsurface, in accordance with the existing radiation protection requirements in Section R313-15-101 and radiological criteria for license termination in Sections R313-15-1401 through R313-15-1406.

R313-15-501. Surveys and Monitoring - General.

(1) Each licensee or registrant shall make, or cause to be made, surveys of areas, including the subsurface, that:

(a) ~~Are~~ May be necessary for the licensee or registrant to comply with Rule R313-15; and

(b) Are ~~necessary~~ reasonable under the circumstances to evaluate:

- (i) The magnitude and the extent of radiation levels; and
- (ii) Concentrations or quantities of residual radioactive material; and

(iii) The potential radiological hazards of the radiation levels and residual radioactivity detected.

(2) Notwithstanding R313-15-1103(1), records from surveys describing the location and amount of subsurface residual radioactivity identified at the site shall be kept with records important for decommissioning, and such records shall be retained in accordance with R313-22-35(7), as applicable.

~~(2)~~(3) The licensee or registrant shall ensure that instruments and equipment used for quantitative radiation measurements, for example, dose rate and effluent monitoring, are calibrated at intervals not to exceed 12 months for the radiation measured, except when a more frequent interval is specified in another applicable part of these rules or a license condition.

~~(3)~~(4) All personnel dosimeters, except for direct and indirect reading pocket ionization chambers and those dosimeters used to measure the dose to any extremity, that require processing to determine the radiation dose and that are used by licensees and registrants to comply with Section R313-15-201, with other applicable provisions of these rules, or with conditions specified in a license or registration shall be processed and evaluated by a dosimetry processor:

(a) Holding current personnel dosimetry accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute of Standards and Technology; and

(b) Approved in this accreditation process for the type of radiation or radiations included in the NVLAP program that most

closely approximates the type of radiation or radiations for which the individual wearing the dosimeter is monitored.

~~[(4)](5)~~ The licensee or registrant shall ensure that adequate precautions are taken to prevent a deceptive exposure of an individual monitoring device.

KEY: radioactive materials, contamination, waste disposal, safety
Date of Enactment or Last Substantive Amendment: ~~[March 17, 2015]~~2016
Notice of Continuation: December 3, 2012
Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108

Environmental Quality, Radiation Control **R313-19-34** Terms and Conditions of Licenses

NOTICE OF PROPOSED RULE (Amendment) DAR FILE NO.: 39990 FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Incorporate changes to the federal decommissioning planning regulations promulgated by the Nuclear Regulatory Commission (NRC) on 06/17/2011 (76 FR 35512). As an agreement, the State of Utah is required to have rules that are compatible with corresponding NRC regulations. The rule changes are required to maintain compatibility.

SUMMARY OF THE RULE OR CHANGE: The changes add requirements for license transfer including technical and financial qualifications.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-3-104 and Section 19-6-107

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The rule changes will not require any state resources above those already required to review licenses.
- ◆ **LOCAL GOVERNMENTS:** No local governments will be affected by the rule change. No local government operates or regulates a facility covered by the rule change.
- ◆ **SMALL BUSINESSES:** The rule change will not affect small businesses as they do not handle radioactive material of the type covered by the rule. The NRC, in its rulemaking that necessitated the change in Utah rule, noted that small businesses were not affected.

- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The rule change will not affect persons other than businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Changes in this rule, along with changes in Rules R313-15, R313-22, and R313-24, are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period, or \$1,333 per year. (DAR NOTE: The proposed amendment to Rule R313-15 is under DAR No. 39989, the proposed amendment to Rule R313-22 is under DAR No. 39991, and the proposed amendment to Rule R313-24 is under DAR No. 39992 in this issue, January 1, 2016, of the Bulletin.)

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Changes to Rules R313-15, R313-19, R313-22, and R313-24 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period or \$1,333 per year. The number of businesses affected in Utah is unknown but is estimated to be less than 10 for a total cost per year of \$13,333.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 ENVIRONMENTAL QUALITY
 RADIATION CONTROL
 THIRD FLOOR
 195 N 1950 W
 SALT LAKE CITY, UT 84116-3085
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Ralph Bohn by phone at 801-536-0212, by FAX at 801-536-0222, or by Internet E-mail at rbohn@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/12/2016

AUTHORIZED BY: Alan Matheson, Executive Director

R313. Environmental Quality, Radiation Control.
R313-19. Requirements of General Applicability to Licensing of Radioactive Material.
R313-19-34. Terms and Conditions of Licenses.

(1) Licenses issued pursuant to Rule R313-19 shall be subject to provisions of the Act, now or hereafter in effect, and to all rules, and orders of the Director.

(2)(a) Licenses issued or granted under Rules R313-21 and R313-22 and rights to possess or utilize radioactive material granted by a license issued pursuant to Rules R313-21 and R313-22 shall not be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of a license to a person unless the Director shall, after securing full information find that the transfer is in accordance with the provisions of the Act now or hereafter in effect, and to all rules, and orders of the Director, and shall give his consent in writing.

(b) An application for transfer of license shall include:

(i) The identity, technical and financial qualifications of the proposed transferee; and

(ii) Financial assurance for decommissioning information required by R313-22-35.

(3) Persons licensed by the Director pursuant to Rules R313-21 and R313-22 shall confine use and possession of the material licensed to the locations and purposes authorized in the license.

(4) Licensees shall notify the Director in writing and request termination of the license when the licensee decides to terminate activities involving materials authorized under the license.

(5) Licensees shall notify the Director in writing immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11, Bankruptcy, of the United States Code by or against:

(a) the licensee;

(b) an entity, as that term is defined in 11 USC 101(15), controlling the licensee or listing the license or licensee as property of the estate; or

(c) an affiliate, as that term is defined in 11 USC 101(2), of the licensee.

(6) The notification specified in Subsection R313-19-34(5) shall indicate:

(a) the bankruptcy court in which the petition for bankruptcy was filed; and

(b) the date of the filing of the petition.

(7) Licensees required to submit emergency plans pursuant to Subsection R313-22-32(8) shall follow the emergency plan approved by the Director. The licensee may change the approved plan without the Director's approval only if the changes do not decrease the effectiveness of the plan. The licensee shall furnish the change to the Director and to affected off-site response organizations within six months after the change is made. Proposed changes that decrease, or potentially decrease, the effectiveness of the approved emergency plan may not be implemented without prior application to and prior approval by the Director.

(8) Each licensee preparing technetium-99m radiopharmaceuticals from molybdenum-99/technetium-99m generators or rubidium-82 from strontium-82/rubidium-82 generators shall test the generator eluates for molybdenum-99 breakthrough or strontium-82 and strontium-85 contamination, respectively, in accordance with Rule R313-32 (incorporating 10 CFR 35.204 by reference). The licensee shall record the results of each test and retain each record for three years after the record is made.

(9) Each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee.

(10)(a) Authorization under Subsection R313-22-32(9) to produce Positron Emission Tomography (PET) radioactive drugs for noncommercial transfer to medical use licensees in its consortium does not relieve the licensee from complying with applicable FDA, other Federal, and State requirements governing radioactive drugs.

(b) A licensee authorized under Subsection R313-22-32(9) to produce PET radioactive drugs for noncommercial transfer to medical use licensees in its consortium shall:

(i) Satisfy the labeling requirements in Subsection R313-22-75(9)(a)(iv) for each PET radioactive drug transport radiation shield and each syringe, vial, or other container used to hold a PET radioactive drug intended for noncommercial distribution to members of its consortium.

(ii) Possess and use instrumentation to measure the radioactivity of the PET radioactive drugs intended for noncommercial distribution to members of its consortium and meet the procedural, radioactivity measurement, instrument test, instrument check, and instrument adjustment requirements in Subsection R313-22-75(9)(c).

(c) A licensee that is a pharmacy authorized under Subsection R313-22-32(9) to produce PET radioactive drugs for noncommercial transfer to medical use licensees in its consortium shall require that any individual that prepares PET radioactive drugs shall be:

(i) an authorized nuclear pharmacist that meets the requirements in Subsection R313-22-75(9)(b)(ii); or

(ii) an individual under the supervision of an authorized nuclear pharmacist as specified in Rule R313-32 (incorporating 10 CFR 35.27 by reference).

(d) A pharmacy authorized under Subsection R313-22-32(9) to produce PET radioactive drugs for noncommercial transfer to medical use licensees in its consortium that allows an individual to work as an authorized nuclear pharmacist, shall meet the requirements of Subsection R313-22-75(9)(b)(v).

KEY: licenses, reciprocity, transportation, exemptions

Date of Enactment or Last Substantive Amendment: [~~August 26, 2015~~2016]

Notice of Continuation: September 23, 2011

Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108

Environmental Quality, Radiation Control **R313-22** Specific Licenses

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 39991

FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE
CHANGE: As an agreement, the State of Utah is required to

have rules that are compatible with Nuclear Regulatory Commission (NRC) rules. The rule changes are required to maintain compatibility. The amendment incorporates changes promulgated by the NRC on 06/17/2011 (76FR35512).

SUMMARY OF THE RULE OR CHANGE: The changes clarify the conditions under which a licensee must submit a decommissioning funding plan and clarify the contents of a decommissioning plan.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-3-104 and Section 19-6-107

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The rule changes will not require any state resources above those already required to review licenses.

◆ **LOCAL GOVERNMENTS:** No local governments will be affected by the rule change. No local government operates or regulates a facility affected by the proposed rule change.

◆ **SMALL BUSINESSES:** The rule change will not affect small businesses as they do not handle radioactive material of the type covered by the rule. The NRC, in its rulemaking that necessitated the change in Utah rule, noted that small businesses were not affected.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The rule change will not affect persons other than businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Changes in this rule along with changes in Rules R313-15, R313-19, and R313-24 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period, or \$1,333 per year. (DAR NOTE: The proposed amendment to Rule R313-15 is under DAR No. 39989, the proposed amendment to Rule R313-19 is under DAR No. 39990, and the proposed amendment to Rule R313-24 is under DAR No. 39992 in this issue, January 1, 2016, of the Bulletin.)

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Changes to Rules R313-15, R313-19, R313-22, and R313-24 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period, or \$1,333 per year. The number of businesses affected in Utah is unknown but is estimated to be less than 10 for a total cost per year of \$13,333.

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ENVIRONMENTAL QUALITY
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195 N 1950 W

SALT LAKE CITY, UT 84116-3085
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THIS RULE MAY BECOME EFFECTIVE ON: 02/12/2016

AUTHORIZED BY: Alan Matheson, Executive Director

R313. Environmental Quality, Radiation Control.

R313-22. Specific Licenses.

R313-22-35. Financial Assurance and Recordkeeping for Decommissioning.

(1)(a) Applicants for a specific license authorizing the possession and use of unsealed radioactive material of half-life greater than 120 days and in quantities exceeding 10^5 times the applicable quantities set forth in Appendix B of 10 CFR 30.1 through 30.72, 2010, which is incorporated by reference, shall submit a decommissioning funding plan as described in Subsection R313-22-35(5). The decommissioning funding plan shall also be submitted when a combination of radionuclides is involved if R divided by 10^5 is greater than one, where R is defined here as the sum of the ratios of the quantity of each radionuclide to the applicable value in Appendix B of 10 CFR 30.1 through 30.72, 2010, which is incorporated by reference.

(b) Holders of, or applicants for, a specific license authorizing the possession and use of sealed sources or plated foils of half-life greater than 120 days and in quantities exceeding 10^{12} times the applicable quantities set forth in Appendix B of 10 CFR 30.1 through 30.72, 2010, which is incorporated by reference, or when a combination of isotopes is involved if R, as defined in Subsection R313-22-35(1)(a), divided by 10^{12} is greater than one, shall submit a decommissioning funding plan as described in Subsection R313-22-35(5).

(c) Applicants for a specific license authorizing the possession and use of more than 100 mCi of source material in a readily dispersible form shall submit a decommissioning funding plan as described in Subsection R313-22-35(5).

(2) Applicants for a specific license authorizing possession and use of radioactive material of half-life greater than 120 days and in quantities specified in Subsection R313-22-35(4), or authorizing the possession and use of source material greater than 10 mCi but less than or equal to 100 mCi in a readily dispersible form shall either:

(a) submit a decommissioning funding plan as described in Subsection R313-22-35(5); or

(b) submit a certification that financial assurance for decommissioning has been provided in the amount prescribed by Subsection R313-22-35(4) using one of the methods described in Subsection R313-22-35(6). Applicants for a specific license authorizing the possession and use of source material in a readily dispersible form shall submit a certification that financial assurance for decommissioning has been provided in the amount of \$225,000 by October 20, 2007. For an applicant subject to this subsection, this

certification may state that the appropriate assurance will be obtained after the application has been approved and the license issued but before the receipt of licensed material. If the applicant defers execution of the financial instrument until after the license has been issued, a signed original of the financial instrument obtained to satisfy the requirements of Subsection R313-22-35(6) shall be submitted to the Director before receipt of licensed material. If the applicant does not defer execution of the financial instrument, the applicant shall submit to the Director, as part of the certification, a signed original of the financial instrument obtained to satisfy the requirements in Subsection R313-22-35(6).

(3)(a) Holders of a specific license issued on or after October 20, 2006, which is of a type described in Subsections R313-22-35(1) or (2), shall provide financial assurance for decommissioning in accordance with the criteria set forth in Section R313-22-35.

(b) Holders of a specific license issued before October 20, 2006, and of a type described in Subsection R313-22-35(1), shall submit by October 20, 2007, a decommissioning funding plan as described in Subsection R313-22-35(5) or a certification of financial assurance for decommissioning in an amount at least equal to \$1,125,000 in accordance with the criteria set forth in Section R313-22-35. If the licensee submits the certification of financial assurance rather than a decommissioning funding plan, the licensee shall include a decommissioning funding plan in any application for license renewal.

(c) Holders of a specific license issued before October 20, 2006, and of a type described in Subsection R313-22-35(2), shall submit by October 20, 2007, a decommissioning funding plan as described in Subsection R313-22-35(5) or a certification of financial assurance for decommissioning in accordance with the criteria set forth in Section R313-22-35.

(d) A licensee who has submitted an application before October 20, 2006, for renewal of license in accordance with Section R313-22-37, shall provide financial assurance for decommissioning in accordance with Subsections R313-22-35(1) and (2).

(e) Waste collectors and waste processors, as defined in Appendix G of 10 CFR 20.1001 to 20.2402, [2010]2015, which is incorporated by reference, shall provide financial assurance in an amount based on a decommissioning funding plan as described in Subsection R313-22-35(5). The decommissioning funding plan shall include the cost of disposal of the maximum amount (curies) of radioactive material permitted by the license, and the cost of disposal of the maximum quantity, by volume, of radioactive material which could be present at the licensee's facility at any time, in addition to the cost to remediate the licensee's site to meet the license termination criteria of Rule R313-15.

(f) If, in surveys made under R313-15-501(1), residual radioactivity in the facility and environment, including the subsurface, is detected at levels that would, if left uncorrected, prevent the site from meeting the R313-15-402 criteria for unrestricted use, the licensee shall submit a decommissioning funding plan within one year of when the survey is completed.

(4)(g) Holders of a specific license issued prior to October 20, 2006, which is of a type described in Subsections R313-22-35(1), (2), or (3)(h), shall submit a decommissioning funding plan to the Director on or before October 20, 2007. Holders of a specific license issued on or after October 20, 2006, which is of a type described in Subsections R313-22-35(1), (2), or (3)(h), shall submit a

decommissioning funding plan to the Director as a part of the license application.

(4)(h) Applicants for a specific license authorizing the possession and use of radioactive materials in sufficient quantities that require financial assurance and recordkeeping for decommissioning under Section R313-22-35 shall assure that all documents submitted to the Director for the purpose of demonstrating compliance with financial assurance and recordkeeping requirements meet the applicable criteria contained in the Nuclear Regulatory Commission's document NUREG-1757, Volume 3, "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness" (9/2003).

(4)(i) Documents provided to the Director under Subsection R313-22-35(3)(h) shall provide that legal remedies be sought in a court of appropriate jurisdiction within Utah.

(4) Table of required amounts of financial assurance for decommissioning by quantity of material. Licensees required to submit an amount of financial assurance listed in this table must do so during a license application or as part of an amendment to an existing license. Licensees having possession limits exceeding the upper bounds of this table must base financial assurance on a decommissioning funding plan.

TABLE

| | |
|--|-------------|
| Greater than 10 ⁴ but less than or equal to 10 ⁵ times the applicable quantities of radioactive material, as defined in Appendix B of 10 CFR 30.1 through 30.72 (2010) which is incorporated by reference, in unsealed form. For a combination of radionuclides, if R, as defined in Subsection R313-22-35(1)(a) divided by 10 ⁴ is greater than one but R divided by 10 ⁵ is less than or equal to one: | \$1,125,000 |
| Greater than 10 ³ but less than or equal to 10 ⁴ times the applicable quantities of radioactive material, as defined in Appendix B of 10 CFR 30.1 through 30.72 (2010) which is incorporated by reference, in unsealed form. For a combination of radionuclides, if R, as defined in Subsection R313-22-35(1)(a) divided by 10 ³ is greater than one but R divided by 10 ⁴ is less than or equal to one: | \$225,000 |
| Greater than 10 ¹⁰ but less than or equal to 10 ¹² times the applicable quantities of radioactive material, as defined in Appendix B of 10 CFR 30.1 through 30.72 (2010) which is incorporated by reference, in sealed sources or plated foils. For combination of radionuclides, if R, as defined in R313-22-35(1)(a), divided by 10 ¹⁰ is greater than one, but R divided by 10 ¹² is less than or equal to one: | \$113,000 |

~~(5) A decommissioning funding plan shall contain a cost estimate for decommissioning and a description of the method of assuring funds for decommissioning from Subsection R313-22-35(6), including means for adjusting cost estimates and associated funding levels periodically over the life of the facility. Cost estimates shall be~~

~~adjusted at intervals not to exceed 3 years. The decommissioning funding plan shall also contain a certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning and a signed original of the financial instrument obtained to satisfy the requirements of Subsection R313-22-35(6).]~~

~~(5)(a) Each decommissioning funding plan shall be submitted for review and approval and shall contain -~~

~~(i) A detailed cost estimate for decommissioning, in an amount reflecting:~~

~~(A) The cost of an independent contractor to perform all decommissioning activities;~~

~~(B) The cost of meeting the R313-15-402 criteria for unrestricted use, provided that, if the applicant or licensee can demonstrate its ability to meet the provisions of R313-15-403, the cost estimate may be based on meeting the R313-15-403 criteria;~~

~~(C) The volume of onsite subsurface material containing residual radioactivity that will require remediation to meet the criteria for license termination; and~~

~~(D) An adequate contingency factor.~~

~~(ii) Identification of and justification for using the key assumptions contained in the decommissioning cost estimate;~~

~~(iii) A description of the method of assuring funds for decommissioning from R313-22-35(6), including means for adjusting cost estimates and associated funding levels periodically over the life of the facility;~~

~~(iv) A certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning; and~~

~~(v) A signed original of the financial instrument obtained to satisfy the requirements of R313-22-35(6) (unless a previously submitted and accepted financial instrument continues to cover the cost estimate for decommissioning).~~

~~(b) At the time of license renewal and at intervals not to exceed 3 years, the decommissioning funding plan must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination. If the amount of financial assurance will be adjusted downward, this cannot be done until the updated decommissioning funding plan is approved. The decommissioning funding plan shall update the information submitted with the original or prior approved plan, and shall specifically consider the effect of the following events on decommissioning costs:~~

~~(i) Spills of radioactive material producing additional residual radioactivity in onsite subsurface material;~~

~~(ii) Waste inventory increasing above the amount previously estimated;~~

~~(iii) Waste disposal costs increasing above the amount previously estimated;~~

~~(iv) Facility modifications;~~

~~(v) Changes in authorized possession limits;~~

~~(vi) Actual remediation costs that exceed the previous cost estimate;~~

~~(vii) Onsite disposal; and~~

~~(viii) Use of a settling pond.~~

~~(6) Financial assurance for decommissioning shall be provided by one or more of the following methods:~~

~~(a) Prepayment. Prepayment is the deposit prior to the start of operation into an account segregated from licensee assets and outside the licensee's administrative control of cash or liquid assets so~~

that the amount of funds would be sufficient to pay decommissioning costs. Prepayment may be in the form of a trust, escrow account, government fund, certificate of deposit, or deposit of government securities;

~~(b) A surety method, insurance, or other guarantee method. These methods shall guarantee that decommissioning costs will be paid. A surety method may be in the form of a surety bond, letter of credit, or line of credit. A parent company guarantee of funds for decommissioning costs based on a financial test may be used if the guarantee and test are as contained in Subsection R313-22-35(8). A parent company guarantee may not be used in combination with other financial methods to satisfy the requirements of Section R313-22-35. A guarantee of funds by the applicant or licensee for decommissioning costs based on a financial test may be used if the guarantee and test are as contained in Subsection R313-22-35(9). A guarantee by the applicant or licensee may not be used in combination with any other financial methods to satisfy the requirements of Section R313-22-35 or in any situation where the applicant or licensee has a parent company holding majority control of the voting stock of the company. A surety method or insurance used to provide financial assurance for decommissioning shall contain the following conditions:~~

~~(i) the surety method or insurance shall be open-ended or, if written for a specified term, such as five years, shall be renewed automatically unless 90 days or more prior to the renewal date the issuer notifies the Director, the beneficiary, and the licensee of its intention not to renew. The surety method or insurance shall also provide that the full face amount be paid to the beneficiary automatically prior to the expiration without proof of forfeiture if the licensee fails to provide a replacement acceptable to the Director within 30 days after receipt of notification of cancellation,~~

~~(ii) the surety method or insurance shall be payable to a trust established for decommissioning costs. The trustee and trust shall be acceptable to the Director. An acceptable trustee includes an appropriate state or federal government agency or an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal or State agency, and~~

~~(iii) the surety method or insurance shall remain in effect until the Director has terminated the license;~~

~~(c) An external sinking fund in which deposits are made at least annually, coupled with a surety method or insurance, the value of which may decrease by the amount being accumulated in the sinking fund. An external sinking fund is a fund established and maintained by setting aside funds periodically in an account segregated from licensee assets and outside the licensee's administrative control in which the total amount of funds would be sufficient to pay decommissioning costs at the time termination of operation is expected. An external sinking fund may be in the form of a trust, escrow account, government fund, certificate of deposit, or deposit of government securities. The surety or insurance provisions shall be as stated in Subsection R313-22-35(6)(b);~~

~~(d) In the case of Federal, State or local government licensees, a statement of intent containing a cost estimate for decommissioning or an amount based on the Table in Subsection R313-22-35(4) and indicating that funds for decommissioning will be obtained when necessary; or~~

~~(e) When a governmental entity is assuming custody and ownership of a site, an arrangement that is deemed acceptable by such governmental entity.~~

(7) Persons licensed under Rule R313-22 shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use. Before licensed activities are transferred or assigned in accordance with Subsection R313-19-34(2), licensees shall transfer all records described in Subsections R313-22-35(7)(a) through (d) to the new licensee. In this case, the new licensee will be responsible for maintaining these records until the license is terminated. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. Information the Director considers important to decommissioning consists of the following:

(a) records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site. These records may be limited to instances when contamination remains after any cleanup procedures or when there is reasonable likelihood that contaminants may have spread to inaccessible areas as in the case of possible seepage into porous materials such as concrete. These records shall include any known information on identification of involved nuclides, quantities, forms, and concentrations;

(b) as-built drawings and modification of structures and equipment in restricted areas where radioactive materials are used or stored, and of locations of possible inaccessible contamination such as buried pipes which may be subject to contamination. If required drawings are referenced, each relevant document need not be indexed individually. If drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations;

(c) except for areas containing only sealed sources, provided the sources have not leaked or no contamination remains after a leak, or radioactive materials having only half-lives of less than 65 days, a list contained in a single document and updated every two years, including all of the following:

(i) all areas designated and formerly designated as restricted areas as defined under Section R313-12-3;

(ii) all areas outside of restricted areas that require documentation under Subsection R313-22-35(7)(a);

(iii) all areas outside of restricted areas where current and previous wastes have been buried as documented under Section R313-15-1109; and

(iv) all areas outside of restricted areas which contain material such that, if the license expired, the licensee would be required to either decontaminate the area to meet the criteria for decommissioning in Sections R313-15-401 through R313-15-406, or apply for approval for disposal under Section R313-15-1002; and

(d) records of the cost estimate performed for the decommissioning funding plan or of the amount certified for decommissioning, and records of the funding method used for assuring funds if either a funding plan or certification is used.

(8) Criteria relating to use of financial tests and parent company guarantees for providing reasonable assurance of funds for decommissioning.

(a) To pass the financial test referred to in Subsection R313-22-35(6)(b), the parent company shall meet one of the following criteria:

(i) The parent company shall have all of the following:

(A) Two of the following three ratios: a ratio of total liabilities to net worth less than 2.0; a ratio of the sum of net income plus depreciation, depletion, and amortization to total liabilities greater

than 0.1; and a ratio of current assets to current liabilities greater than 1.5;

(B) Net working capital and tangible net worth each at least six times the current decommissioning cost estimates, or prescribed amount if a certification is used;

(C) Tangible net worth of at least \$10 million; and

(D) Assets located in the United States amounting to at least 90 percent of total assets or at least six times the current decommissioning cost estimates, or prescribed amount if a certification is used; or

(ii) The parent company shall have all of the following:

(A) A current rating for its most recent bond issuance of AAA, AA, A, or BBB as issued by Standard and Poor's or Aaa, Aa, A or Baa as issued by Moody's;

(B) Tangible net worth at least six times the current decommissioning cost estimate, or prescribed amount if a certification is used;

(C) Tangible net worth of at least \$10 million; and

(D) Assets located in the United States amounting to at least 90 percent of total assets or at least six times the current decommissioning cost estimates, or prescribed amount if certification is used.

(b) The parent company's independent certified public accountant shall have compared the data used by the parent company in the financial test, which is derived from the independently audited, year end financial statements for the latest fiscal year, with the amounts in such financial statement. In connection with that procedure the licensee shall inform the Director within 90 days of any matters coming to the auditor's attention which cause the auditor to believe that the data specified in the financial test should be adjusted and that the company no longer passes the test.

(c)(i) After the initial financial test, the parent company shall repeat the passage of the test within 90 days after the close of each succeeding fiscal year.

(ii) If the parent company no longer meets the requirements of Subsection R313-22-35(8)(a) the licensee shall send notice to the Director of intent to establish alternative financial assurance as specified in Section R313-22-35. The notice shall be sent by certified mail within 90 days after the end of the fiscal year for which the year end financial data show that the parent company no longer meets the financial test requirements. The licensee shall provide alternate financial assurance within 120 days after the end of such fiscal year.

(d) The terms of a parent company guarantee which an applicant or licensee obtains shall provide that:

(i) The parent company guarantee will remain in force unless the guarantor sends notice of cancellation by certified mail to the licensee and the Director. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the licensee and the Director, as evidenced by the return receipts.

(ii) If the licensee fails to provide alternate financial assurance as specified in Section R313-22-35 within 90 days after receipt by the licensee and Director of a notice of cancellation of the parent company guarantee from the guarantor, the guarantor will provide such alternative financial assurance in the name of the licensee.

(iii) The parent company guarantee and financial test provisions shall remain in effect until the Director has terminated the license.

(iv) If a trust is established for decommissioning costs, the trustee and trust shall be acceptable to the Director. An acceptable trustee includes an appropriate State or Federal Government agency or an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal or State agency.

(9) Criteria relating to use of financial tests and self guarantees for providing reasonable assurance of funds for decommissioning.

(a) To pass the financial test referred to in Subsection R313-22-35(6)(b), a company shall meet all of the following criteria:

(i) Tangible net worth at least ten times the total current decommissioning cost estimate, or the current amount required if certification is used, for all decommissioning activities for which the company is responsible as self-guaranteeing licensee and as parent-guarantor;

(ii) Assets located in the United States amounting to at least 90 percent of total assets or at least ten times the total current decommissioning cost estimate, or the current amount required if certification is used, for all decommissioning activities for which the company is responsible as self-guaranteeing licensee and as parent-guarantor; and

(iii) A current rating for its most recent bond issuance of AAA, AA, or A as issued by Standard and Poor's, or Aaa, Aa, or A as issued by Moody's.

(b) To pass the financial test, a company shall meet all of the following additional requirements:

(i) The company shall have at least one class of equity securities registered under the Securities Exchange Act of 1934;

(ii) The company's independent certified public accountant shall have compared the data used by the company in the financial test which is derived from the independently audited, yearend financial statements for the latest fiscal year, with the amounts in such financial statement. In connection with that procedure, the licensee shall inform the Director within 90 days of any matters coming to the attention of the auditor that cause the auditor to believe that the data specified in the financial test should be adjusted and that the company no longer passes the test; and

(iii) After the initial financial test, the company shall repeat passage of the test within 90 days after the close of each succeeding fiscal year.

(c) If the licensee no longer meets the requirements of Subsection R313-22-35(9)(a), the licensee shall send immediate notice to the Director of its intent to establish alternate financial assurance as specified in Section R313-22-35 within 120 days of such notice.

(d) The terms of a self-guarantee which an applicant or licensee furnishes shall provide that:

(i) The guarantee will remain in force unless the licensee sends notice of cancellation by certified mail to the Director. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by the Director, as evidenced by the return receipt.

(ii) The licensee shall provide alternative financial assurance as specified in Section R313-22-35 within 90 days following receipt by the Director of a notice of a cancellation of the guarantee.

(iii) The guarantee and financial test provisions shall remain in effect until the Director has terminated the license or until another financial assurance method acceptable to the Director has been put in effect by the licensee.

(iv) The licensee shall promptly forward to the Director and the licensee's independent auditor all reports covering the latest fiscal year filed by the licensee with the Securities and Exchange Commission pursuant to the requirements of section 13 of the Securities and Exchange Act of 1934.

(v) If, at any time, the licensee's most recent bond issuance ceases to be rated in a category of "A" or above by either Standard and Poor's or Moody's, the licensee shall provide notice in writing of such fact to the Director within 20 days after publication of the change by the rating service. If the licensee's most recent bond issuance ceases to be rated in any category of A or above by both Standard and Poor's and Moody's, the licensee no longer meets the requirements of Subsection R313-22-35(9)(a).

(vi) The applicant or licensee shall provide to the Director a written guarantee, a written commitment by a corporate officer, which states that the licensee will fund and carry out the required decommissioning activities or, upon issuance of an order by the Director, the licensee shall set up and fund a trust in the amount of the current cost estimates for decommissioning.

KEY: specific licenses, decommissioning, broad scope, radioactive materials

Date of Enactment or Last Substantive Amendment: [~~August 26, 2015~~]**2016**

Notice of Continuation: September 23, 2011

Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108

Environmental Quality, Radiation Control **R313-24** Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 39992
FILED: 12/15/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment incorporate changes to the federal decommissioning planning regulations promulgated by the Nuclear Regulatory Commission (NRC) on 06/17/2011 (76 FR 35512). As an agreement, the State of Utah is required to have rules that are compatible with corresponding NRC regulations. The rule changes are required to maintain compatibility.

SUMMARY OF THE RULE OR CHANGE: The changes add requirements for license transfer including technical and financial qualifications.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-3-104 and Section 19-6-107

MATERIALS INCORPORATED BY REFERENCES:

- ◆ Adds 10 CFR 40.46, published by Government Printing Office, 01/01/2015
- ◆ Adds 10 CFR 40.36, published by Government Printing Office, 01/01/2015

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The rule changes will not require any state resources above those already required to review licenses.
- ◆ **LOCAL GOVERNMENTS:** No local governments will be affected by the rule change. No local government operates or regulates a facility affected by the proposed rule change.
- ◆ **SMALL BUSINESSES:** The rule change will not affect small businesses as they do not handle radioactive material of the type covered by the rule. The NRC, in its rulemaking that necessitated the change in Utah rule, noted that small businesses were not affected.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The rule change will not affect persons other than businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Changes in this rule along with changes in Rules R313-15, R313-19, and R313-22 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period, or \$1,333 per year. (DAR NOTE: The proposed amendment to Rule R313-15 is under DAR No. 39989, the proposed amendment to Rule R313-19 is under DAR No. 39990, and the proposed amendment to Rule R313-22 is under DAR No. 39991 in this issue, January 1, 2016, of the Bulletin.)

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Changes to Rules R313-15, R313-19, R313-22, and R313-24 are considered as one. The financial analysis done by the NRC for the federal rule that the Utah changes are based on stated that the cost to an affected person would be \$20,000 over a 15-year period or \$1,333 per year. The number of businesses affected in Utah is unknown but is estimated to be less than 10 for a total cost per year of \$13,333.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY
RADIATION CONTROL
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Ralph Bohn by phone at 801-536-0212, by FAX at 801-536-0222, or by Internet E-mail at rbohn@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/12/2016

AUTHORIZED BY: Alan Matheson, Executive Director

R313. Environmental Quality, Radiation Control.

R313-24. Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements.

R313-24-1. Purpose and Authority.

(1) The purpose of this rule is to prescribe requirements for possession and use of source material in milling operations such as conventional milling, in-situ leaching, or heap-leaching. The rule includes requirements for the possession of byproduct material, as defined in Section R313-12-3 (see "byproduct material" definition (b)), from source material milling operations, as well as, possession and maintenance of a facility in standby mode. In addition, requirements are prescribed for the receipt of byproduct material from other persons for possession and disposal. The rule also prescribes requirements for receipt of byproduct material from other persons for possession and disposal incidental to the byproduct material generated by the licensee's source material milling operations.

(2) The rules set forth herein are adopted pursuant to the provisions of Subsections 19-3-104(4) and 19-3-104(8).

(3) The requirements of Rule R313-24 are in addition to, and not substitution for, the other applicable requirements of Title R313. In particular, the provisions of Rules R313-12, R313-15, R313-18, R313-19, R313-21, R313-22, and R313-70 apply to applicants and licensees subject to Rule R313-24.

(4) See R313-17-4 for special procedures for decisions associated with licenses for activity which results in the production or disposal of byproduct material.

R313-24-2. Scope.

(1) The requirements in Rule R313-24 apply to source material milling operations, byproduct material, and byproduct material disposal facilities.

R313-24-3. Environmental Analysis.

(1) Each new license application, renewal, or major amendment shall contain an environmental report describing the proposed action, a statement of its purposes, and the environment affected. The environmental report shall present a discussion of the following:

(a) An assessment of the radiological and nonradiological impacts to the public health from the activities to be conducted pursuant to the license or amendment;

(b) An assessment of any impact on waterways and groundwater resulting from the activities conducted pursuant to the license or amendment;

(c) Consideration of alternatives, including alternative sites and engineering methods, to the activities to be conducted pursuant to the license or amendment; and

(d) Consideration of the long-term impacts including decommissioning, decontamination, and reclamation impacts, associated with activities to be conducted pursuant to the license or amendment.

(2) Commencement of construction prior to issuance of the license or amendment shall be grounds for denial of the license or amendment.

(3) The Director shall provide a written analysis of the environmental report which shall be available for public notice and comment pursuant to R313-17-2.

R313-24-4. Clarifications or Exceptions.

For the purposes of Rule R313-24, 10 CFR 40.2a through 40.4; 40.12; 40.20(a); 40.21; 40.26(a) through (c); 40.31(h); the introductory paragraph of 40.36 and 40.36(a),(b),(d) and (f); 40.41(c); the introduction to 40.42(k) and 40.42(k)(3)(i); 40.46; 40.61(a) and (b); 40.65; and Appendix A to Part 40 (2015) are incorporated by reference with the following clarifications or exceptions:

(1) The exclusion and substitution of the following:

(a) Exclude 10 CFR 40.26(c)(1) and replace with "(1) The provisions of Sections R313-12-51, R313-12-52, R313-12-53, R313-19-34, R313-19-50, R313-19-61, R313-24-1, Rules R313-14, R313-15, R313-18, and R313-24 (incorporating 10 CFR 40.2a, 40.3, 40.4, and 40.26 by reference)";

(b) In Appendix A to 10 CFR 40, exclude Criterion 5B(1) through 5H, Criterion 7A, Criterion 13, and replace the excluded Criterion with "Utah Administrative Code, R317-6, Ground Water Quality Protection"; and

(c) In Appendix A to 10 CFR 40, exclude Criterion 11A through 11F and Criterion 12;

(2) The substitution of the following:

(a) "10 CFR 40" for reference to "this part" as found throughout the incorporated text;

(b) "Director" for reference to "Commission" in the first and fourth references contained in 10 CFR 40.2a, in 10 CFR 40.3, 40.20(a), 40.26, 40.36(f), 40.41(c), 40.46 (a), 40.61, and 40.65; and "Director" for reference to "NRC" in 10 CFR 40.36(b);

(c) "Rules R313-19, R313-21, or R313-22" for "Section 62 of the Act" as found in 10 CFR 40.12(a);

(d) "Rule R313-15-402" for reference to "10 CFR 20.1402" and "Rule R313-15-403" for reference to "10 CFR 20.1403" in 10 CFR 40.36(d);

(e) "Rule R313-15-1109" for reference to "10 CFR 20.2108" in 10 CFR 40.36(f);

[(h)](f) "Rules R313-21 or R313-22" for reference to "the regulations in this part" in 10 CFR 40.41(c);

[(e)](g) "Section R313-19-100" for reference to "part 71 of this chapter" as found in 10 CFR 40.41(c);

[(h)](h) In 10 CFR 40.42(k)(3)(i), "R313-15-401 through R313-15-406" for reference to "10 CFR part 20, subpart E";

[(g)](i) "source material milling" for reference to "uranium milling, in production of uranium hexafluoride, or in a uranium enrichment facility" as found in 10 CFR 40.65(a);

[(h)](j) "Director" for reference to "appropriate NRC Regional Office shown in Appendix D to 10 CFR part 20 of this chapter, with copies to the Director, Office of Nuclear Material Safety

and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555," as stated in 10 CFR 65(a)(1);

[(h)](k) "require the licensee to" for reference to "require to" in 10 CFR 40.65(a)(1); and

[(h)](l) In Appendix A to 10 CFR part 40, the following substitutions:

(i) "R313-12-3" for reference to "Sec. 20.1003 of this chapter" as found in 10 CFR 40.36(f) and in the first paragraph of the introduction to Appendix A;

(ii) "Utah Administrative Code, Rule R317-6, Ground Water Quality Protection" for ground water standards in "Environmental Protection Agency in 40 CFR part 192, subparts D and E" as found in the Introduction, paragraph 4; or "Environmental Protection Agency in 40 CFR part 192, subparts D and E (48 FR 45926; October 7, 1983)" as found in Criterion 5;

(iii) "Director as defined in Subsection 19-5-102(6)" for reference to "Commission" in the definition of "compliance period," in paragraph five of the introduction and in Criterion 5A(3);

(iv) "Director" for reference to "Commission" in the definition of "closure plan", in paragraph five of the introduction, and in Criteria 6(2), 6(4), 6(6), 6A(2), 6A(3), 9, and 10 of Appendix A;

(v) "license issued by the Director" for reference to "Commission license" in the definition of "licensed site," in the introduction to Appendix A;

(vi) "Director" for reference to "NRC" in Criterion 4D;

(vii) "representatives of the Director" for reference to "NRC staff" in Criterion 6(6);

(viii) "Director-approved" for reference to "Commission-approved" in Criterion 6A(1) and Criterion 9;

(ix) "Director" for reference to "appropriate NRC regional office as indicated in Criterion 8A" as found, Criterion 8, paragraph 2 or for reference to "appropriate NRC regional office as indicated in Appendix D to 10 CFR part 20 of this chapter, or the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555," as stated in Criterion 8A; and

(x) "Director" for reference to "the Commission or the State regulatory agency" in Criterion 9, paragraph 2.

KEY: environmental analysis, uranium mills, tailings, byproduct material

Date of Enactment or Last Substantive Amendment: [~~June 16, 2015~~2016]

Notice of Continuation: May 24, 2012

Authorizing, and Implemented or Interpreted Law: 19-3-104; 19-3-108

Environmental Quality, Water Quality R317-1-3 Requirements for Waste Discharges

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39981

FILED: 12/08/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The proposed amendment would modify Section R317-1-3 to address comments received from the regulated community regarding the timeline for rule implementation. The proposed amendment also incorporates a voluntary wastewater treatment optimization element designed to encourage nitrogen pollution reductions. Additionally, the proposed amendment provides clarification to the phosphorus discharge cap basis, its implementation schedule, and to the requirements for manual collection of composite samples. Minor formatting changes to the rule have also been included with the amendment.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment consists of four principal modifications to current Subsection R317-1-3(3) and some minor formatting changes: 1) the proposed amendment allows a variance for up to five years, until 01/01/2025, for facilities that exercise "due diligence" in pursuing implementation of the TBPEL but, in spite of their diligence, would be unable to achieve the effluent limit of 1.0 mg/L total phosphorus by 01/01/2020; 2) the proposed amendment provides a waiver of up to ten years from future nitrogen regulation to dischargers who voluntarily reduce nitrogen discharges to agreeable levels prior to 01/01/2020. The goal of this waiver is to effect early, significant nitrogen reductions in discharges by facilities capable of doing so economically. Facilities that can voluntarily reduce nitrogen discharges will be able to defer major construction improvements and costs by adopting relatively minor "nitrogen optimization" improvements early. Where this waiver is employed, there will be a long-term benefit to both the receiving water quality and to the pollution control facility; 3) the proposed amendment provides clarification to the phosphorus discharge cap basis and its implementation schedule, which had not been specified in the original rule. The intent of these changes is to clarify that annual averaging over the first three years of phosphorus self-implementing monitoring will be used to establish effluent mass loading caps in pounds per day for discharging lagoon facilities; and 4) a minor modification to the requirements for manual composite sample collection and preparation is proposed as a clarification.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 19, Chapter 5

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The proposed changes are not anticipated to affect the state budget since no additional state resources are required for implementation.
- ◆ **LOCAL GOVERNMENTS:** Local governments that could be affected by the proposed amendment are municipalities and districts that own wastewater treatment works. The cost or savings to local governments depends on their eligibility for the proposed "due diligence" variance and "nitrogen optimization" waiver, outlined in summary items 1) and 2) above. In 1), the case of the due diligence variance, a

maximum aggregate savings of \$4,360,000 per year for up to 5 years could result from the variance. The most likely savings from this variance would be \$2,760,000 per year for up to 5 years based on known infrastructure needs, size, and complexity. Statewide the savings to local government is predicted to be \$13,800,000. Capital costs associated with the due diligence variance are neutral, with scale economy savings balancing with inflationary costs. In 2), the nitrogen optimization waiver will provide a savings or be cost neutral to local government. Engineering and operations costs required for implementation of process modifications will be offset by reduced energy costs at facilities with treatment technology that can be most easily adapted for nitrogen removal. The cost to local government to implement more complicated operations will be offset by savings from deferral of capital improvement costs provided through the waiver, resulting in a most likely cost neutral impact.

- ◆ **SMALL BUSINESSES:** There are no additional costs or savings to small business anticipated as a result of the proposed changes.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There are no additional costs or savings to persons anticipated as a result of the proposed changes.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This amendment does not change the compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The intent of the proposed amendment is to assist local governments to implement existing water quality protection rules economically. Many Utah wastewater treatment works have urgent needs to expand in response to growing service area populations and equally urgent needs to upgrade old infrastructure and technology. The aggregate cost to meet these current needs will exceed \$1,000,000,000 over the next 20 years. Incorporating modern technology to remove phosphorus in conjunction with already planned infrastructure upgrades will minimize the long-term cost of protecting the state's waters from nutrient pollution, ensuring that businesses will continue to have among the lowest utility costs in the nation and high quality water for production and quality of life uses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY
 WATER QUALITY
 THIRD FLOOR
 195 N 1950 W
 SALT LAKE CITY, UT 84116
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Judy Etherington by phone at 801-536-4344, by FAX at 801-536-4301, or by Internet E-mail at jetherington@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Walter Baker, Director

R317. Environmental Quality, Water Quality.

R317-1. Definitions and General Requirements.

R317-1-3. Requirements for Waste Discharges.

3.1 Compliance With Water Quality Standards.

All persons discharging wastes into any of the waters of the State shall provide the degree of wastewater treatment determined necessary to insure compliance with the requirements of Rule R317-2 Water Quality Standards, except that the Director may waive compliance with these requirements for specific criteria listed in Rule R317-2 where it is determined that the designated use is not being impaired or significant use improvement would not occur or where there is a reasonable question as to the validity of a specific criterion or for other valid reasons as determined by the Director.

3.2 Compliance With Secondary Treatment Requirements.

All persons discharging wastes from point sources into any of the waters of the State shall provide treatment processes which will produce secondary effluent meeting or exceeding the following effluent quality standards.

A. The arithmetic mean of BOD values determined on effluent samples collected during any 30-day period shall not exceed 25 ~~mg/L~~ mg/L, nor shall the arithmetic mean exceed 35 ~~mg/L~~ mg/L during any 7-day period. In addition, if the treatment plant influent is of domestic or municipal sewage origin, the BOD values of effluent samples shall not be greater than 15% of the BOD values of influent samples collected in the same time period. As an alternative, if agreed to by the person discharging wastes, the following effluent quality standard may be established as a requirement of the discharge permit and must be met: The arithmetic mean of CBOD values determined on effluent samples collected during any 30-day period shall not exceed 20 ~~mg/L~~ mg/L nor shall the arithmetic mean exceed 30 ~~mg/L~~ mg/L during any 7-day period. In addition, if the treatment plant influent is of domestic or municipal sewage origin, the CBOD values of effluent samples shall not be greater than 15% of the CBOD values of influent samples collected in the same time period.

B. The arithmetic mean of SS values determined on effluent samples collected during any 30-day period shall not exceed 25 ~~mg/L~~ mg/L, nor shall the arithmetic mean exceed 35 ~~mg/L~~ mg/L during any 7-day period. In addition, if the treatment plant influent is of domestic or municipal sewage origin, the SS values of effluent samples shall not be greater than 15% of the SS values of influent samples collected in the same time period.

C. The geometric mean of total coliform and fecal coliform bacteria in effluent samples collected during any 30-day period shall not exceed either 2000 per 100 ~~ml~~ mL or 200 per 100 ~~ml~~ mL respectively, nor shall the geometric mean exceed 2500 per 100 ~~ml~~ mL or 250 per 100 ~~ml~~ mL respectively, during any 7-day period; or, the geometric mean of E. coli bacteria in effluent samples collected during any 30-day period shall not exceed 126 per 100 ~~ml~~ mL nor shall the geometric mean exceed 158 per 100 ~~ml~~ mL respectively

during any 7-day period. Exceptions to this requirement may be allowed by the Director where domestic wastewater is not a part of the effluent and where water quality standards are not violated.

D. The effluent values for pH shall be maintained within the limits of 6.5 and 9.0.

E. Exceptions to the 85% removal requirements may be allowed where infiltration makes such removal requirements infeasible and where water quality standards are not violated.

F. The Director may allow exceptions to the requirements of Subsections R317-1-3.2.A, R317-1-3.2.B, and R317-1-3.2.D where the discharge will be of short duration and where there will be no significant detrimental effect on receiving water quality or downstream beneficial uses.

G. The Director may allow that the BOD5 and TSS effluent concentrations for discharging domestic wastewater lagoons shall not exceed 45 ~~mg/L~~ mg/L for a monthly average nor 65 ~~mg/L~~ mg/L for a weekly average provided the following criteria are met:

1. the lagoon system is operating within the organic and hydraulic design capacity established by Rule R317-3;

2. the lagoon system is being properly operated and maintained;

3. the treatment system is meeting all other permit limits;

4. there are no significant or categorical industrial users (IU) defined by 40 CFR Part 403, unless it is demonstrated to the satisfaction of the Director that the IU is not contributing constituents in concentrations or quantities likely to significantly affect the treatment works; and

5. a Waste Load Allocation (WLA) indicates that the increased permit limits would not impair beneficial uses of the receiving stream.

3.3 Technology-based Limits for Controlling Phosphorus Pollution.

A. Technology-based Phosphorus Effluent Limits (TBPEL)

1. All non-lagoon treatment works discharging wastewater to surface waters of the state shall provide treatment processes which will produce effluent less than or equal to an annual mean of 1.0 mg/L for total phosphorus.

2. The TBPEL shall be achieved by January 1, 2020, or no later than January 1, 2025, after a variance has been granted under Subsection R317-1-3.3.C.1.e.

B. Discharging Lagoons -Phosphorus Loading Cap

1. No TBPEL will be instituted for discharging treatment lagoons. Instead, each discharging lagoon will be evaluated to determine the current annual average total phosphorus load measured in pounds per year based on monthly average flow[s] rates and concentrations. Absent field data to determine these loads, and in case of intermittent discharging lagoons, [they] the phosphorus load cap will be estimated by the [Division]Director.

2. A cap of 125% ~~[times]~~ of the current ~~[average]~~ annual total phosphorus load will be established and referred to as phosphorus loading cap. Once the lagoon's phosphorus loading cap has been reached, the owner of the facility will have five years to construct treatment processes or implement treatment alternatives to prevent the total phosphorus loading cap from being exceeded.

3. The load cap shall become effective July 1, 2018.

C. Variances for TBPEL and Phosphorus Loading Caps

1. The Director may authorize a variance to the TBPEL or phosphorus loading cap under any of the following conditions:

a. Where an existing TMDL has allocated a total phosphorus wasteload to a treatment works, no TBPEL or phosphorus loading cap, as applicable, will be applied.

b. If the owner of a discharging treatment works can demonstrate that imposing the TBPEL or phosphorus loading cap would result in an economic hardship, an alternative TBPEL or phosphorus loading cap that would not cause economic hardship may be applied. "Economic hardship" for a publicly owned treatment works is defined as sewer service costs that, as a result of implementing a TBPEL or phosphorus loading cap, would be greater than 1.4% of the median adjusted gross household income of the service area based on the latest information compiled by the Utah State Tax Commission, after inclusion of grants, loans, or other funding made available by the Utah Water Quality Board or other sources. The Director will consider other demonstrations of economic hardship on a case-by-case basis.

c. If the owner of a discharging treatment works can demonstrate that the TBPEL or phosphorus loading cap are clearly unnecessary to protect waters downstream from the point of discharge, no TBPEL or phosphorus loading cap will be applied.

d. If the owner of the discharging treatment works can demonstrate that a commensurate phosphorus reduction can be achieved in receiving waters using innovative alternative approaches such as water quality trading, seasonal offsets, effluent reuse, or land application.

e. Where the owner of a non-lagoon discharging treatment works demonstrates due diligence toward construction of a treatment facility designed to meet the TBPEL, the compliance date shall be no later than January 1, 2025.

2. All variances to TBPEL and phosphorus loading caps shall be revisited ~~[periodically]~~no more frequently than every five years, or when a substantive change in facility operations or a substantive facility upgrade occurs, to determine if the rationale used to justify the conditions in Subsection R317-1-3.3.C remains applicable.

3. For treatment works required to implement TBPEL or a phosphorus loading cap, the demonstration under Subsection R317-1-3.3.C must be made by January 1, 2018. Unless this demonstration is made, the owner of the discharging treatment works must proceed to implement the TBPEL or phosphorus loading cap, as applicable, in accordance with, respectively, Subsections R317-1-3.3.A and R317-1-3.3.B.

D. Facility Optimization to Remove Total Inorganic Nitrogen

1. If the owner of a discharging treatment works agrees to optimize the owner's facility, either through operational changes, a capital construction project, or both, to reduce effluent total inorganic nitrogen concentrations to a level agreeable to the Director, a waiver of up to ten years from meeting either water quality-based effluent limits or technology-based effluent limits for total inorganic nitrogen will be granted. This includes meeting any total inorganic nitrogen limit that may result from a TMDL or other water quality study that is specific to the receiving water of the treatment works.

2. The waiver period under this section would begin upon implementation of the optimization improvements or another date agreed to by the owner of the treatment works and the Director.

3. The elements of the waiver under this section will be identified in a compliance agreement that will be incorporated into the facility's UPDES permit.

4. The waiver identified under this section must be granted before January 1, 2020. Thereafter, no such waiver will be considered or granted.

~~[D]~~E. Monitoring

1. All discharging treatment works are required to implement, at a minimum, monthly monitoring of:

a. influent for total phosphorus (as P) and total Kjeldahl nitrogen (as N) concentrations; and

b. effluent for total phosphorus and orthophosphate (as P), and ammonia, nitrate-nitrite, and total Kjeldahl nitrogen (as N).

2. The Director may authorize a variance to the monitoring requirements identified in Subsection R317-1-3.3.D.1.

3. All monitoring under Subsection R317-1-3.3.D shall be based on 24-hour composite samples by use of an automatic sampler or by combining a minimum of four grab samples collected [a minimum of]at least two hours apart within a 24-hour period.

4. These monitoring requirements shall be self-implementing beginning July 1, 2015.

3.4 Pollutants In Diverted Water Returned To Stream.

A user of surface water diverted from waters of the State will not be required to remove any pollutants which such user has not added before returning the diverted flow to the original watercourse, provided there is no increase in concentration of pollutants in the diverted water. Should the pollutant constituent concentration of the intake surface waters to a facility exceed the effluent limitations for such facility under a federal National Pollutant Discharge Elimination System permit or a permit issued pursuant to State authority, then the effluent limitations shall become equal to the constituent concentrations in the intake surface waters of such facility. This section does not apply to irrigation return flow.

KEY: water pollution, waste disposal, nutrient limits, effluent standards

Date of Enactment or Last Substantive Amendment: [~~January 1, 2015~~2016]

Notice of Continuation: October 2, 2012

Authorizing, and Implemented or Interpreted Law: 19-5

Health, Health Care Financing R410-14 Administrative Hearing Procedures

NOTICE OF PROPOSED RULE

(Repeal and Reenact)

DAR FILE NO.: 39983

FILED: 12/08/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to update and clarify administrative hearing procedures for the Medicaid program.

SUMMARY OF THE RULE OR CHANGE: This new rule restructures administrative hearing procedures to implement informal hearings as the standard grievance process for the

Division of Medicaid and Health Financing. Accordingly, the rule includes new definitions and updates others for clarification, includes additional provisions for hearing notification, includes provisions to clarify reinstatement and continuation of services, clarifies provisions for adjudicative procedures and hearing availability, includes a provision for recording other administrative proceedings, and includes provisions for telephonic hearings, travel costs, and witness testimony. The new rule also eliminates rules of discovery set forth in the repealed rule and clarifies and removes other formal hearing provisions. It also removes provisions for intervention, prehearing meetings, and written notice contained in the repealed rule.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-24 and Section 26-1-5

ANTICIPATED COST OR SAVINGS TO:

- ◆ THE STATE BUDGET: There is no impact to the state budget because there are no administrative costs associated with the updates and clarifications set forth in the new rule.
- ◆ LOCAL GOVERNMENTS: There is no impact to local governments because there are no administrative costs associated with the updates and clarifications set forth in the new rule.
- ◆ SMALL BUSINESSES: There is no impact to small businesses because there are no administrative costs associated with the updates and clarifications set forth in the new rule.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no impact to Medicaid providers and to Medicaid recipients because there are no administrative costs associated with the updates and clarifications set forth in the new rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid recipient because there are no administrative costs associated with the updates and clarifications set forth in the new rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There would be no fiscal impact to business because it does not impose additional requirements on providers who request an administrative hearing or affect funding of services provided through the Medicaid program.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HEALTH
HEALTH CARE FINANCING
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Joseph Miner, MD, Executive Director

R410. Health, Health Care Financing.

R410-14. Administrative Hearing Procedures.

[R410-14-1. Introduction and Authority.

~~(1) This rule sets forth the administrative hearing procedures for the Division of Medicaid and Health Financing.~~

~~(2) This rule is authorized by Section 26-1-24, Section 63G-4-102, 42 U.S.C. 1396(a)(3), and 42 CFR 431, Subpart E.~~

R410-14-2. Definitions.

~~(1) The definitions in Rule R414-1 and Section 63G-4-103 apply to this rule.~~

~~(2) The following definitions also apply:~~

~~(a) "Action" means a denial, termination, suspension, or reduction of medical assistance for a recipient, or a reduction, denial or revocation of reimbursement for services for a provider; or a denial or termination of eligibility for participation in a program, or as a provider.~~

~~(b) "Aggrieved Person" means any recipient or provider who is adversely affected by any action or inaction of the Division of Medicaid and Health Financing (DMHF) within the Department of Health, the Department of Human Services (DHS), the Department of Workforce Services (DWS), or any managed health care plan.~~

~~(c) "De novo" means anew, or considering the question of a case for the first time.~~

~~(d) "Ex Parte" communications mean direct or indirect communication in connection with an issue of fact or law between the hearing officer and one party only.~~

~~(e) "Hearing Officer" means solely any person designated by the DMHF Director to conduct administrative hearings for the Medicaid program.~~

~~(f) "Managed Care Organization" means a health maintenance organization or prepaid mental health plan that contracts with DMHF to provide medical or mental health services to medical assistance recipients.~~

~~(g) A "medical record" is a record that contains medical data of a client.~~

~~(h) "Order" means a ruling by a hearing officer that determines the legal rights, duties, privileges, immunities, or other legal interests of one or more specific persons.~~

R410-14-3. Administrative Hearing Procedures.

~~(1) An Aggrieved Person may file a written request for agency action pursuant to Section 63G-4-201, and in accordance~~

with this rule. If a medical issue is in dispute, each request should include supporting medical documentation. DMHF will schedule a hearing only when it receives sufficient medical records and may dismiss a request for agency action if it does not receive supporting medical documentation in a timely manner.

(2) DMHF shall conduct the following as formal adjudicative proceedings in accordance with Section R410-14-12:

(a) Preadmission Screening Resident Review (PASRR) Hearings. Pursuant to 42 U.S.C. 1396r, any resident and potential resident of a nursing facility whether Medicaid eligible or not, who disagrees with the preadmission screening and appropriateness of a placement decision that DMHF or its designated agent makes, has the right to a hearing upon request.

(b) Nurse Aide Registry Hearings. Pursuant to 42 U.S.C. 1395i-3, each nurse aide is subject to investigation of allegations of resident abuse, neglect or misappropriation of resident property. DMHF or its designated agent shall investigate each complaint and the nurse aide is entitled to a hearing that DMHF or its designated agent conducts before a substantiated claim can be entered into the registry.

(c) Skilled Nursing Facility (SNF), Intermediate Care Facility (ICF) or Intermediate Care Facility for the Mentally Retarded (ICF/MR) Hearings. 42 CFR 431, Subpart D, requires DMHF to provide SNF, ICF and ICF/MR grievance procedures that satisfy the requirements of 42 CFR 431.153 and 431.154.

(d) Managed Care Entity Hearings. Pursuant to 42 U.S.C. 1396u-2, federal law requires Medicaid and Children's Health Insurance Program (CHIP) managed care entities to have an internal grievance procedure for Medicaid and CHIP enrollees or providers acting on the enrollee's behalf to challenge the denial of payment for medical assistance. The MCE shall provide to enrollees written information that explains the grievance procedure. DMHF requires exhaustion of the MCE grievance procedure before an enrollee or provider may request a hearing. An enrollee or provider who submits a hearing request on behalf of another enrollee must include a copy of the final written notice of the appeal decision. An enrollee or provider who acts on the enrollee's behalf must also request a hearing within 30 days from the date of the MCE final written notice of the appeal decision.

(e) Home and Community Based Waiver Hearings. 42 CFR 431, Subpart E, requires DMHF to provide grievance procedures that satisfy the requirements of 42 CFR 431.200 through 431.250.

(i) For home and community-based waivers in which the Division of Services for People with Disabilities (DSPD) is the designated operating agency and the grievance is based on whether the person meets the eligibility criteria for state matching funds through DHS in accordance with Title 62A, Chapter 5a, the eligibility determination of the operating agency is final. If DSPD determines that an individual does not meet the eligibility criteria for state matching funds through DHS in accordance with Title 62A, Chapter 5a, the operating agency shall inform the individual in writing and provide the individual an opportunity to appeal the decision through the DHS hearing process in accordance with Section R539-3-8. The DSPD decision is dispositive for purposes of this subsection. DMHF shall sustain the determination and there is no right to further agency review.

(3) DMHF shall conduct the following as informal adjudicative proceedings:

(a) Resident Right Hearings. Pursuant to 42 U.S.C. 1396n, the state may restrict access to providers that it designates for services for a reasonable amount of time. The state may also restrict Medicaid recipients that utilize services at a frequency or amount that are not medically necessary, in accordance with state utilization guidelines. DMHF shall give the recipient notice and opportunity for an informal hearing before imposing restrictions.

(4) Eligibility Hearings. If eligibility for medical assistance is at issue, DWS shall conduct the hearing. DMHF, however, shall conduct any hearing to determine an applicant's or recipient's disability.

R410-14-4. Availability of Hearing.

(1) The hearing officer may not grant a hearing if the issue is a state or federal law requiring an automatic change in eligibility for medical assistance or covered services that adversely affect the Aggrieved Person.

(2) DMHF shall conduct a hearing in connection with the agency action if the Aggrieved Person requests a hearing and there is a disputed issue of fact. If there is no disputed issue of fact, the hearing officer may deny a request for an evidentiary hearing and issue a recommended decision without a hearing.

(3) There is no disputed issue of fact if the Aggrieved Person submits facts that do not conflict with the facts that the agency relies upon in taking action or seeking relief.

(4) If the Aggrieved Person objects to the hearing denial, the person may raise that objection as grounds for relief in a request for reconsideration.

(5) DMHF may not grant a hearing to a managed care provider to dispute the terms of a contract, including but not limited to rates of reimbursement and alternative dispute resolution.

R410-14-5. Notice.

(1) DMHF, DHS, DWS, and an MCE shall provide written notice to each applicant or recipient affected by an adverse action in accordance with 42 CFR 431.200 et seq. Adverse actions to an applicant or recipient include actions that affect:

- (a) eligibility for assistance;
- (b) scope of service;
- (c) denial or limited prior authorization of a requested service including the type or level of service; or
- (d) payment of a claim.

(2) A notice must contain:

- (a) a statement of the action DMHF, DHS, DWS, or an MCE intends to take;
- (b) the date the intended action becomes effective;
- (c) the reasons for the intended action; and
- (d) the specific regulations that support the action, or the change in federal law, state law or DMHF policy, which requires the action;

(e) the right and procedure to request a formal hearing before DMHF or an informal hearing before DHS or DWS;

(f) the right to represent oneself, the right to legal counsel, or the right to use another representative at the formal hearing; and

~~(g) if applicable, an explanation of the circumstances under which reimbursement for medical services will continue pending the outcome of the proceeding, if DMHF receives a hearing request within ten calendar days from the date of the notice of agency action.~~

~~(3) DMHF shall mail the notice at least ten calendar days before the date of the intended action except:~~

~~(a) DMHF may mail a notice not later than the date of action in accordance with 42 CFR 431.213.~~

~~(4) DMHF may shorten the period of advance notice to five days before the date of action if:~~

~~(a) DMHF has facts that indicate it must take action due to probable fraud by the recipient or provider; and~~

~~(b) the facts have been verified by affidavit.~~

R410-14-6. Request for Formal Hearing.

~~(1) DMHF shall conduct formal hearings for all issues except those specifically excluded by this rule. The hearing officer may convert the proceeding to an informal hearing if a recipient or provider requests an informal hearing that meets the criteria set forth in Section 63G-4-202.~~

~~(2) Formal hearings must be requested within the following deadlines:~~

~~(a) A medical assistance provider or recipient must request a formal hearing within 30 calendar days from the date that DMHF sends written notice of its intended action.~~

~~(b) A medical assistance recipient must request an informal hearing with DWS regarding eligibility for medical assistance within 90 calendar days from the date that DMHF sends written notice of its intended action.~~

~~(c) A medical assistance recipient must request a formal hearing with DMHF regarding eligibility for disability assistance within 90 calendar days from the date that DMHF sends written notice of its intended action.~~

~~(d) A medical assistance recipient must request a formal hearing regarding scope of service within 30 calendar days from the date that DMHF sends written notice of its intended action.~~

~~(3) Failure to submit a timely request for a formal hearing constitutes a waiver of an individual's due process rights. The request must explain why the recipient is seeking agency relief, and the recipient must submit the request on the "Request for Hearing/Agency Action" form. The recipient must then mail or fax the form to the address or fax number contained on the notice of agency action.~~

~~(4) DMHF considers a hearing request that a recipient sends via mail to be filed on the date of the postmark. If the postmark date is illegible, erroneous, or omitted, DMHF considers the request to be filed on the date that DMHF receives it, unless the sender can demonstrate through competent evidence that he mailed it before the date of receipt.~~

~~(5) DMHF shall schedule a pre-hearing, or begin negotiations in writing within 30 calendar days from the date it receives the request for a formal hearing or agency action.~~

~~(6) DMHF may deny or dismiss a request for a hearing if the Aggrieved Person:~~

~~(a) withdraws the request in writing;~~

~~(b) verbally withdraws the hearing request at a prehearing conference;~~

~~(c) fails to appear or participate in a scheduled proceeding without good cause;~~

~~(d) prolongs the hearing process without good cause;~~

~~(e) cannot be located or agency mail is returned without a forwarding address; or~~

~~(f) does not respond to any correspondence from the hearing officer or fails to provide medical records that the agency requests.~~

~~(7) An Aggrieved Person must inform DMHF of his current address and telephone number.~~

R410-14-7. Reinstatement and Continuation of Services.

~~(1) DMHF may reinstate services for a recipient or suspend any adverse action for a provider if the Aggrieved Person requests a formal hearing not more than ten calendar days after the date of action.~~

~~(2) DMHF shall reinstate or continue services for a recipient or suspend adverse actions for a provider until it renders a decision after a formal hearing if:~~

~~(a) DMHF takes adverse action without giving ten-day notice to a recipient or a provider when advance notice is required;~~

~~(b) advance notice is not required and the Aggrieved Person requests a formal hearing within ten calendar days after the date that DMHF mails the adverse action notice; or~~

~~(c) DMHF determines that the action resulted from other than the application of federal law, state law or DMHF policy.~~

R410-14-8. Notice of Formal Hearing.

~~DMHF shall notify the Aggrieved Person or the person's representative in writing of the date, time and place of the formal hearing, and shall mail the notice at least ten calendar days before the date of the hearing unless all parties agree to an alternative time frame.~~

R410-14-9. Form of Papers.

~~(1) Any document that an individual or party files with DMHF in a formal proceeding must:~~

~~(a) be typed or legibly written;~~

~~(b) bear a caption that clearly shows the title of the hearing;~~

~~(c) bear the docket number, if any;~~

~~(d) be dated and signed by the party or the party's authorized representative;~~

~~(e) contain the address and telephone number of the party or the party's authorized representative; and~~

~~(f) consist of an original and two copies.~~

R410-14-10. Service.

~~(1) The individual or party that files a document with DMHF shall also serve the document upon all other named parties to the proceeding and file a proof of service with DMHF that consists of a certificate, affidavit or acknowledgment of service.~~

~~(2) Each party must receive one copy by personal delivery or mail to the proper address with postage prepaid. If an individual represents a party, service upon the individual is sufficient.~~

~~(3) If DMHF must provide notice of a formal hearing, the notice becomes effective on the date of first class mailing to the party's address of record.~~

~~(4) In addition to the methods set forth in this rule, a party may be served as permitted by the Utah Rules of Civil Procedure.~~

R410-14-11. Intervention.

~~(1) Section 63G-4-207 permits a person to intervene in a formal adjudicative proceeding if:~~

~~(a) the person petitions to intervene at least seven calendar days before the scheduled hearing, or as the hearing officer permits;~~

~~(b) the petition contains a clear and concise statement of the direct and substantial interest of the person seeking to intervene;~~

~~(c) the person seeking affirmative relief states the basis for relief;~~

~~(d) the hearing officer has discretion to permit other parties an opportunity to support or oppose intervention; and~~

~~(e) the hearing officer has discretion to grant leave to intervene.~~

~~(2) The hearing officer may dismiss an intervenor if the intervenor has no direct or substantial interest in the hearing.~~

R410-14-12. Conduct of Hearing.

~~(1) DMHF shall conduct hearings in accordance with Section 63G-4-206. DMHF will conduct all hearings on a de novo basis.~~

~~(2) DMHF shall appoint an impartial hearing officer to conduct formal hearings. Previous involvement in the initial determination of the action precludes an officer from appointment.~~

~~(3) The hearing officer may elect to hold a prehearing meeting to:~~

~~(a) formulate or simplify the issues;~~

~~(b) obtain admissions of fact and documents that will avoid unnecessary proof;~~

~~(c) arrange for the exchange of proposed exhibits or prepared expert testimony;~~

~~(d) outline procedures for the formal hearing; or~~

~~(e) to agree to other matters that may expedite the orderly conduct of the hearing or settlement.~~

~~(4) DMHF shall record agreements that the parties reach during the prehearing or the parties may enter into a written stipulation.~~

~~(5) DMHF may conduct all formal hearings only after adequate written notice of the hearing has been served on all parties setting forth the date, time and place of the hearing.~~

~~(6) The hearing officer shall take testimony under oath or affirmation.~~

~~(7) Each party has the right to:~~

~~(a) present evidence, argue, respond, conduct cross-examination, and submit rebuttal evidence;~~

~~(b) introduce exhibits;~~

~~(c) impeach any witness regardless of which party first called the witness to testify; and~~

~~(d) rebut the evidence against the party.~~

~~(8) DMHF shall follow the rules of evidence as applied in Utah civil actions. Each party may admit any relevant evidence and use hearsay evidence to supplement or explain other evidence. Hearsay, however, is not sufficient by itself to support a finding unless admissible over objection in civil actions. The hearing~~

~~officer shall give effect to the rules of privilege recognized by law and may exclude irrelevant, immaterial and unduly repetitious evidence.~~

~~(9) The hearing officer may question any party or witness.~~

~~(10) The hearing officer shall control the evidence to obtain full disclosure of the relevant facts and to safeguard the rights of the parties. The hearing officer may determine the order in which he receives the evidence.~~

~~(11) The hearing officer shall maintain order and may recess the hearing to regain order if a person engages in disrespectful, disorderly or disruptive conduct. The hearing officer may remove any person, including a participant from the hearing, to maintain order. If a person shows persistent disregard for order and procedure, the hearing officer may:~~

~~(a) restrict the person's participation in the hearing;~~

~~(b) strike pleadings or evidence; or~~

~~(c) issue an order of default.~~

~~(12) If a party desires to employ a court reporter to make a record of the hearing, it must file an original transcript of the hearing with the hearing officer at no cost to the agency.~~

~~(13) The party who initiates the hearing process through a request for agency action has the burden of proof as the moving party.~~

~~(14) When a party possesses but fails to introduce certain evidence, the hearing officer may infer that the evidence does not support the party's position.~~

R410-14-13. Ex Parte Communications.

~~(1) Ex parte communications are prohibited.~~

~~(2) The hearing officer may not listen to or accept any ex parte communication. If a party attempts ex parte communication, the hearing officer shall inform the offeror that any communication that the hearing officer receives off the record, will become part of the record and furnished to all parties.~~

~~(3) Ex parte communications do not apply to communications on the status of the hearing and uncontested procedural matters.~~

R410-14-14. Continuances or Further Hearings.

~~(1) The hearing officer, on the officer's own motion or at the request of a party showing good cause, may:~~

~~(a) continue the hearing to another time or place; or~~

~~(b) order a further hearing.~~

~~(2) If the hearing officer determines that additional evidence is necessary for the proper determination of the case, the officer may:~~

~~(a) continue the hearing to a later date and order the party to produce additional evidence; or~~

~~(b) close the hearing and hold the record open to receive additional documentary evidence.~~

~~(3) The hearing officer shall provide to all parties any evidence that he receives and each party has the opportunity to rebut that evidence.~~

~~(4) The hearing officer shall provide written notice of the time and place of a continued or further hearing, except when the officer orders a continuance during a hearing and all parties receive oral notice.~~

R410-14-15. Record.

~~_____ (1) The hearing officer shall make a complete record of all formal hearings. A hearing record is the sole property of DMHF and DMHF shall maintain the complete record in a secure area.~~

~~_____ (2) If a party requests a copy of the recording of a formal hearing, that party may transcribe the recording.~~

~~_____ (3) DMHF or its designated agent shall retain recordings of formal hearings for a period of one year.~~

~~_____ (4) DMHF shall retain written records of formal hearings for a period of two years pending further litigation.~~

R410-14-16. Proposed Decision and Final Agency Review.

~~_____ (1) At the conclusion of the formal hearing, the hearing officer shall take the matter under advisement and submit a recommended decision to the DMHF Director or the director's designee. The recommended decision is based on the testimony and evidence entered at the hearing, Medicaid policy and procedure, and legal precedent.~~

~~_____ (2) The recommended decision must contain findings of fact and conclusions of law.~~

~~_____ (3) The DMHF Director or the director's designee may:~~

~~_____ (a) adopt the recommended decision or any portion of the decision;~~

~~_____ (b) reject the recommended decision or any portion of the decision, and make an independent determination based upon the record; or~~

~~_____ (c) remand the matter to the hearing officer to take additional evidence, and the hearing officer thereafter shall submit to the DMHF director or the director's designee a new recommended decision.~~

~~_____ (4) The director or designee's decision constitutes final administrative action and is subject to judicial review.~~

~~_____ (5) DMHF shall send a copy of the final administrative action to each party or representative and notify them of their right to judicial review.~~

~~_____ (6) The parties shall comply with a final decision from the director reversing the agency's decision within ten calendar days.~~

~~_____ (7) The Executive Director shall review all recommended decisions to determine approval of medical assistance for an organ transplant. The Executive Director's decision constitutes final administrative action and is subject to judicial review.~~

R410-14-17. Amending Administrative Orders.

~~_____ (1) DMHF may amend an order if the hearing officer determines that the agency made a clerical mistake.~~

~~_____ (2) DMHF shall notify the respondent and the petitioner of its intent to amend the order by serving a notice of agency action signed by the hearing officer.~~

~~_____ (3) The DMHF Director shall review the amended order and he or his designee shall issue a final agency amended order.~~

~~_____ (4) DMHF shall provide a copy of the final amended order to the respondent and the petitioner.~~

R410-14-18. Agency Review.

~~_____ An Aggrieved Person may move for reconsideration of DMHF's final administrative action in accordance with Sections 63G-4-301 and 302. A person may seek review of a DWS final agency order concerning eligibility for medical assistance by filing~~

~~a written request for review with DMHF in accordance with Section 63G-4-301.~~

R410-14-19. Judicial Review.

~~_____ An Aggrieved Person may obtain judicial review in accordance with Section 63G-4-102 and 63G-4-401 through 405.~~

R410-14-20. Discovery.

~~_____ (1) The Utah Rules of Civil Procedure do not apply to formal adjudicative proceedings and formal discovery is permitted only as set forth in this section. Each party shall diligently pursue discovery and full disclosure to prevent delay. A party that conducts discovery under this section shall maintain a mailing certificate.~~

~~_____ (2) The scope of discovery in formal adjudicative proceedings, unless otherwise limited by order of the hearing officer, is as follows:~~

~~_____ (a) DMHF may request copies of pertinent records in the possession of the recipient and the recipient's health care providers. In the event the recipient or provider fails to produce the records within a reasonable time, DMHF may review all pertinent records in the custody of the recipient or provider during regular working hours after three days of written notice.~~

~~_____ (b) The recipient must submit medical records with the hearing request whenever possible. Necessary medical records include:~~

~~_____ (i) the provision of each service and activity billed to the program;~~

~~_____ (ii) the first and last name of the petitioner;~~

~~_____ (iii) the reason for performing the service or activity that includes the petitioner's complaint or symptoms;~~

~~_____ (iv) the recipient's medical history;~~

~~_____ (v) examination findings;~~

~~_____ (vi) diagnostic test results;~~

~~_____ (vii) the goal or need that the plan of care identifies; and~~

~~_____ (viii) the observer's assessment, clinical impression or diagnosis that includes the date of observation and identity of the observer.~~

~~_____ (c) The medical records must demonstrate that the service is:~~

~~_____ (i) medically necessary;~~

~~_____ (ii) consistent with the diagnosis of the petitioner's condition; and~~

~~_____ (iii) consistent with professionally recognized standards of care.~~

~~_____ (3) DMHF shall allow the Aggrieved Person or the person's representative to examine all DMHF documents and records upon written request to DMHF at least three days before the hearing.~~

~~_____ (4) An individual may request access to protected health information in accordance with Rule 380-250, which implements the privacy rule under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).~~

~~_____ (5) The hearing officer may permit the filing of formal discovery or take depositions only upon a clear showing of necessity that takes into account the nature and scope of the dispute. If the hearing officer allows formal discovery, he shall set appropriate time frames for response and assess sanctions for non-compliance.~~

~~(6) The hearing officer may order a medical assessment at the expense of DMHF to obtain information. This information is subject to HIPAA confidentiality requirements and is part of the hearing record.~~

~~(7) Each party shall file a signed pretrial disclosure form at least ten calendar days before the scheduled hearing that identifies:~~

- ~~(a) fact witnesses;~~
- ~~(b) expert witnesses;~~
- ~~(c) exhibits and reports the parties intend to offer into evidence at the hearing;~~
- ~~(d) petitioner's specific benefit or relief claimed;~~
- ~~(e) respondent's specific defense;~~
- ~~(f) an estimate of the time necessary to present the party's case; and~~
- ~~(g) any other issues the parties intend to request the hearing officer to adjudicate.~~

~~(8) Each party shall supplement the pretrial disclosure form with information that becomes available after filing the original form. The pretrial disclosure form does not replace other discovery that is allowed under this section.~~

R410-14-21. Witnesses and Subpoenas.

~~(1) A party shall arrange for a witness to be present at a hearing.~~

~~(2) The hearing officer may issue a subpoena to compel the attendance of a witness or the production of evidence upon written request by a party that demonstrates a sufficient need.~~

~~(3) The hearing officer may issue a subpoena on his own motion.~~

~~(4) A party may file an affidavit that requests the hearing officer to subpoena a witness to produce books, papers, correspondence, memoranda, or other records. The affidavit must include:~~

- ~~(a) the name and address of the person or entity upon whom the subpoena is to be served;~~
- ~~(b) a description of the documents, papers, books, accounts, letters, photographs, objects, or other tangible items that the applicant seeks;~~
- ~~(c) material that is relevant to the issue of the hearing; and~~
- ~~(d) a statement by the applicant that to the best of his knowledge, the witness possesses or controls the requested material.~~

~~(5) A party shall arrange to serve any subpoena that the hearing officer issues on its behalf, and shall serve a copy of the affidavit that it presents to the hearing officer.~~

~~(6) Except for employees of DOH, DHS, DWS, or a managed care plan, a witness that the hearing officer subpoenas to attend a hearing is entitled to appropriate fees and mileage. The witness shall file a written demand for fees with the hearing officer within ten calendar days from the date that he appears at the hearing.~~

~~(7) The hearing officer may issue an order of default against any party that fails to obey an order entered by the hearing officer.~~

R410-14-22. Declaratory Orders.

~~(1) DMHF shall issue declaratory orders in accordance with Rule R380-1.~~

~~(2) Copies of approved forms to petition for declaratory orders are available from DMHF upon request.~~

~~(3) If DMHF does not issue a declaratory order within 60 days after receipt of the request, the petition is denied.~~

~~(4) DMHF shall retain the request for declaratory ruling in its records.~~

~~(5) DMHF may not issue a declaratory order if an adjudicative proceeding that involves the same parties and issue is pending before the agency or the courts.~~

R410-14-23. Interpreters.

~~(1) If a party notifies DMHF that it needs an interpreter, DMHF shall arrange for an interpreter at no cost to the party.~~

~~(2) The party may arrange for an interpreter to be present at the hearing only if the hearing officer can verify that the interpreter is at least 18 years of age, and fluent in English and the language of the person who testifies.~~

~~(3) The hearing officer shall instruct the interpreter to interpret word for word, and not to summarize, add, change, or delete any of the testimony or questions.~~

~~(4) The interpreter must swear under oath to truthfully and accurately translate all statements, questions and answers.]~~

R410-14-1. Introduction and Authority.

~~(1) This rule sets forth the administrative hearing procedures for the Division of Medicaid and Health Financing.~~

~~(2) This rule is authorized by Section 26-1-24, Section 63G-4-102, 42 U.S.C. 1396(a) (3), and 42 CFR 431, Subpart E.~~

R410-14-2. Definitions.

~~(1) The definitions in Rule R414-1 and Section 63G-4-103 apply to this rule.~~

~~(2) The following definitions also apply:~~

~~(a) "Action" means a denial, termination, suspension, or reduction of medical assistance for a recipient, or a reduction, denial or revocation of reimbursement for services for a provider; or a denial or termination of eligibility for participation in a program, or as a provider. It also means determinations by skilled nursing facilities and nursing facilities to transfer or discharge residents and adverse determinations made by a state with regard to the preadmission screening and annual resident review requirements of Section 1919(e)(7) of the Social Security Act.~~

~~(b) "Adverse determination" means a determination made in accordance with Sections 1919(b)(3)(F) or 1919(e)(7)(B) of the Social Security Act that the individual does not require the level of services provided by a nursing facility or that the individual does or does not require specialized services.~~

~~(c) "Agency" means Division of Medicaid and Health Financing (DMHF) within the Department of Health, the Department of Human Services (DHS), the Department of Workforce Services (DWS) or any managed health care organization (MCO) that has conducted or performed an action as defined in this rule.~~

~~(d) "Aggrieved person" means any recipient, enrollee, or provider who is affected by an action or inaction of an agency.~~

~~(e) "CHEC" means Child Health Evaluation and Care program, which is Utah's version of the federally mandated Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Medicaid child health program.~~

(f) "De novo" means anew, or considering the question of a case for the first time.

(g) "DHS" means the Department of Human Services.

(h) "DOH" means the Department of Health.

(i) "DWS" means the Department of Workforce Services.

(j) "Eligibility Agency" means DWS or DHS or any entity the Agency contracts with to determine medical assistance eligibility.

(k) "Ex Parte" communications mean direct or indirect communication in connection with an issue of fact or law between the hearing officer and one party only.

(l) "Grievance" means an expression of dissatisfaction about any matter other than an action as defined in this rule. Grievances may include but are not limited to the quality of care of services provided, and aspects of interpersonal relationships such as rudeness of a provider or employee or failure to respect the rights of an enrollee of an MCO.

(m) "Grievance system" means the overall system that includes grievances and appeals handled by an MCO and access to the administrative hearing process set out in this rule.

(n) "Hearing Officer" means solely any person designated by the DMHF Director to conduct administrative hearings pursuant to this rule.

(o) "Managed Care Organization" or "MCO" means a health maintenance organization, a prepaid mental health plan or a dental managed care plan that contracts with DMHF to provide health, behavioral health or oral health services to Medicaid or CHIP recipients.

(p) "Medical record" means a record that contains medical data of a medical assistance recipient or enrollee.

(q) "Provider" means any person or entity that is licensed and otherwise authorized to furnish health care to medical assistance recipients or medical assistance MCO enrollees.

(r) "Order" means a ruling by a hearing officer that determines the legal rights, duties, privileges, immunities, or other legal interests of one or more specific persons.

(s) "Scope of service" means medical, oral or behavioral health services set out under R414 as a covered benefit.

(t) "State fair hearing" means an administrative hearing conducted pursuant to this rule.

R410-14-3. Administrative Adjudicative Procedures.

(1) Except as provided in this rule or as otherwise designated by rule or statute or converted pursuant to Subsection 63G-4-202(3), all adjudicative proceedings conducted pursuant to this rule are informal proceedings.

(2) Request for Agency Action. An aggrieved person may file a written request for agency action pursuant to Utah Code Ann. Section 63G-4-201, and in accordance with this rule.

(a) A provider may file a written request for agency action without the consent of the recipient or MCO enrollee if the request for agency action pertains to the denial of an authorization for service or a denial of payment on a claim.

(b) A provider may not file a request for agency action if the request for agency action pertains to the denial, change or termination of eligibility of a member or enrollee for a medical assistance program.

(3) If a medical issue is in dispute, each request shall include supporting medical documentation. DMHF shall schedule a

hearing only when it receives sufficient medical records and may dismiss a request for agency action if it does not receive supporting medical documentation in a timely manner.

(4) Notice of Agency Action.

(a) An agency shall provide a written notice of action or adverse action to each aggrieved person. Such actions include but are not limited to:

(i) eligibility for assistance;

(ii) scope of service;

(iii) denial or limited prior authorization of a requested service including the type or level of service; and

(iv) payment of a claim.

(b) The notice must include:

(i) a statement of the action the agency intends to take;

(ii) the date the intended action becomes effective;

(iii) the reasons for the intended action;

(iv) the specific regulations that support the action, or the change in federal law, state law or DMHF policy which requires the action;

(v) the right to request a hearing;

(vi) the right to represent oneself, the right to legal counsel, or the right to use another representative at the hearing; and

(vii) if applicable, an explanation of the circumstances under which reimbursement for medical services will continue or may be reinstated pursuant to this rule.

(c) The agency shall mail the notice at least 10 calendar days before the date of the intended action except:

(i) the agency may mail the notice not later than the date of action in accordance with 42 CFR 431.213;

(ii) the agency may shorten the period of advance notice to five days before the date of action if it has facts that indicate it must take action due to probable fraud by the recipient or provider and the facts have been verified by affidavit.

R410-14-4. Hearings.

(1) DMHF shall conduct informal hearings for all issues except those specifically designated as formal hearings by this rule. The hearing officer may convert the proceeding to a formal hearing if an aggrieved person requests a hearing that meets the criteria set forth in Section 63G-4-202.

(2) If a hearing under this rule is converted to a formal hearing pursuant to Section 63G-4-202, the formal hearing shall be conducted in accordance with these rules except as otherwise provided in Sections 63G-4-204 through 63G-4-208 or other applicable statutes.

(3) DMHF shall conduct a hearing in connection with an agency action if the Aggrieved Person requests a hearing and there is a disputed issue of fact. If there is no disputed issue of fact, the hearing officer may deny a request for an evidentiary hearing and issue a recommended decision without a hearing based on the record. In the recommended decision, the hearing officer shall specifically set out all material and relevant facts that are not in dispute.

(4) There is no disputed issue of fact if the Aggrieved Person submits facts that do not conflict with the facts that the agency relies upon in taking action or seeking relief.

(5) If the Aggrieved Person objects to the hearing denial, the person may raise that objection as grounds for relief in a request for reconsideration.

(6) An MCO may not require an Aggrieved Person to utilize arbitration or mediation in order to resolve an Action. An Aggrieved Person may file a request for hearing relating to an Action regardless of any contractual provision with an MCO which may require arbitration or mediation.

(7) The hearing officer may not grant a hearing if the issue is a state or federal law requiring an automatic change in eligibility for medical assistance or covered services that affect the Aggrieved Person.

R410-14-5. Request for Hearing.

(1) An aggrieved person shall request a hearing by submitting the request on the DMHF "Request for Hearing/Agency Action" form. The aggrieved person must then mail or fax the form to the address or fax number contained on the Notice of Agency Action or Request for Hearing Form. The request must explain why the aggrieved person is seeking agency relief.

(2) Hearings must be requested within the following deadlines:

(a) A medical assistance provider or recipient must request a hearing within 30 calendar days from the date that DMHF sends written notice of its intended action.

(b) A medical assistance recipient must request a hearing with DWS regarding eligibility for medical assistance within 90 calendar days from the date that the agency sends written notice of its intended action.

(c) A medical assistance recipient must request a hearing with DMHF regarding a determination of disability for the purposes of medical assistance eligibility within 90 calendar days from the date that DMHF sends written notice of its intended action.

(d) A medical assistance recipient must request a hearing regarding approval or denial of a scope of service within 30 calendar days from the date the agency sends written notice of its intended action.

(3) A hearing request that an aggrieved person sends via mail is deemed filed on the date of the postmark. If the postmark date is illegible, erroneous, or omitted, the request is deemed filed on the date that the agency receives it, unless the sender can demonstrate through competent evidence of the mailing date.

(4) Failure to submit a timely request for a hearing constitutes a waiver of an individual's due process rights.

(5) DMHF may dismiss a request for a hearing if the Aggrieved Person:

(a) withdraws the request in writing;

(b) verbally withdraws the hearing request at a prehearing conference;

(c) fails to appear or participate in a scheduled proceeding without good cause;

(d) prolongs the hearing process without good cause;

(e) cannot be located or agency mail is returned without a forwarding address; or

(f) does not respond to any correspondence from the hearing officer or fails to provide medical records that the agency requests.

R410-14-6. Reinstatement and Continuation of Services.

(1) Continuation of Services. If the agency mails the notice of action in the time required by Section R410-14-3 and the recipient requests a hearing within 10 days of the date the notice

was mailed, the agency shall continue services until a decision is rendered after the hearing unless it is determined at the hearing that the sole issue is one of federal or state law or policy and the agency promptly informs the recipient in writing that services are to be terminated or reduced pending the hearing decision.

(2) Reinstatement of Services.

(a) The agency may reinstate services if a recipient requests a hearing not more than 10 days after the date of the action. The reinstated services must continue until a hearing decision is rendered unless, at the hearing, it is determined that the sole issue is one of federal or state law or policy.

(b) The agency shall reinstate and continue services until a decision is rendered after a hearing if the agency takes action without giving 10-day notice as required by Section R410-14-3, the recipient requests a hearing not more than 10 days after the date the notice of action is mailed and action is not the result of the application of federal or state law or policy.

R410-14-7. Notice of Hearing.

(1) The agency shall notify the aggrieved person or representative in writing of the date, time and place of the hearing, and shall mail the notice at least 10 calendar days before the date of the hearing unless all parties agree to an alternative time frame. All aggrieved persons must inform the agency of a current address and telephone number.

(2) If DMHF must provide notice of a hearing, the notice becomes effective on the date of first class mailing to the party's address of record.

R410-14-8. Prehearing Procedures.

(1) DMHF shall schedule a preliminary conference, or begin negotiations in writing, within 30 calendar days from the date it receives the request for a hearing or agency action.

(2) The hearing officer may elect to conduct a preliminary conference to:

(a) formulate or simplify the issues;

(b) obtain admissions of fact and documents that will avoid unnecessary proof;

(c) arrange for the exchange of proposed exhibits or prepared expert testimony;

(d) outline procedures for the hearing; or

(e) to agree to other matters that may expedite the orderly conduct of the hearing or settlement.

(3) The hearing officer may request a review of the medical record by a DMHF CHEC/Utilization Review committee to evaluate the medical necessity of benefits or services under dispute. The committee's recommendation is not binding, but may be admitted as evidence and included in the hearing record. If a party to the proceeding objects to the committee's determination, a representative of the committee shall be made available at the hearing for examination by the hearing officer and the parties.

(4) The hearing officer may require the parties to submit a prehearing position statement setting forth the parties' positions.

(5) The parties may enter into a written stipulation during the preliminary conference or at any time during the process.

(6) Ex parte communications with the hearing officer are prohibited. If a party attempts ex parte communication, the hearing officer shall inform the offeror that any communication that the hearing officer receives off the record, will become part of the

record and furnished to all parties. Ex parte communications do not apply to communications on the status of the hearing and uncontested procedural matters.

(7) The agency shall allow the aggrieved person or a representative to examine all DMHF documents and records upon written request to DMHF at least three days before the hearing.

(8) A party may request access to protected health information in accordance with Rule 380-250, which implements the privacy rule under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

(a) The agency may request copies of pertinent records in the possession of a party and the recipient's health care providers. In the event the recipient or provider fails to produce the records within a reasonable time, DMHF may review all pertinent records in the custody of the recipient or provider during regular working hours after three days of written notice.

(b) The recipient shall submit medical records with the hearing request whenever possible. Necessary medical records include:

(i) the provision of each service and activity addressed in the hearing request;

(ii) the first and last name of the party;

(iii) the reason for performing the service or activity that includes the party's complaint or symptoms;

(iv) the recipient's medical history;

(v) examination findings;

(vi) diagnostic test results;

(vii) the goal or need that the plan of care identifies; and

(viii) the observer's assessment, clinical impression or diagnosis that includes the date of observation and identity of the observer.

(c) The medical records must demonstrate that the service is:

(i) medically necessary;

(ii) consistent with the diagnosis of the recipient's condition; and

(iii) consistent with professionally recognized standards of care.

(9) The hearing officer may require each party to file a signed prehearing disclosure form at least 10 calendar days before the scheduled hearing that identifies:

(a) fact witnesses;

(b) expert witnesses;

(c) exhibits and reports the parties intend to offer into evidence at the hearing.

(10) Each party shall supplement the disclosure form with information that becomes available after filing the original form.

R410-14-9. Form and Service of Papers.

(1) Any document that a party files with DMHF in a proceeding must:

(a) be typed or legibly written;

(b) bear a caption that clearly shows the title of the hearing;

(c) bear the docket number, if any;

(d) be dated and signed by the party or the party's authorized representative; and

(e) contain the address and telephone number of the party or the party's authorized representative.

(2) The party that files a document with DMHF shall also serve a copy of the document to all parties to the proceeding or their representatives and file a proof of service with DMHF that consists of a certificate of service.

(3) A document may be served by mail, fax, or email address to the party's address or phone number on record with the agency.

(4) In addition to the methods set forth in this rule, a party may be served as permitted by the Utah Rules of Civil Procedure.

R410-14-10. Conduct of Hearing.

(1) The agency shall conduct hearings in accordance with Section 63G-4-203 on a de novo basis.

(2) DMHF shall appoint an impartial hearing officer to conduct hearings. Previous involvement in the initial determination of the action precludes an officer from appointment.

(3) Telephonic hearings will be held at the discretion of the hearing officer.

(4) The Department is not responsible for any travel costs incurred by the member in attending an in-person hearing.

(5) The hearing officer shall take testimony under oath or affirmation.

(6) Each party has the right to:

(a) present evidence, argue, respond, conduct cross-examination, and submit rebuttal evidence;

(b) introduce exhibits;

(c) impeach any witness regardless of which party first called the witness to testify; and

(d) rebut the evidence against the party.

(7) Each party may admit any relevant evidence and use hearsay evidence to supplement or explain other evidence as may be required for full disclosure of all facts relevant to the disposition of the hearing. Hearsay, however, is not sufficient by itself to support a finding unless admissible over objection in civil actions. The hearing officer shall give effect to the rules of privilege recognized by law and may exclude irrelevant, immaterial and unduly repetitious evidence.

(8) The hearing officer may question any party or witness.

(9) The hearing officer shall control the evidence to obtain full disclosure of the relevant facts and to safeguard the rights of the parties. The hearing officer may determine the order in which he receives the evidence.

(10) The hearing officer shall maintain order and may recess the hearing to regain order if a person engages in disrespectful, disorderly or disruptive conduct. The hearing officer may remove any person, including a participant from the hearing, to maintain order. If a person shows persistent disregard for order and procedure, the hearing officer may:

(a) restrict the person's participation in the hearing;

(b) strike pleadings or evidence; or

(c) issue an order of default.

(11) If a party desires to employ a court reporter to make a record of the hearing, it must file an original transcript of the hearing with the hearing officer at no cost to the agency.

(12) The party who initiates the hearing process through a request for agency action has the burden of proof as the moving party.

(13) When a party possesses but fails to introduce certain evidence, the hearing officer may infer that the evidence does not support the party's position.

R410-14-11. Witnesses and Subpoenas.

(1) A party shall arrange for a witness to be present at a hearing.

(2) A hearing officer may on his own or at the request of a party, order a witness excluded so that they cannot hear another witness' testimony.

(3) The hearing officer may issue a subpoena to compel the attendance of a witness or the production of evidence upon written request by a party that demonstrates a sufficient need.

(4) The hearing officer may issue a subpoena on his own motion.

(5) A party may file an affidavit that requests the hearing officer to subpoena a witness to produce books, papers, correspondence, memoranda, or other records. The affidavit must include:

(a) the name and address of the person or entity upon whom the subpoena is to be served;

(b) a description of the documents, papers, books, accounts, letters, photographs, objects, or other tangible items that the applicant seeks;

(c) material that is relevant to the issue of the hearing; and

(d) a statement by the applicant that to the best of his knowledge, the witness possesses or controls the requested material.

(6) A party shall arrange to serve any subpoena that the hearing officer issues on its behalf, and shall serve a copy of the affidavit that it presents to the hearing officer.

(7) Except for employees of an agency, a witness that the hearing officer subpoenas to attend a hearing is entitled to appropriate fees and mileage. The witness shall file a written demand for fees with the hearing officer within 10 calendar days from the date that he appears at the hearing.

(8) The hearing officer may issue an order of default against any party that fails to obey an order entered by the hearing officer.

R410-14-12. Record.

(1) The hearing officer shall make a complete record of all hearings. A hearing record is the sole property of DMHF and DMHF shall maintain the complete record in a secure area.

(2) Proceedings other than hearings may be recorded at the discretion of the hearing officer.

(3) If a party requests a copy of the recording of a hearing, that party may transcribe the recording at the party's sole cost.

(4) DMHF or its designated agent shall retain recordings of all hearings for a period of one year.

(5) DMHF shall retain written records of all hearings for a period of 10 years pending further litigation.

R410-14-13. Continuances or Further Hearings.

(1) The hearing officer, on the officer's own motion or at the request of a party showing good cause, may:

(a) continue the hearing to another time or place; or

(b) order a further hearing.

(2) If the hearing officer determines that additional evidence is necessary for the proper determination of the case, the officer may:

(a) continue the hearing to a later date and order the parties to produce additional evidence; or

(b) close the hearing and hold the record open to receive additional documentary evidence.

(3) The hearing officer shall provide to all parties any evidence that he receives and each party has the opportunity to rebut that evidence.

(4) The hearing officer shall provide written notice of the time and place of a continued or further hearing, except when the officer orders a continuance during a hearing and all parties receive oral notice.

R410-14-14. Proposed Decision and Final Agency Review.

(1) At the conclusion of the hearing, the hearing officer shall take the matter under advisement and submit a recommended decision to the DMHF Director or the director's designee. The recommended decision is based on the testimony and evidence entered at the hearing, Medicaid policy and procedure, and legal precedent.

(2) The recommended decision must contain findings of fact and conclusions of law.

(3) The DMHF Director or the director's designee may:

(a) adopt the recommended decision or any portion of the decision;

(b) reject the recommended decision or any portion of the decision, and make an independent determination based upon the record; or

(c) remand the matter to the hearing officer to take additional evidence, and the hearing officer thereafter shall submit to the DMHF director or the director's designee a new recommended decision.

(4) The director or designee's decision constitutes final administrative action and is subject to judicial review.

(5) DMHF shall send a copy of the final administrative action to each party or representative and notify them of their right to judicial review.

(6) The parties shall comply with a final decision from the director reversing the agency's decision within 10 calendar days.

(7) The DOH Executive Director shall review all recommended decisions to determine approval of medical assistance for an organ transplant. The Executive Director's decision constitutes final administrative action and is subject to judicial review.

R410-14-15. Amending Administrative Orders.

(1) DMHF may amend an order if the hearing officer determines that the order contains a clerical error.

(2) DMHF shall notify the parties of its intent to amend the order by serving a notice of agency action signed by the hearing officer.

(3) The DMHF Director shall review the amended order and he or his designee shall issue a final agency amended order.

(4) DMHF shall provide a copy of the final amended order to the respondent and the petitioner.

R410-14-16. Agency Review.

A party to the proceeding may move for reconsideration of DMHF's final administrative action in accordance with Sections 63G-4-301 through 63G-4-302. A person may seek review of a DWS final agency order concerning eligibility for medical assistance by filing a written request for review with DMHF in accordance with Section 63G-4-301.

R410-14-17. Judicial Review.

A party to the proceeding may obtain judicial review in accordance with Section 63G-4-102 and Sections 63G-4-401 through 63G-4-405.

R410-14-18. Declaratory Orders.

(1) DMHF may issue declaratory orders in accordance with Rule R380-1.

(2) If DMHF does not issue a declaratory order within 60 days after receipt of the request, the petition is denied.

(3) DMHF shall retain the request for declaratory ruling in its records.

(4) DMHF may not issue a declaratory order if an adjudicative proceeding that involves the same parties and issue is pending before the agency or a federal or state court.

R410-14-19. Interpreters.

(1) If a party notifies DMHF that it needs an interpreter, DMHF shall arrange for an interpreter at no cost to the party.

(2) The party may arrange for an interpreter to be present at the hearing only if the hearing officer can verify that the interpreter is at least 18 years of age, and fluent in English and the language of the person who testifies.

(3) The hearing officer shall instruct the interpreter to interpret word for word, and not to summarize, add, change, or delete any of the testimony or questions.

(4) The interpreter must swear under oath to truthfully and accurately translate all statements, questions and answers.

R410-14-20. MCO Grievance and Appeal System.

(1) For the purpose of this section, the following definitions apply:

(a) "Action" means one of the following actions by an MCO:

(i) The denial or limited authorization of a requested service, including the type and level of services;

(ii) The reduction, suspension, or termination of a previously authorized service;

(iii) The denial, in whole or in part, of payment for a service;

(iv) The failure to provide services in a timely manner;

(v) The failure to act within the time frames provided in 42 CFR 438.408(b);

(vi) The denial of a Medicaid enrollee's request to exercise his or her right under 42 CFR 438.52(b)(2)(ii) to obtain services outside of the network; or

(vii) The restriction of a Medicaid enrollee that utilize services at a frequency or amount that are not medically necessary, in accordance with state utilization guidelines.

(b) "Appeal" means a request for the MCO review of an "action" as defined in this section or a request for DMHF to review a final decision rendered by an MCO as a result of the MCO's appeal process.

(c) "Party" means the agency, or other person commencing an adjudicative proceeding, all respondents, and any MCO who is or may be obligated to pay a claim or provide a benefit or service to a recipient.

(2) An MCO shall establish a grievance system in accordance with this rule, 42 CFR 431.200 et seq. and 438.400 et seq. and the MCO's contractual obligations entered into with DMHF.

(3) The MCO grievance system shall include a written internal grievance procedure for aggrieved person to challenge the approval for payment or denial of payment for medical services.

(4) The MCO shall provide to its enrollees and providers written information that explains the grievance and appeal procedure including a right to request a state fair hearing in accordance with this rule.

(5) The MCO's notice of action shall comply with the requirements set out in Section R410-14-3.

(6) The MCO's written notice of final decision shall include an explanation of the aggrieved person's right to a state fair hearing pursuant to this rule.

(7) State fair hearings.

(a) Unless otherwise stated in this section, an aggrieved party may appeal an MCO final written disposition on an action by requesting a state fair hearing in accordance with this rule. The hearing request must include a copy of the final written notice of the MCO disposition.

(b) An aggrieved person must exhaust the MCO grievance procedure before an enrollee or provider may request a state fair hearing. The hearing request must include a copy of the final written notice of the MCO decision.

(c) The aggrieved party must also request a hearing within 30 days from the date of the MCO final written notice of the decision.

(d) Multiple MCO Participation in a state fair hearing.

(i) If an appeal is based on a dispute regarding the payment liability between two or more MCOs, the aggrieved person is not required to exhaust the MCO grievance procedure for each MCO before requesting a state fair hearing under this rule.

(ii) If DMHF identifies an MCO that may be liable to pay the claim and did not participate in the underlying grievance procedure, it shall send notice to that MCO that it may be subject to liability and its right to participate in the state fair hearing.

(iii) If more than one MCO is party to the state fair hearing, DMHF shall provide a notice to all parties that shall include the identity of all parties, the reason for the dispute, a copy of the hearing request and a statement that the MCO that did not participate in the underlying grievance procedure may be subject to payment liability and its right to participate in the state fair hearing.

(e) DMHF may, but is not required to, file an answer or other response or position statement in the hearing proceeding at any time so long as it gives notice to all other parties no less than five days before the hearing. If DMHF chooses not to file a

response or position statement, it does not waive its right to participate in the hearing.

R410-14-21. Pre-admission Screening Resident Review (PASRR) Hearings.

Pursuant to 42 U.S.C. 1396r, any resident and potential resident of a nursing facility whether Medicaid eligible or not, who disagrees with the preadmission screening and appropriateness of a placement decision that DMHF or its designated agent makes, has the right to an informal hearing upon request in accordance with this rule and the requirements set out in 42 CFR 483.200, Subpart D.

R410-14-22. Nurse Aid Registry Hearings.

Pursuant to 42 U.S.C. 1395i-3, each nurse aide is subject to investigation of allegations of resident abuse, neglect or misappropriation of resident property. DMHF or its designated agent shall investigate each complaint and the nurse aide is entitled to a hearing that DMHF or its designated agent conducts before a substantiated claim can be entered into the registry.

R410-14-23. Skilled Nursing Facility (SNF), Intermediate Care Facility (ICF) and Intermediate Care Facility for Persons with Intellectual Disabilities (ICF/ID) Hearings.

Pursuant to 42 CFR 431, Subpart D, DMHF shall provide an appeals hearing procedure for Skilled Nursing Facility (SNF), Intermediate Care Facility (ICF) or Intermediate Care Facility for Persons with Intellectual Disabilities (ICF/ID). The informal hearing shall be conducted pursuant to this rule and the requirements of 42 CFR 431.153 and 431.154.

R410-14-24. Home and Community-Based Waiver Hearings.

(1) Hearings conducted by DMHF. Pursuant to 42 CFR 431, Subpart E, DMHF shall provide an appeals hearing procedure for home and community-based waiver hearings. The informal hearing shall be conducted pursuant to this rule and the requirements of 42 CFR 431.200 through 431.250.

(2) Hearings conducted by the Division of Services for People with Disabilities (DSPD).

(a) For home and community-based waivers in which DSPD is the designated operating agency and the grievance is based on whether the person meets the eligibility criteria for state matching funds through DHS in accordance with Title 62A, Chapter 5a, the eligibility determination of the operating agency is final.

(b) If DSPD determines that an individual does not meet the eligibility criteria for state matching funds through DHS, it shall inform the individual in writing and provide the individual an opportunity to appeal the decision through the DHS hearing process in accordance with Section R539-3-8.

(c) The DSPD decision is dispositive for purposes of this subsection. DMHF shall sustain the determination and there is no right to further agency review.

R410-14-25. Restriction Program Hearings.

Pursuant to 42 CFR 431.54(e), the Department may restrict Medicaid recipients who utilize services at a frequency or amount that are not medically necessary, in accordance with state utilization guidelines. DMHF shall give the recipient notice and

opportunity for an informal hearing pursuant to this section before imposing restrictions.

R410-14-26. Eligibility Hearings.

(1) The eligibility agency shall provide a fair hearing process for applicants and recipients in accordance with the requirements of 42 CFR 431.220 through 431.246. The eligibility agency shall comply with Title 63G, Chapter 4.

(2) An applicant or recipient must request a hearing in writing or orally at the agency that made the final eligibility decision. A request for a hearing concerning a Medicaid eligibility decision must be made within 90 calendar days of the date of the notice of agency action with which the applicant or recipient disagrees. The request need only include a statement that the applicant or recipient wants to present his case.

(3) Hearings are conducted only at the request of a client or spouse, a minor client's parent, or a guardian or representative of the client.

(4) A recipient who requests a fair hearing concerning a decision about Medicaid eligibility shall receive continued medical assistance benefits pending a hearing decision if the recipient requests a hearing before the effective date of the action or within 15 calendar days of the date on the notice of agency action.

(5) The recipient must repay the continued benefits that he receives pending the hearing decision if the hearing decision upholds the agency action.

(a) A recipient may decline the continued benefits that the Department offers pending a hearing decision by notifying the eligibility agency.

(b) Benefits that the recipient must repay include premiums for Medicare or other health insurance, premiums and fees to managed care and contracted mental health services entities, fee-for-service benefits on behalf of the individual, and medical travel fees or reimbursement to or on behalf of the individual.

(6) The eligibility agency must receive a request for a hearing by the close of business on a business day that is before or on the due date. If the due date is a non-business day, the eligibility agency must receive the request by the close of business on the next business day.

(7) DWS conducts fair hearings for all medical assistance cases except those concerning eligibility for advanced premium tax credits made by the FFM, foster care or subsidized adoption Medicaid. The Department conducts hearings for foster care or subsidized adoption Medicaid cases. In addition, the Department conducts hearings concerning its disability determination decisions. The FFM conducts hearings concerning determinations for advanced premium tax credits.

(8) DWS conducts informal, evidentiary hearings in accordance with Sections R986-100-124 through R986-100-134, except for the provisions in Subsection R986-100-128(17) and Subsection R986-100-134(5). Instead, the provisions in Subsection R414-301-7(16) concerning the time frame to comply with the DWS decision, and Subsection R414-301-7(17)(c) concerning continued assistance during a superior agency review conducted by the Department apply respectively.

(9) The Department conducts informal hearings concerning eligibility for foster care or subsidized adoption Medicaid in accordance with Rule R414-1. Pursuant to Section

63G-4-402, within 30 days of the date the Department issues the hearing decision, the applicant or recipient may file a petition for judicial review with the district court.

(10) DWS may not conduct a hearing contesting resource assessment until an institutionalized individual has applied for Medicaid.

(11) An applicant or recipient may designate a person or professional organization to assist in the hearing or act as his representative. An applicant or recipient may have a friend or family member attend the hearing for assistance.

(12) The applicant, recipient or representative can arrange to review case information before the scheduled hearing.

(13) At least one employee from the eligibility agency must attend the hearing. Other employees of the eligibility agency, other state agencies and legal representatives for the eligibility agency may attend as needed.

(14) The DWS Division of Adjudication and Appeals shall mail a written hearing decision to the parties involved in the hearing. The decision shall include the decision, a summary of the facts and the policies or regulations supporting the decision.

(a) The DWS decision shall include information about the right to request a superior agency review from the Department and how to make that request.

(b) The applicant or recipient may appeal the DWS decision to the Department pursuant to Section R410-14-16. The request for agency review must be made in writing and delivered to either DWS or the Department within 30 days of the mailing date of the decision.

(15) The Department, as the single state Medicaid agency, is a party to all fair hearings concerning eligibility for medical assistance programs. The Department conducts appeals and has the right to conduct a superior agency review of medical assistance hearing decisions rendered by DWS.

(16) The DWS hearing decision becomes final 30 days after the decision is sent unless the Department conducts a superior agency review. The DWS hearing decision may be made final in less than 30 days upon agreement of all parties.

(17) The Department conducts a superior agency review when the applicant or recipient appeals the DWS decision or upon its own accord if it disagrees with the DWS decision.

(a) The Department notifies DWS whenever it conducts a superior agency review.

(b) The DWS hearing decision is suspended until the Department issues a final decision and order on agency review.

(c) A recipient receiving continued benefits continues to be eligible for continued benefits pending the superior agency review decision.

(18) The superior agency review is an informal proceeding and shall be conducted in accordance with Section 63G-4-301.

(19) A Department decision and order on agency review becomes final upon issuance.

(20) The eligibility agency takes case action within 10 calendar days of the date the decision becomes final.

(21) Pursuant to Section 63G-4-402, within 30 days of the date the decision and order on agency review is issued, the applicant or recipient may file a petition for judicial review with the district court. Failure to appeal a DWS hearing decision to the Department negates this right to a judicial appeal.

(22) Recipients are not entitled to continued benefits pending judicial review by the district court.

KEY: Medicaid

Date of Enactment or Last Substantive Amendment: [~~October 8, 2013~~2016

Notice of Continuation: September 27, 2012

Authorizing, and Implemented or Interpreted Law: 26-1-24; 26-1-5; 63G-4-102

**Health, Health Care Financing,
Coverage and Reimbursement Policy
R414-1A
Medicaid Policy for Experimental,
Investigational or Unproven Medical
Practices**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39985

FILED: 12/09/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to consolidate the scope of Medicaid policy for experimental, investigational or unproven medical practices to the Medicaid provider manual.

SUMMARY OF THE RULE OR CHANGE: This amendment removes all provisions in the rule text and defers to the scope of policy for experimental, investigational or unproven medical practices found in Section I: General Information Utah Medicaid Provider Manual and in the Medicaid State Plan.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 42 CFR 405.201 and Section 26-1-5 and Subsection 26-18-3(2)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** There is no impact to the state budget because services provided to Medicaid recipients remain unaffected by this change.

◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because services provided to Medicaid recipients remain unaffected by this change.

◆ **SMALL BUSINESSES:** There is no impact to small businesses because services provided to Medicaid recipients remain unaffected by this change.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no impact to Medicaid providers and to Medicaid recipients because services provided to Medicaid recipients remain unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid recipient because services provided remain unaffected by this change.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact to business because the rule does not change any requirements for Medicaid providers nor does it change any payment or funding to those providers.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov
- ◆ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Joseph Miner, MD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-1A. Medicaid Policy for Experimental, Investigational or Unproven Medical Practices.

R414-1A-1. Introduction.

The policy for experimental, investigational or unproven medical practices is found in Section 1: General Information Utah Medicaid Provider Manual as incorporated into Section R414-1-5.

[R414-1A-1. Introduction and Authority.

- ~~_____ (1) This rule establishes Medicaid payment policy for experimental, investigational or unproven medical practices.~~
- ~~_____ (2) This rule is authorized by Sections 26-1-5, 26-1-15, and 26-18-6, and by Subsections 26-18-3(2) and 26-18-5(4).~~

R414-1A-2. Definitions:

- ~~_____ (1) The definitions in R414-1 apply to this rule.~~
- ~~_____ (2) In addition:~~
 - ~~_____ (a) "Experimental, investigational or unproven medical practice" means any procedure, medication product, or service that is:~~

- ~~_____ (i) not proven to be medically efficacious for a given procedure; or~~
- ~~_____ (ii) performed for or in support of purposes of research, experimentation, or testing of new processes or products; or~~
- ~~_____ (iii) both;~~
- ~~_____ (b) "Medically efficacious" means a medical practice that:~~
 - ~~_____ (i) has been determined effective and is widely utilized as a standard medical practice for specific conditions; and~~
 - ~~_____ (ii) has been approved as a covered Medicaid service by division staff and physician consultants on the basis of medical necessity, as defined in R414-1-2(17);~~
 - ~~_____ (c) "Supporting services" means supplies or laboratory, X-ray, physician, pharmacy, therapy, or transportation services.~~

R414-1A-3. Medicaid Policy.

- ~~_____ (1) Experimental, investigational or unproven medical practices are not covered Medicaid services.~~
- ~~_____ (2) Procedures or services proven to be medically efficacious for specific medical conditions may be provided as covered Medicaid services only for the conditions specified. Procedures or services are not covered Medicaid services for any other conditions or for investigational or experimental trials.~~
- ~~_____ (3) Inpatient or outpatient hospitalization for the purpose of receiving services or procedures that are experimental, investigational or medically unproven, or in support of such services or procedures, is not a covered Medicaid service. If services or procedures are provided during hospitalization for an otherwise medically necessary and appropriate service, experimental, investigational or unproven medical procedures are excluded from reimbursement.]~~

KEY: Medicaid

Date of Enactment or Last Substantive Amendment: [May 25, 2004]2016

Notice of Continuation: April 30, 2012

Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-18-3(2)

**Health, Family Health and Preparedness, Emergency Medical Services
R426-5**

Emergency Medical Services Training and Certification Standards

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39986

FILED: 12/09/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To clarify Epinephrine (epi) pen training, BCI requirements, and to add language for the Emergency Medical Services (EMS) Rules Task Force. The amendments are due to past public comment received.

SUMMARY OF THE RULE OR CHANGE: Clarification of existing rule for epi pen training, background criminal investigation criteria for EMS certification, and the addition of an EMS Rules Task Force for EMS.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 8a

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** The state budget will not be impacted due to the amended training resources for epi pen use, the clarification of criminal background criteria, or the EMS Rules Task Force. The EMS Rules Task Force has been operational for several years, and this is only a proposal to add its functionality to administrative rule.
- ◆ **LOCAL GOVERNMENTS:** The local government budgets will not be impacted due to the amended training resources for epi pen use, the clarification of criminal background criteria, or the EMS Rules Task Force. The EMS Rules Task Force has been operational for several years, and this is only a proposal to add its functionality to administrative rule.
- ◆ **SMALL BUSINESSES:** Fiscal impacts will be minimal since changes are primarily at the state level.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** Fiscal impacts will be minimal since the changes are primarily at the state level.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Persons affected will not have any additional compliance costs due to rule amendments.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact to business because the amendment does not establish or substantively change any existing requirements and any changes are effective only at the state level.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HEALTH
FAMILY HEALTH AND PREPAREDNESS,
EMERGENCY MEDICAL SERVICES
3760 S HIGHLAND DR
SALT LAKE CITY, UT 84106
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Guy Dansie by phone at 801-273-6671, by FAX at 801-273-4165, or by Internet E-mail at gdansie@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Joseph Miner, MD, Executive Director

R426. Health, Family Health and Preparedness, Emergency Medical Services.**R426-5. Emergency Medical Services Training and Certification Standards.**

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R426-5-2600. Epinephrine Auto-Injector Use.

(1) Any qualified entities or qualified adults as defined in 26-41-102 in accordance with 26-41-107 shall receive training approved by the Department.

(a) The training shall include:

- (i) recognition of life threatening symptoms of anaphylaxis;
- (ii) appropriate administration of an epinephrine auto-injector;

injector;

- (iii) proper storage of an epinephrine auto-injector;
- (iv) disposal of an epinephrine auto-injector; and
- (v) an initial and annual refresher course.

(2) The annual refresher course requirement may be waived

if:

(a) The qualified entities or qualified adults are currently

licensed or certified at the EMR or higher level by the State of Utah, or

(b) The approved trainings are the Red Cross and American

Heart Association epinephrine auto-injector modules.

(3) Training in the school setting shall be based on approved Department trainings found on and provided in accordance with 26-41-104.

([3]4) All epinephrine auto injectors shall be stored and disposed of following the manufacturer's specifications.

R426-5-2700. Background Screening Clearance for EMS Certification.

(1) The Department shall conduct a background screening on each individual who seeks to certify or recertify as an EMR, EMT, AEMT, EMT-IA, Paramedic, or EMD. The Department shall approve EMS certification or recertification upon successful completion of a background screening. Background clearance indicates the individual does not pose an unacceptable risk to public health and safety.

(2) The Department may review relevant information obtained from the following sources:

(a) Department of Public Safety arrest, conviction, and disposition records described in Title 53, Chapter 10, Criminal Investigations and Technical Services Act, including information in state, regional, and national records files;

(b) juvenile court arrest, adjudication, and disposition records, as allowed under Section 78A-6-209;

(c) federal criminal background databases available to the state;

(d) the Department of Human Services' Division of Child and Family Services Licensing Information System described in Section 62A-4a-1006;

(e) child abuse or neglect findings described in Section 78A-6-323;

(f) the Department of Human Services' Division of Aging and Adult Services vulnerable adult abuse, neglect, or exploitation database described in Section 62A-3-311.1; and

(g) licensing and certification records of individuals licensed or certified by the Division of Occupational and Professional Licensing under Title 58, Occupations and Professions.

(3) If the Department determines an individual is not eligible for certification or recertification based upon the criminal background screening and the individual disagrees with the information provided by the Criminal Investigations and Technical Services Division or court record, the individual may challenge the information as provided in Utah Code Annotated Sections 77-18a.

(4) If the Department determines an individual is not eligible for certification or recertification based upon the non-criminal background screening and the individual disagrees with the information provided, the individual may challenge the information through the appropriate agency.

(5) The individual seeking certification or recertification shall submit the completed application, including fees, prior to submission of finger prints.

(6) Exclusion from certification or recertification.

(a) Criminal Convictions or Pending Charges:

(i) If an individual has been convicted, has pleaded no contest, is subject to a plea in abeyance, or a diversion agreement, for the following offenses within the past 15 years, they shall not be approved for certification or recertification:

(A) any felony or class A under Title 76, Chapter 5 Offenses Against the Person, Utah Criminal Code;

(B) any felony or class A under Title 76, Chapter 9, Offenses Against Public Order and Decency, Utah Criminal Code excluding sections 103 and 108;

(C) any felony or class A or B under the following Utah Criminal Codes:

(I) 76-9-301.8, Bestiality;

(II) 76-9-702.1, Sexual Battery; and

(III) 76-9-702.5, Lewdness Involving Child.

(ii) If an individual has been convicted or has pleaded no contest for the following offenses, 15 years ~~has~~ have passed since the last conviction and the offense cannot be expunged they shall be considered ~~may not be approved~~ for certification or recertification:

(A) any felony or class A under Title 76, Chapter 5 Offenses Against the Person, Utah Criminal Code;

(B) any felony or class A under Title 76, Chapter 9, Offenses Against Public Order and Decency, Utah Criminal Code;

(C) any felony or class A or B under the following Utah Criminal Codes:

(I) 76-9-301.8, Bestiality;

(II) 76-9-702.1, Sexual Battery; and

(III) 76-9-702.5, Lewdness Involving Child.

(iii) If an individual has been convicted, has pleaded no contest, is subject to a plea in abeyance, or a diversion agreement, for the following offenses, they shall be considered ~~may not be approved~~ for certification or recertification:

(A) any felony or class A under Utah Criminal Code ~~not~~ listed in R426-5-2700(6)(a)(i).

(B) any class B or C under Title 76, Chapter 5 Offenses Against the Person, Utah Criminal Code;

(C) any felony, class A ~~or B or C~~ under Title 76, Chapter 6, Offenses Against Property, Utah Criminal Code;

(D) any felony or class A under Title 76, Chapter 6a, Pyramid Schemes, Utah Criminal Code;

(E) any felony or class A under Title 76, Chapter 8, Offenses Against the Administration of Government, Utah Criminal Code;

(F) any felony, class A ~~or B or C~~ under Title 76, Chapter 10, Offenses Against Public Health, Welfare, Safety and Morals, Utah Criminal Code;

(G) any felony, class A, B or C under the following Utah Criminal Codes:

(I) 76-10-1201 to 1229.5, Pornographic and Harmful Materials and Performances; and

(II) 76-10-1301 to 1314, Prostitution;

~~(III)~~ (H) any felony or class A under Utah Criminal Code 76-10-2301, Contributing to the Delinquency of a Minor;

(H) any felony or class A or B ~~or C~~ under Utah Motor Vehicles Traffic Code 41-6a-502 and 517.

(I) any felony or class A ~~or B or C~~ under Utah Occupations and Professions Utah Controlled Substances Act 58-37.

(J) any felony or class A ~~or B or C~~ under Alcoholic Beverage Control Act 32B-4-409.

(K) any criminal conviction or pattern of convictions that may represent an unacceptable risk to public health and safety.

(iv) An individual seeking certification who has been convicted or has pleaded no contest, is subject to a plea in abeyance, a diversion agreement, a warrant for arrest, arrested or charged for any of the identified offenses in R426-5-2700(6)(a)(iii), shall be considered ~~may not be approved~~ for certification.

(v) A certified EMS individual who is subject to a warrant ~~off for~~ arrest, arrested or charged for any of the identified offenses in R426-5-2700(6)(a)(iii), and after an investigation and Peer Review Board process as established in R426-5-2900, the Department may issue recertification, or suspend or revoke a certification, or place a certification on probation.

(vi) A certified EMS individual who is subject to a warrant ~~off for~~ arrest, arrested or charged for any of the identified offenses in R426-5-2700(6)(a)(i), shall immediately have the individuals EMS certification placed on restriction pending the outcome of a CCEU investigation as per the process established in R426-5-2900.

(b) Juvenile Records.

(i) As required by Utah Code Subsection 26-8a-310(5)(b), juvenile court records shall be reviewed if an individual is:

(A) under the age of 28; or

(B) over the age of 28 and has convictions or pending charges identified in R426-5-2600(6)(a).

(ii) Adjudications by a juvenile court may exclude the individual from certification or recertification if the adjudications refer to an act that, if committed by an adult, would be a felony or a misdemeanor any of the identified offenses in R426-5-2700(6)(a).

(c) Non-Criminal Records.

(i) The Department may deny certification or recertification based on a supported finding from:

(A) the Department of Human Services' Division of Child and Family Services Licensing Information System described in Section 62A-4a-1006;

(B) child abuse or neglect findings described in Section 78A-6-323;

(C) the Department of Human Services' Division of Aging and Adult Services vulnerable adult abuse, neglect, or exploitation database described in Section 62A-3-311.1;

(ii) The Department may deny certification or recertification based on a finding from licensing records of individuals licensed by the Division of Occupational and Professional Licensing under Title 58, Occupations and Professions.

(d) Review of Relevant Information.

(i) Results of background screening review, as listed above in R426-5-2700(6)(a)(ii)-(iii), (b) or (c) may be reviewed to determine under what circumstance, if any, the individual may be granted certification or recertification. The following factors may be considered:

- (A) types and number;
- (B) passage of time;
- (C) surrounding circumstances;
- (D) intervening circumstances; and
- (E) steps taken to correct or improve.

(ii) The Department shall rely on relevant information identified in R426-5-2700(2) as conclusive evidence and may deny certification or recertification based on that information.

(e) Appeal of Department certification decision.

(i) A certified EMS individual may appeal a Department certification decision as listed in R426-5-2700(6)(d)(i) to the CCEU as per the process established in R426-5-2900.

(7) A certified EMS individual who has been arrested, charged, or convicted shall notify the Department CCEU and all employers or affiliated entities who utilize the EMS individual's certification within 7 business days. The certified EMS individual shall also notify the Department of all entities they work for or are affiliated with.

(8) All licensed or designated EMS providers who are notified or become aware of a certified EMS individual arrest, charge or conviction shall notify the Department CCEU within 7 business days.

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R426-5-3000. EMS Rules Task Force.

The EMS Rules Task Force is created under section 26-8a-105(3).

(1) Membership of the EMS Rules Task Force. The EMS Rules Task Force shall be composed of the following members appointed by the Executive Director of the Department of Health:

- (a) a representative from the Utah Fire Chiefs' Association;
- (b) a representative from the EMS Directors' Association;
- (c) a EMS medical director;
- (d) a privately owned EMS representative;
- (e) a rural EMS medical dispatch representative;
- (f) a paramedic licensed provider representative;
- (g) an urban EMS medical dispatch representative;
- (h) an Emergency Nurses Association representative;
- (i) a course coordinator from an accredited EMS training program;

- (j) an EMS training officer;
- (k) a representative from the State EMS Committee;
- (l) a trauma center representative.
- (2) EMS Rules Task Force member terms of office:
 - (a) Except as provided in subsection (2)(b) members shall be appointed for a three year term.
 - (b) The Department shall adjust the length of terms to ensure the terms of members of the EMS Rules Task Force are staggered so approximately one third of the EMS Rules Task Force is appointed every two years.
 - (c) Members may serve two consecutive full terms.
 - (d) When a vacancy occurs in the membership for any reason, the Department shall solicit applications for replacement for the balance of the unexpired term. If the balance of the term is greater than 50% of the initial term, then the term shall be considered a full term.
 - (e) The EMS Rules Task Force may organize and select one of its members as Chair and one of its members as Vice Chair to serve no more than two years in each position.
 - (f) If a EMS Rules Task Force member becomes ineligible for the EMS Task Force membership position through promotion, an increase in level of certification or transfer out of the employment position which qualified them for the appointment, they shall be replaced at the next two year interval.
 - (g) An equitable mix of urban and rural members is preferred.
- (3) EMS Rules Task Force Meetings.
 - (a) Regular meetings of the EMS Rules Task Force shall be scheduled as determined by the membership and the Department.

KEY: emergency medical services

Date of Enactment or Last Substantive Amendment: [~~September 24, 2015~~]2016

Notice of Continuation: April 26, 2012

Authorizing, and Implemented or Interpreted Law: 26-8a-302

**Natural Resources, Wildlife Resources
R657-5
Taking Big Game**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39976

FILED: 12/07/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to Regional Advisory Council meetings and the Wildlife Board meeting conducted for taking public input and reviewing the big game rule.

SUMMARY OF THE RULE OR CHANGE: The proposed revisions to this rule do the following: 1) clarify areas with special restrictions; 2) increase the number of elk permits a

person can obtain annually to three; 3) define antlerless elk control permits; 4) define private lands only permits; 5) allow general season muzzleloader bull elk hunters to harvest a cow or bull elk with their muzzleloader permit on specified units; 6) define two-doe permits; and 7) allow for the use of scopes on muzzleloaders.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 23-14-18 and Section 23-14-19

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This rule amendment makes technical corrections and allows for additional opportunities for sportsmen and for the division to handle depredating elk, however, it does not increase workload for the agency; therefore, the Division of Wildlife Resources (DWR) determines that this amendment does not create a cost or savings impact to the state budget or DWR's budget, since the changes will not increase workload and can be carried out with existing budget.

◆ **LOCAL GOVERNMENTS:** Since the amendment only makes technical corrections and allows for additional opportunities for sportsmen and for the division to handle depredating elk, this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

◆ **SMALL BUSINESSES:** This amendment simply makes technical corrections and allows for additional opportunities for sportsmen and for the division to handle depredating elk; it does not have the potential to generate a cost or savings impact to small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This amendment simply makes technical corrections and allows for additional opportunities for sportsmen and for the division to handle depredating elk; it does not have the potential to generate a cost or savings impact to sportsmen or the other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: DWR determines that this amendment will not create additional costs for those who participate in wildlife related activities in Utah.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule do not have a potential to create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Gregory Sheehan, Director

R657. Natural Resources, Wildlife Resources.

R657-5. Taking Big Game.

R657-5-1. Purpose and Authority.

(1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking deer, elk, pronghorn, moose, bison, bighorn sheep, and Rocky Mountain goat.

(2) Specific dates, areas, methods of take, requirements, and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking big game.

R657-5-7. Prohibited Weapons.

(1) A person may not use any weapon or device to take big game other than those expressly permitted in this rule.

(2) A person may not use:

(a) a firearm capable of being fired fully automatic; [ø]

(b) any light enhancement device or aiming device that casts a visible beam of light[~~—Laser range finding devices are exempt from this restriction.~~]; or

(c) a firearm equipped with a computerized targeting system that marks a target, calculates a firing solution and automatically discharges the firearm at a point calculated most likely to hit the acquired target.

(3) Nothing in this Section shall be construed as prohibiting laser range finding devices.

R657-5-10. Muzzleloaders.

(1) A muzzleloader may be used during any big game hunt, except an archery hunt, provided the muzzleloader:

(a) can be loaded only from the muzzle;

(b) has open sights, peep sights, or a variable or fixed [non-]power scope, including a magnifying [1x scope, except as provided in Subsection (4) and R657-12]scope;

(c) has a single barrel;

(d) has a minimum barrel length of 18 inches;

(e) is capable of being fired only once without reloading;

(f) powder and bullet, or powder, sabot and bullet are not bonded together as one unit for loading;

(g) is loaded with black powder or black powder substitute, which must not contain smokeless powder.

(2)(a) A lead or expanding bullet or projectile of at least 40 caliber must be used to hunt big game.

(b) A bullet 130 grains or heavier, or a sabot 170 grains or heavier must be used for taking deer and pronghorn.

(c) A 210 grain or heavier bullet must be used for taking elk, moose, bison, bighorn sheep, and Rocky Mountain goat, except sabot bullets used for taking these species must be a minimum of 240 grains.

(3)(a) A person who has obtained a muzzleloader permit for a big game hunt may:

(i) use only muzzleloader equipment authorized in this Subsections (1) and (2) to take the species authorized in the permit; and

(ii) not possess or be in control of a rifle or shotgun while in the field during the muzzleloader hunt.

(A) "Field" for purposes of this section, means a location where the permitted species of wildlife is likely to be found. "Field" does not include a hunter's established campsite or the interior of a fully enclosed automobile or truck.

(b) The provisions of Subsection (a) do not apply to:

(i) a person licensed to hunt upland game or waterfowl provided the person complies with Rules R657-6 and R657-9 and the Upland Game Guidebook and Waterfowl Guidebook, respectively, and possessing only legal weapons to take upland game or waterfowl;

(ii) a person licensed to hunt big game species during hunts that coincide with the muzzleloader hunt;

(iii) livestock owners protecting their livestock; or

(iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

(4) A person who has obtained an any weapon permit for a big game hunt may use muzzleloader equipment authorized in this Section to take the species authorized in the permit, ~~including a fixed or variable magnifying scope~~.

R657-5-11. Archery Equipment.

(1) Archery equipment may be used during any big game hunt, except a muzzleloader hunt, provided:

(a) the minimum bow pull is 40 pounds at the draw or the peak, whichever comes first; and

(b) arrowheads used have two or more sharp cutting edges that cannot pass through a 7/8 inch ring;

(c) expanding arrowheads cannot pass through a 7/8 inch ring when expanded, and

(d) arrows must be a minimum of 20 inches in length from the tip of the arrowhead to the tip of the nock, and must weigh at least 300 grains.

(2) The following equipment or devices may not be used to take big game:

(a) a crossbow, except as provided in Subsection (5) and Rule R657-12;

(b) arrows with chemically treated or explosive arrowheads;

(c) a mechanical device for holding the bow at any increment of draw, except as provided in Subsection (5) and Rule R657-12;

(d) a release aid that is not hand held or that supports the draw weight of the bow, except as provided in Subsection (5) and Rule R657-12; or

(e) a bow with ~~[an attached electronic range finding device or]~~ a magnifying aiming device.

(3) Arrows carried in or on a vehicle where a person is riding must be in an arrow quiver or a closed case.

(4)(a) A person who has obtained an archery permit for a big game hunt may:

(i) use only archery equipment authorized in Subsections (1) and (2) to take the species authorized in the permit; and

(ii) not possess or be in control of a crossbow, draw-lock, rifle, shotgun or muzzleloader while in the field during an archery hunt.

(A) "Field" for purposes of this section, means a location where the permitted species of wildlife is likely to be found. "Field" does not include a hunter's established campsite or the interior of a fully enclosed automobile or truck.

(b) The provisions of Subsection (a) do not apply to:

(i) a person licensed to hunt upland game or waterfowl provided the person complies with Rules R657-6 and R657-9 and the Upland Game Guidebook and Waterfowl Guidebook, respectively, and possessing only the weapons authorized to take upland game or waterfowl;

(ii) a person licensed to hunt big game species during hunts that coincide with the archery hunt, provided the person is in compliance with the regulations of that hunt and possesses only the weapons authorized for that hunt;

(iii) livestock owners protecting their livestock;

(iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife; or

(v) a person possessing a crossbow or draw-lock under a certificate of registration issued pursuant to R657-12.

(5) A person who has obtained an any weapon permit for a big game hunt may use archery equipment authorized in this Section to take the species authorized in the permit, including a crossbow or draw-lock.

(6)(a) A crossbow used to hunt big game must have:

(i) a minimum draw weight of 125 pounds;

(ii) a minimum draw length of 14 inches, measured between the latch (nocking point) and where the bow limbs attach to the stock;

(iii) an overall length of at least 24 inches; measured between the butt stock end and where the bow limbs attach to the stock; and

(iv) a positive mechanical safety mechanism.

(b) A crossbow arrow or bolt used to hunt big game must be at least 16 inches long and have:

(i) fixed broadheads that are at least 7/8 inch wide at the widest point; or

(ii) expandable, mechanical broadheads that are at least 7/8 inch wide at the widest point when the broadhead is in the open position.

(c) It is unlawful for any person to:

(i) hunt big game with a crossbow during a big game archery hunt, except as provided in R657-12-8;

(ii) carry a cocked crossbow containing an arrow or a bolt while in or on any motorized vehicle on a public highway or other public right-of-way, except as provided in R657-12-4; or

(iii) hunt any protected wildlife with a crossbow:

(A) bolt that has any chemical, explosive or electronic device attached; or

(B) ~~[that has an attached electronic range finding device; or]~~

~~[(C)]~~ that has an attached magnifying aiming device, except as provided in Subsection (7).

(7) A crossbow used to hunt big game during an any weapon hunt may have a fixed or variable magnifying scope.

R657-5-12. Areas With Special Restrictions.

(1)(a) Hunting of any wildlife is prohibited within the boundaries of all park areas, except those designated by the Division of Parks and Recreation in Rule R651-614-4.

(b) Hunting with rifles and handguns in park areas designated open is prohibited within one mile of all park area facilities, including buildings, camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches.

(c) Hunting with shotguns or archery equipment is prohibited within one-quarter mile of the areas provided in Subsection (b).

(2) Hunting is closed within the boundaries of all national parks unless otherwise provided by the governing agency.

(3) Hunters obtaining a Utah license, permit or tag to take big game are not authorized to hunt on tribal trust lands. Hunters must obtain tribal authorization to hunt on tribal trust lands.

(4) Military installations, including Camp Williams, are closed to hunting and trespassing unless otherwise authorized.

(5) In Salt Lake County, a person may:

(a) only use archery equipment to take buck deer and bull elk south of I-80 and east of I-15;

(b) only use archery equipment to take big game in Emigration Township; and

(c) not hunt big game within one-half mile of Silver Lake in Big Cottonwood Canyon.

(6) Hunting is closed within a designated portion of the town of Alta. Hunters may refer to the town of Alta for boundaries and other information.

(7) Domesticated Elk Facilities and Domesticated Elk Hunting Parks, as defined in Section 4-39-102(2) and Rules R58-18 and R58-20, are closed to big game hunting. This restriction does not apply to the lawful harvest of domesticated elk as defined and allowed pursuant to Rule R58-20.

(8) State waterfowl management areas are closed to taking big game, except as otherwise provided in the guidebook of the Wildlife Board for taking big game.

(9) Hunters are restricted to using archery equipment, muzzleloaders or shotguns on the Scott M. Matheson Wetland Preserve.

(10) A person may not discharge a firearm, except a shotgun or muzzleloader, from, upon, or across the Green River located near Jensen, Utah from the Highway 40 bridge upstream to the Dinosaur National Monument boundary.

R657-5-26. Premium Limited Entry and Limited Entry Buck Deer Hunts.

(1)(a) To hunt in a premium limited entry or limited entry buck deer area, hunters must obtain the respective limited entry buck permit. Limited entry areas are not open to general archery buck deer, general any weapon buck deer, or general muzzleloader buck deer hunting, except as specified in the guidebook of the Wildlife Board for taking big game.

(b)(i) The Wildlife Board may establish in guidebook a limited entry buck deer hunt on a general season buck deer unit.

(ii) The season dates for a limited entry hunt under this Subsection will not overlap the season dates for the underlying general season hunt on the unit.

(iii) A landowner association under R657-43 is not eligible to receive limited entry permits that occur on general season units.

(2) A limited entry buck deer permit allows a person using the prescribed legal weapon, to take one buck deer within the area and season specified on the permit, excluding deer cooperative wildlife management units located within the limited entry unit.

(3)(a) A person who has obtained a premium limited entry, limited entry, management, or cooperative wildlife management unit buck deer permit must report hunt information within 30 calendar days after the end of the hunting season, whether the permit holder was successful or unsuccessful in harvesting a buck deer.

(b) Limited entry and cooperative wildlife management unit buck deer permit holders must report hunt information by telephone, or through the division's Internet address.

(c) A person who fails to comply with the requirement in Subsection (a) shall be ineligible to apply for any once-in-a-lifetime, premium limited entry, limited entry, management, or cooperative wildlife management unit permit or bonus point in the following year.

(d) Late questionnaires may be accepted pursuant to Rule R657-42-9(3).

(4) A person who has obtained a premium limited entry or limited entry buck permit may not:

(a) obtain any other deer permit, except an antlerless deer permit as provided in R657-5-27 and the guidebooks of the Wildlife Board; or

(b) hunt during any other deer hunt, except unsuccessful archery hunters may hunt within extended archery areas as provided in Subsection (7).

(5)(a) The Wildlife Board may establish a multi-season hunting opportunity in the big game guidebooks for selected premium limited entry and limited entry buck deer hunts.

(b) A person that obtains a premium limited entry or limited entry buck deer permit with a multi-season opportunity may hunt during any of the following limited entry buck deer seasons established in the guidebooks of the Wildlife Board for the unit specified on the premium limited entry or limited entry buck deer permit:

(i) archery season, using only archery equipment prescribed in R657-5-11 for taking deer;

(ii) muzzleloader season, using only muzzleloader equipment prescribed in R657-5-10 for taking deer; and

(iii) any weapon season, using any legal weapon prescribed in R657-5 for taking deer.

(c) A landowner association under R657-43 is not eligible to receive a multi-season hunting opportunity for premium limited entry or limited entry units.

(6) A premium limited entry or limited entry buck deer permit, including a permit with a multi-season opportunity, is valid only within the boundaries of the unit designated on the permit, excluding:

(a) areas closed to hunting;

- (b) deer cooperative wildlife management units; and
- (c) Indian tribal trust lands.

(7) A person who possesses an archery buck deer permit for a premium limited entry or limited entry unit, including a permit with a multi-season opportunity, may hunt buck deer within any extended archery area during the established extended archery season for that area, provided the person:

- (a) did not take a buck deer during the premium limited entry or limited entry hunt;
- (b) uses the prescribed archery equipment for the extended archery area;
- (c) completes the annual Archery Ethics Course required to hunt extended archery areas during the extended archery season; and
- (d) possesses on their person while hunting:
 - (i) the multi-season limited entry or limited entry buck deer permit; and
 - (ii) the Archery Ethics Course Certificate of Completion.

R657-5-27. Antlerless Deer Hunts.

(1)(a) To hunt ~~an~~ antlerless deer, a hunter must obtain an antlerless deer permit.

(b) A person may obtain only one antlerless deer permit or a two-doe antlerless deer permit through the division's antlerless big game drawing.

~~(2)(a) An antlerless deer permit allows a person to take one antlerless deer ~~[per antlerless deer tag,] using [any legal]the weapon type, within the area, and during season [as]dates specified on the permit and in the [antlerless addendum]Antlerless guidebook of the Wildlife Board for taking big game.~~~~

(b) A two-doe antlerless deer permit allows a person to take two antlerless deer using the weapon type, within the area, and during the season specified on the permit and in the Antlerless guidebook of the Wildlife Board for taking big game.

~~(b)(c) A person may not hunt antlerless deer on any deer cooperative wildlife management [units]unit unless that person obtains an antlerless deer permit for [a]that specific cooperative wildlife management unit[as specified on the permit].~~

(3) A person who has obtained an antlerless deer permit may not hunt during any other antlerless deer hunt or obtain any other antlerless deer ~~[permit.]permits, except as provided in R657-44-3.~~

(4)(a) A person who obtains an antlerless deer permit and any of the permits listed in Subsection (b) may use the antlerless deer permit during the established season for the antlerless deer permit and during the established season for the applicable permits listed in Subsection (b) provided:

- (i) the permits are both valid for the same area;
- (ii) the appropriate archery equipment is used, if hunting ~~[with]antlerless deer during an archery [permit]season or hunt; and~~
- (iii) the appropriate muzzleloader hunt equipment is used, if hunting ~~[with]antlerless deer during a muzzleloader [permit]season or hunt.~~

(b)(i) General buck deer for archery~~[-deer], muzzleloader, or any weapon;~~

(ii) ~~[general]General bull elk for archery muzzleloader~~[-deer], or any weapon;~~~~

(iii) Premium limited entry buck deer for archery~~[-deer], or muzzleloader, any weapon, or multi-season;~~

(iv) ~~[limited]Limited entry buck deer for archery muzzleloader~~[-deer], any weapon, or multi-season;~~~~

(v) Limited entry bull elk for archery, muzzleloader, any weapon, or multi-season; or

~~Antlerless elk.~~

(c) A person that possess an unfilled antlerless deer permit and harvests an animal under authority of a permit listed in Subsection (b), may continue hunting antlerless deer as prescribed in Subsections (a) and (b) during the remaining portions of the Subsection (b) permit season.

R657-5-30. General Muzzleloader Bull Elk Hunt.

(1) The dates and areas for general muzzleloader bull elk hunts are provided in the guidebooks of the Wildlife Board for taking big game, except the following areas are closed to general muzzleloader bull elk hunting:

- (a) Salt Lake County south of I-80 and east of I-15; and
- (b) elk cooperative wildlife management units.

(2)(a) General muzzleloader bull elk hunters may purchase either a spike bull elk permit or an any bull elk permit.

(b) A person who has obtained a general muzzleloader spike bull elk permit may use a muzzleloader, prescribed in R657-5-10, to take a spike bull elk on an any general spike bull elk unit. Any bull units are closed to spike bull muzzleloader permittees.

(c) A person who has obtained a general muzzleloader any bull elk permit may use a muzzleloader, as prescribed in R657-5-10, to take any bull elk on an any bull elk unit. Spike bull units are closed to any bull muzzleloader permittees.

(3) On selected units identified in the guidebook of the Wildlife Board for taking big game, a person who has obtained a general muzzleloader bull elk permit may use muzzleloader equipment to take either an antlerless elk or a bull elk.

(4) A person who has obtained a general muzzleloader bull elk permit may not hunt during any other elk hunt or obtain any other elk permit, except as provided in Subsection R657-5-33(3).

R657-5-32. Limited Entry Bull Elk Hunts.

(1) To hunt in a limited entry bull elk area, a hunter must obtain a limited entry bull elk permit for the area.

(2)(a) A limited entry bull elk permit allows a person, using the prescribed legal weapon, to take one bull elk within the area and season specified on the permit, except as provided in Subsection (5) and excluding elk cooperative wildlife management units located within a limited entry unit. Spike bull elk restrictions do not apply to limited entry elk permittees.

(3)(a) The Wildlife Board may establish a multi-season hunting opportunity in the big game guidebooks for selected limited entry bull elk units.

(b) A person that obtains a limited entry bull elk permit with a multi-season opportunity may hunt during any of the following limited entry bull elk seasons established in the guidebooks of the Wildlife Board for the unit specified on the limited entry bull elk permit:

- (i) archery season, using only archery equipment prescribed in R657-5-11 for taking elk;
- (ii) muzzleloader season, using only muzzleloader equipment prescribed in R657-5-10 for taking elk; and
- (iii) any weapon season, using any legal weapon prescribed in R657-5 for taking elk.

(c) A landowner association under R657-43 is not eligible to receive a multi-season hunting opportunity for limited entry units.

(4) A limited entry bull elk permit, including a permit with a multi-season opportunity, is valid only within the boundaries of the unit designated on the permit, excluding:

- (a) areas closed to hunting;
- (b) elk cooperative wildlife management units; and
- (c) Indian tribal trust lands.

(5) A person who possesses any limited entry archery bull elk permit, including a permit with a multi-season opportunity, may hunt bull elk within any extended archery area during the established extended archery season for that area, provided the person:

(a) did not take a bull elk during the limited entry hunt;

(b) uses the prescribed archery equipment for the extended archery area;

(c) completes the annual Archery Ethics Course required to hunt extended archery areas during the extended archery season; and

(d) possesses on their person while hunting:

- (i) the limited entry bull elk permit; and
- (ii) the Archery Ethics Course Certificate of Completion.

(6) "Prescribed legal weapon" means for purposes of this subsection:

(a) archery equipment, as defined in R657-5-11, when hunting the archery season, excluding a crossbow or draw-lock;

(b) muzzleloader equipment, as defined in R657-5-10, when hunting the muzzleloader season, ~~excluding magnifying scopes~~; and

(c) any legal weapon, including a muzzleloader and crossbow with a fixed or variable magnifying scope or draw-lock when hunting during the any weapon season.

(7)(a) A person who has obtained a limited entry or cooperative wildlife management unit bull elk permit must report hunt information within 30 calendar days after the end of the hunting season, whether the permit holder was successful or unsuccessful in harvesting a bull elk.

(b) Limited entry and cooperative wildlife management unit bull elk permit holders must report hunt information by telephone, or through the division's Internet address.

(c) A person who fails to comply with the requirement in Subsection (a) shall be ineligible to apply for any once-in-a-lifetime, premium limited entry, limited entry, or cooperative wildlife management unit permit or bonus point in the following year.

(d) Late questionnaires may be accepted pursuant to Rule R657-42-9(2).

(8) A person who has obtained a limited entry bull elk permit may not hunt during any other elk hunt or obtain any other elk permit, except as provided in Subsections (5) and R657-5-33(3).

R657-5-33. Antlerless Elk Hunts.

(1) To hunt ~~an~~ antlerless elk, a hunter must obtain an antlerless elk permit.

(2)(a) An antlerless elk permit allows a person to take one antlerless elk ~~using any legal~~ using the weapon type, within the

area, and during season ~~as~~ dates specified on the permit and in the Antlerless guidebook of the Wildlife Board for taking big game.

(b) A person may not hunt antlerless elk on ~~any~~ an elk cooperative wildlife management ~~units~~ unit unless that person obtains an antlerless elk permit for ~~a~~ that specific cooperative wildlife management unit ~~as specified on the permit~~.

(3)(a) A person may obtain ~~two~~ three elk permits each year, ~~provided one or both of the elk permits is an antlerless elk permit.~~ ~~(b)~~ in combination as follows:

(i) a maximum of one bull elk permit;

(ii) a maximum of one antlerless elk permit issued through the division's antlerless big game drawing; and

(iii) a maximum of two antlerless elk permits acquired over the counter or on-line after the antlerless big game drawing is finalized, including antlerless elk;

(A) control permits, as described in Subsection (5);

(B) depredation permits, as described in R657-44-8;

(C) mitigation permit vouchers, as defined in R657-44-2(2); and

(D) private lands only permits, as described in Subsection (6). (b) Antlerless elk mitigation permits obtained by a landowner or lessee under R657-44-3 do not count towards the annual three elk permit limitation prescribed in this subsection.

(i) "Mitigation permit" has the same meaning as defined in R657-44-2(2).

(c) For the purposes of obtaining ~~two~~ multiple elk permits, a hunter's choice elk permit ~~may not be~~ is considered ~~an antlerless~~ a bull elk permit.

(4)(a) A person who obtains an antlerless elk permit and any of the permits listed in Subsection (b) may use the antlerless elk permit during the established season for the antlerless elk permit and during the established season for the applicable permits listed in Subsection (b), provided:

(i) the permits are both valid for the same area;

(ii) the appropriate archery equipment is used, if hunting ~~with~~ antlerless elk during an archery ~~permit~~ season or hunt; and

(iii) the appropriate muzzleloader hunt equipment is used, if hunting ~~with~~ antlerless elk during a muzzleloader ~~permit~~ season or hunt.

(b)(i) General buck deer for archery, muzzleloader or any legal weapon;

(ii) ~~general~~ General bull elk for archery, muzzleloader or any legal weapon;

(iii) ~~limited~~ Premium limited entry buck deer for archery, muzzleloader, any weapon, or multi-season;

(iv) Limited entry buck deer for archery, muzzleloader, any legal weapon; ~~;~~ or multi-season;

(v) Limited entry bull elk for archery, muzzleloader or any legal weapon; or

(vi) ~~antlerless elk.~~ Antlerless deer or elk.

(c) A person that possess an unfilled antlerless elk permit and harvests an animal under authority of a permit listed in Subsection (b), may continue hunting antlerless elk as prescribed in Subsections (a) and (b) during the remaining portions of the Subsection (b) permit season.

(5)(a) To obtain an antlerless elk control permit, a person must first obtain a big game buck, bull, or a once-in-a-lifetime permit.

(b) An antlerless elk control permit allows a person to take one antlerless elk using the same weapon type, during the same season dates, and within areas of overlap between the boundary of the buck, bull, or once-in-a-lifetime permit and the boundary of the antlerless elk control permit, as provided in the Antlerless guidebook by the Wildlife Board.

(c) Antlerless elk control permits are sold over the counter or online after the division's antlerless big game drawing is finalized.

(d) A person that possess an unfilled antlerless elk control permit and harvests an animal under the buck, bull, or once-in-a-lifetime permit referenced in Subsection (b), may continue hunting antlerless elk as prescribed in Subsection (b) during the remaining portions of the buck, bull, or once-in-a-lifetime permit season.

(6)(a) A private lands only permit allows a person to take one antlerless elk on private land within a prescribed unit using any weapon during the season dates and area provided in the Big Game guidebook by the Wildlife Board.

(b) No boundary extension or buffer zones on public land will be applied to private lands only permits.

(c) Private lands only permits are sold over the counter or online after the division's antlerless big game drawing is finalized.

(d) "Private lands" means, for purposes of this subsection, any land owned in fee by an individual or legal entity, excluding:

(i) land owned by the state or federal government;

(ii) land owned by a county or municipality;

(iii) land owned by an Indian tribe;

(iv) land enrolled in a Cooperative Wildlife Management Unit under R657-37; and

(v) land where public access for big game hunting has been secured.

R657-5-35. Doe Pronghorn Hunts.

(1)(a) To hunt[-a] doe pronghorn, a hunter must obtain a doe pronghorn permit.

(b) A person may obtain only one doe pronghorn permit or a two-doe pronghorn permit through the division's antlerless big game drawing.

(2)(a) A doe pronghorn permit allows a person to take one doe pronghorn[-per doe pronghorn tag,] using [any legal]the weapon type, within the area, and during the season [as-]specified on the permit and in the Antlerless guidebook of the Wildlife Board for taking big game.

(b) A two-doe pronghorn permit allows a person to take two doe pronghorn using the weapon type, within the area, and during the season dates specified on the permit and in the Antlerless guidebook of the Wildlife Board for taking big game.

(c) A person may not hunt doe pronghorn on any pronghorn cooperative wildlife management [units]unit unless that person obtains an antlerless pronghorn permit for [a]that specific cooperative wildlife management unit[-as specified on the permit].

(3) A person who has obtained a doe pronghorn permit may not hunt pronghorn during any other pronghorn hunt or obtain any other pronghorn permit.

R657-5-36. Antlerless Moose Hunts.

(1) To hunt[-an] antlerless moose, a hunter must obtain an antlerless moose permit.

(2)(a) An antlerless moose permit allows a person to take one antlerless moose using any legal weapon within the area and season[-as] specified on the permit and in the Antlerless guidebook of the Wildlife Board for taking big game.

(b) A person may not hunt antlerless moose on [any]a moose cooperative wildlife management unit unless that person obtains an antlerless moose permit for that specific cooperative wildlife management unit as specified on the permit.

(3) A person who has obtained an antlerless moose permit may not hunt moose during any other moose hunt or obtain any other moose permit.

KEY: wildlife, game laws, big game seasons

Date of Enactment or Last Substantive Amendment: [~~March 16, 2015~~]2016

Notice of Continuation: October 5, 2015

Authorizing, and Implemented or Interpreted Law: 23-14-18; 23-14-19; 23-16-5; 23-16-6

Natural Resources, Wildlife Resources **R657-9** Taking Waterfowl, Wilson's Snipe and Coot

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39978

FILED: 12/07/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the division's waterfowl program.

SUMMARY OF THE RULE OR CHANGE: The proposed revisions to the above listed rule: 1) add Utah Lake to the list of areas requiring the use of nontoxic shot; 2) amend the age of youth to be "on July 31st of the year in which the youth hunting day is held"; and 3) amend the 600 feet closure on Gunnison Bend Reservoir to reflect "below the high water mark" instead.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 23-14-18 and Section 23-14-19

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This amendment ensures the rule is consistent with the youth definition for other species, and clarifies restrictions at Utah Lake and Gunnison Bend Reservoir therefore, the Division of Wildlife Resources (DWR) determines that these amendments do not create a cost or savings impact to the state budget or DWR's budget, since

the changes will not increase workload and can be carried out with existing budget.

♦ **LOCAL GOVERNMENTS:** Since this amendment has minimal impact on individual hunters and no impact on the local governments, the division finds that this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

♦ **SMALL BUSINESSES:** This amendment ensures the rule is consistent with the youth definition for other species, and clarifies restrictions at Utah Lake and Gunnison Bend Reservoir and therefore does not have the potential to generate a cost or savings impact to sportsmen or the small businesses.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This amendment ensures the rule is consistent with the youth definition for other species, and clarifies restrictions at Utah Lake and Gunnison Bend Reservoir and therefore does not have the potential to generate a cost or savings impact to sportsmen or the other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: DWR determines that this amendment will not create additional costs for those who participate in wildlife related activities in Utah.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Gregory Sheehan, Director

R657. Natural Resources, Wildlife Resources.

R657-9. Taking Waterfowl, Wilson's Snipe and Coot.

R657-9-1. Purpose and Authority.

(1) Under authority of Sections 23-14-18 and 23-14-19, and in accordance with 50 CFR 20, 50 CFR 32.64 and 50 CFR

27.21, 2004 edition, which is incorporated by reference, the Wildlife Board has established this rule for taking waterfowl, Wilson's snipe, and coot.

(2) Specific dates, areas, limits, requirements and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking waterfowl, Wilson's snipe and coot.

R657-9-8. Nontoxic Shot.

(1) Only nontoxic shot may be in possession or used while hunting waterfowl and coot.

(2) A person may not possess or use lead shot:

(a) while hunting waterfowl or coot in any area of the state;

(b) on federal refuges;

(c) on the following waterfowl management areas: Bicknell Bottoms, Blue Lake, Brown's Park, Clear Lake, Desert Lake, Farmington Bay, Harold S. Crane, Howard Slough, Locomotive Springs, Manti Meadow, Mills Meadows, Ogden Bay, Powell Slough, Public Shooting Grounds, Salt Creek, Stewart's Lake, Timpie Springs; or

(d) on the Scott M. Matheson or Utah Lake wetland preserve.

R657-9-29. Season Dates and Bag and Possession Limits.

(1) Season dates and bag and possession limits are specified in the guidebook of the Wildlife Board for taking waterfowl, Wilson's snipe and coot.

(2) A youth duck hunting day may be allowed for any person ~~[15]~~17 years of age or younger on July 31st of the year in which the youth hunting day is held, as provided in the guidebook of the Wildlife Board for taking waterfowl, Wilson's snipe and coot.

R657-9-30. Rest Areas and No Shooting Areas.

(1) A person may only access and use state waterfowl management areas in accordance with state and federal law, state administrative code, and proclamations of the Wildlife Board.

(2)(a) The division may establish portions of state waterfowl management areas as "rest areas" for wildlife that are closed to the public and trespass of any kind is prohibited.

(b) In addition to any areas identified in the proclamation of the Wildlife Board for taking waterfowl, Wilson's snipe, and coot, the following areas are designated as rest areas:

(i) That portion of Clear Lake Waterfowl Management Area known as Spring Lake;

(ii) That portion of Desert Lake Waterfowl Management Area known as Desert Lake;

(iii) That portion of Public Shooting Grounds Waterfowl Management Area that lies above and adjacent to the Hull Lake Diversion Dike known as "Duck Lake";

(iv) That portion of Salt Creek Waterfowl Management Area known as "Rest Lake"; and

(v) That portion of Farmington Bay Waterfowl Management Area that lies in the northwest quarter of unit one.

(d) Maps of all rest areas will be available at division offices, on the division's website, and to the extent necessary, marked with signage at each rest area.

(3)(a) The division may establish portions of state waterfowl management areas as "No Shooting Areas" where the discharge of weapons for the purposes of hunting is prohibited.

(b) No Shooting Areas remain open to the public for other lawful activities.

(c) In addition to any areas identified in the proclamation of the Wildlife Board for taking waterfowl, Wilson's snipe, and coot, the following areas are No Shooting Areas:

(i) Within 600 feet of the north and south side of the center line of Antelope Island causeway;

(ii) Within 600 feet of all structures found at Brown's Park Waterfowl Management Area;

(iii) The following portions of Farmington Bay Waterfowl Management Area:

(A) within 600 feet of the Headquarters and Learning Center area; and

(B) within 600 feet of dikes and roads accessible by motorized vehicles;

(iv) Within 600 feet of the headquarters area of Ogden Bay Waterfowl Management Area;

(v) Within the boundaries of all State Parks except those designated open by appropriate signage as provided in Rule R651-614-4;

(vi) Within 1/3 of a mile of the Great Salt Lake Marina;

(xi) [~~Within 600 feet~~]Below the high water mark of Gunnison Bend Reservoir and its inflow upstream to the Southerland Bridge, Millard County;

(xii) All property within the boundary of the Salt Lake International Airport; and

(xii) All property within the boundaries of federal migratory bird refuges, unless hunting waterfowl specifically authorized by the federal government.

(4) The division reserves the right to manage division lands and regulate their use consistent with Utah Code Section 23-21-7 and Utah Administrative Code R657-28.

KEY: wildlife, birds, migratory birds, waterfowl

Date of Enactment or Last Substantive Amendment:
[~~November 10, 2015~~]2016

Notice of Continuation: August 16, 2011

Authorizing, and Implemented or Interpreted Law: 23-14-19; 23-14-18; 50 CFR part 20

Natural Resources, Wildlife Resources

R657-37

Cooperative Wildlife Management Units for Big Game or Turkey

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 39977

FILED: 12/07/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to Wildlife Board meetings conducted for taking public input and reviewing the cooperative wildlife management unit (CWMU) program for big game.

SUMMARY OF THE RULE OR CHANGE: The proposed amendments to this rule will: 1) modify the hunt dates for buck pronghorn and antlerless hunt dates for deer, elk, and doe pronghorn; 2) change the minimum required days for antlerless hunts from two days to three; 3) change the variance application process from a one-year waiting period to February 1 prior to the August 1 general application deadline; 4) change the requirement so that public lands may not be used to meet minimum acreage requirements to establish a new CWMU; 5) add the definition of CWMU President and define responsibilities; 6) require an annual training for all CWMU operators; 7) allow for donated unused vouchers to be used in the reciprocal hunting program; 8) exclude Sunday hunt days in the minimum hunt days except by mutual agreement; 9) add additional responsibilities to the members of the CWMU Advisory Committee; and 10) make technical corrections.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 23-23-3

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The amendments to this rule are for the purpose of clarification for both the CWMU operators and the Division of Wildlife Resources (DWR) for the implementation and running of the CWMU program. DWR determines that these amendments do not create a cost or savings impact to the state budget or DWR's budget.

◆ **LOCAL GOVERNMENTS:** None--This filing does not create any direct cost or savings impact to local governments because they are not directly affected by the rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

◆ **SMALL BUSINESSES:** The amendments to this rule are for the purpose of clarification for both the CWMU operators and DWR for the implementation and running of the CWMU program. DWR determines that these amendments do not create a cost or savings impact to small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The amendments to this rule are for the purpose of clarification for both the CWMU operators and DWR for the implementation and running of the CWMU program. DWR determines that these amendments do not create a cost or savings impact to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The amendments to this rule are for the purpose of clarification for both the CWMU Operators and DWR. DWR determines that

there are no additional compliance costs associated with these amendments.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule are for the purpose of clarification for both the CWMU Operators and DWR. DWR determines that there are no additional compliance costs associated with these amendments.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Gregory Sheehan, Director

R657. Natural Resources, Wildlife Resources

R657-37. Cooperative Wildlife Management Units for Big Game or Turkey

R657-37-1. Purpose and Authority

(1) Under authority of Section 23-23-3, this rule provides the standards and procedures applicable to Cooperative Wildlife Management ~~[units]~~Units organized for the hunting of big game or turkey.

(2) Cooperative Wildlife Management ~~[units]~~Units are established to:

- (a) increase wildlife resources;
- (b) provide income to landowners;
- (c) provide the general public access to private and public lands for hunting big game or turkey within a Cooperative Wildlife Management Unit;
- (d) create satisfying hunting opportunities; ~~[and]~~
- (e) provide adequate protection to landowners who open their lands for hunting; and
- (f) provide landowners an incentive to manage lands to protect and sustain wildlife habitat and benefit wildlife.

R657-37-2. Definitions.

(1) Terms used in this rule are defined in Sections 23-13-2 and 23-23-2.

(2) In addition:

- (a) "CWMU" means Cooperative Wildlife Management Unit.

(b) "CWMU agent" means a person appointed by ~~[the]~~a landowner association member ~~[or the landowner association operator]~~to protect private property within the CWMU.

(c) "General public" means all persons except landowner association members~~[-, landowner association operators]~~ and their spouse or ~~[dependent]~~dependent children.

(d) "Landowner association " means a landowner or group of landowners of private land organized as a single entity for the purpose of applying for, becoming and operating a CWMU.

(e) "Landowner association member" means:

(i) an individual landowner [participating in the]or the managing members of a legal entity holding a fee interest in private property enrolled in a CWMU;

(ii) a landowner association president; and

(iii) a landowner association operator.

(f) "Landowner association operator" means a person designated by the landowner association to operate the CWMU and handle day-to-day interactions of the landowner association with the public.

(g) "Landowner association president" means a representative of the landowner association who is responsible for all internal operations of the landowner association and is ultimately responsible for the CWMU.

~~[(g)h]~~"Voucher" means a document issued by the division to a landowner association member~~[or landowner association operator]~~, allowing a landowner association member ~~[or landowner association operator,]~~to designate who may purchase a CWMU big game or turkey hunting permit from a division office.

R657-37-3. Requirements for the Establishment of a Cooperative Wildlife Management Unit.

(1)(a) The minimum allowable acreage for a CWMU is 10,000 contiguous acres, except as provided in Subsection (3).

(b) Land parcels that adjoin corner-to-corner shall not be considered contiguous for the purpose of meeting minimum acreage requirements for CWMUs except as specifically authorized by the Wildlife Board pursuant to Subsection (3)(b) and R657-37-6.

(c) The land comprising Domesticated Elk Facilities and Domesticated Elk Hunting Parks, as defined in Section 4-39-102(2) and Rules R58-18 and R58-20, shall not be included as part of any big game or turkey CWMU.

~~[(2)(a)d]~~ No land parcel shall be included in more than one CWMU.

~~[(b)e]~~ Separate hunt boundaries by species on a CWMU are not permitted.

(f) For the purpose of issuing a certificate of registration under R657-37-5, public lands cannot be used to attain minimum acreages.

(g) All lands included within a CWMU shall provide quality hunting opportunity in order to qualify towards minimum acreage requirements.

(2) The Wildlife Board may approve a new CWMU having at least 10,000 contiguous acres, provided:

(a) the property is capable of independently maintaining the presence of the respective species and harboring them during the period of hunting;

(b) the property is capable of accommodating the anticipated number of hunters and providing a reasonable hunting opportunity;

~~(c) the property exhibits enforceable boundaries clearly identifiable to both the public and private hunters; and~~

~~(d) the CWMU contributes to meeting division wildlife management objectives.~~

~~(3)(a) The Wildlife Board may [renew a CWMU that is less than 10,000 acres with land parcels that adjoin corner-to-corner or containing noncontiguous parcels provided the CWMU legally possessed a CWMU Certificate of Registration during the previous year, allowing for acreage less than 10,000 contiguous acres, corner-to-corner land parcels, or noncontiguous land parcels.]~~

~~[(b) The Wildlife Board may] approve a new CWMU for deer, pronghorn or turkey that is at least 5,000 contiguous acres provided[?] that it otherwise satisfies the requirements of Subsections (1) and (2).~~

~~[(i) the property is capable of independently maintaining the presence of the respective] [species and harboring them during the period of hunting;]~~

~~[(ii) the property is capable of accommodating the anticipated number of hunters and providing a reasonable hunting opportunity;]~~

~~[(iii) the property exhibits enforceable boundaries clearly identifiable to both the public and private hunters; and]~~

~~[(iv) the CWMU contributes to meeting division wildlife management objectives]~~
 [(c)(b) The Wildlife Board may [renew or] approve a new CWMU for deer, pronghorn, elk or moose that fails to meet the acreage or parcel configuration requirements in Subsection (1), [or the exceptions in Subsection (3)(a) and (b), provided the following procedures are satisfied.] provided:

(i) the applicant submits a written request for special considerations to the CWMU Advisory Committee [on or before] by February 1st prior to the annual August 1st [annually] application deadline;

~~(ii) [the applicant submits to a one year waiting period while the CWMU Advisory Committee, Division and Wildlife Board consider, verify and decide the merits of the request for special considerations.~~

~~(iii) upon receipt of a request for special considerations, the CWMU Advisory Committee will immediately forward the request to [DWR] the division for review and recommendations[?];~~

~~(iv) [DWR] the division will review the request for special considerations and make recommendations to the CWMU Advisory Committee within [180] 60 days of receipt[?]; and~~

~~(v) [DWR] the division will consider the request for special considerations and the [Division] division's recommendations, and make recommendations to the Wildlife Board on the advisability of granting the CWMU application.~~

(4)(a) Cooperative Wildlife Management Units organized for hunting big game or turkey[?] shall consist of private land to the extent practicable.

(b) The Wildlife Board may approve a CWMU containing public land only if:

(i) the public land is completely surrounded by private land or is otherwise inaccessible to the general public;

(ii) the public land is necessary to establish an enforceable boundary clearly identifiable to both the general public and public and private permit holders; or

(iii) the public land is necessary to achieve statewide and unit management objectives.

(c) If any public land is included within a CWMU, the landowner association must meet applicable federal and state land use requirements on the public land.

(d) The Wildlife Board shall increase the number of permits or hunting opportunities made available to the general public to reflect the [proportional habitat on] proportion of public [land] lands to private [land] lands within the CWMU pursuant to Subsection R657-37-4(3)(a)(iv).

~~(5) Land parcels that adjoin corner-to-corner shall not be considered contiguous for the purpose of meeting minimum acreage requirements for new CWMU's except as specifically authorized by the Wildlife Board pursuant to Subsection (3)(c):~~

~~(6) The intent is to establish CWMUs consisting of blocks of land that function well as hunting units. The Wildlife Board may deny a CWMU that meets technical requirements but does not constitute a good hunting unit.~~

R657-37-4. Cooperative Wildlife Management Unit Management Plan.

(1)(a) The landowner association [member] must manage the CWMU in compliance with a CWMU Management Plan consistent with statewide and unit management objectives for the respective big game or turkey management unit and approved by the Wildlife Board.

(2)(a) The CWMU Management Plan may be approved by the Wildlife Board for a period of three years [concurrent with] and is incorporated into the CWMU [Certificate of Registration] s certificate of registration .

(b) [The] Amendments to the CWMU Management Plan may be [amended as] requested by the Wildlife Board, the division or the CWMU landowner association member or operator[?] and may result in an amendment to the certificate of registration, consistent with R657-37-5.5.

(3)(a) The CWMU Management Plan must include:

(i) species management objectives for the CWMU that are consistent with statewide and unit management objectives for the respective big game or turkey management unit[?];

(ii) antlerless harvest objectives;

(iii) [(+) Δ] dates that the general public with buck or bull CWMU permits will be allowed to hunt in accordance with R657-37-7(3)(a); [or] and

[(2) (B)] a detailed explanation of how comparable hunting opportunities will be provided to both the private and public permit holders on the CWMU as required in Section 23-23-7.5;

(iv) a clear explanation of the purpose for including public land within the CWMU boundaries, if public land is included;

(v) an explanation of how the public is compensated by the CWMU when public land is included;

(vi) rules and guidelines used to regulate a permit holder's conduct as a guest on the CWMU;

(vii) County Recorder Plat Maps or equivalent maps, dated by receipt of purchase within 30 days of the initial or renewal application deadline for a certificate of registration, depicting boundaries and ownership for all property within the CWMU;

(viii) two original 1:100,000 USGS maps, which must be filed in the appropriate regional division office and the Salt Lake office, depicting all interior and exterior boundaries of the proposed CWMU;

(ix) strategies and methods that avoid adverse impacts to adjacent landowners resulting from the operation of the CWMU, including the provisions provided in Section R657-37-7(6); and

(x) any request for reciprocal agreements.

(b) The division shall, review all CWMU Management Plans and make recommendations to the Wildlife Board.

(4)(a) CWMU operators are required to complete a CWMU training session provided by the division on an annual basis.

(b) Failure to complete the CWMU training session may result in the CWMU operator being referred to the CWMU Advisory Committee described in R657-37-15 or may result in administrative action taken against a certificate of registration as described in R657-37-14.

R657-37-5. Application for Certificate of Registration.

(1)(a) An application for a CWMU [Certificate of Registration]certificate of registration that doesn't include special considerations identified in R657-37-3(3)(b) must be completed and returned to the regional division office where the proposed CWMU is located no later than August 1.

(b) An application including special considerations described in R657-37-3(3)(b) must be submitted to the CWMU Advisory Committee by February 1.

(2) The application must be accompanied by:

(a) the CWMU Management Plan as described in R657-37-4(3), including all maps;

(b)(i) a petition containing the signature and acreage of each participating landowner agreeing to establish and operate the CWMU as provided in this rule and Title 23, Chapter 23 of the Wildlife Resources Code; or

(ii) a copy of a legal contract or agreement identifying:

(A) the private land;

(B) the duration of the contract or agreement; and

(C) the names and signatures of landowners conveying the hunting rights to the CWMU landowner association[~~member or landowner association operator~~];

(c) the name of the [~~designated~~]landowner association operator;

(d) the name of the landowner association president; and

([~~d~~])e) the nonrefundable handling fee.

(3)(a) The division may reject any application that is incomplete or completed incorrectly.

(b) Applicants must update the division regarding any changes to the substance of their application while it is under consideration or it may be considered incomplete or incorrect.

(4) The division shall forward the complete and correct application[~~and~~], required documentation, and any recommendation provided by the CWMU Advisory Committee to the Regional Advisory Councils and Wildlife Board for consideration.

(5) Upon receiving the application and recommendation from the division, the Wildlife Board may:

(a) authorize the issuance of a certificate of registration, for three years, allowing the landowner association member to operate a CWMU; or

(b) deny the application and provide the landowner association[~~member~~] with reasons for the decision.

(6) The Wildlife Board shall consider any violation of the provisions of Title 23, Wildlife Resources Code and any information provided by the division, landowners, and the public in determining whether to authorize the issuance of a certificate of registration for a CWMU.

(7) A [CWMU Certificate of Registration]certificate of registration is issued on a three year basis and shall expire on January [31, providing:]31.

[~~(a) no changes in CWMU boundaries occur; and~~

[~~(b) the certificate of registration is not suspended or revoked prior to the expiration date.~~

(8) The CWMU application[~~f~~] and the management plan agreement [is]are binding upon the landowner association members[~~, landowner association operators~~] and all successors in interest to the CWMU property or the hunting rights thereon as it pertains to allowing public permit holders reasonable access to all CWMU property during the applicable hunting seasons for purposes of filling the permit.

R657-37-5.5. [Amendments]Amendment to a Certificate of Registration; Termination of Certificate of Registration.

(1)[~~A request for an amendment to a certificate of registration must be made in writing and submitted to the appropriate regional division office where the CWMU is located for any~~](a) A CWMU must notify the division in writing regarding any requested change in:

([~~a~~])i) permit numbers or allocation;

[~~b~~])ii) season dates;

[~~e~~—]landownership;[(iii) landowner association membership;

(iv) acreage of the CWMU;

[~~d~~](v) operator; [or]

(vi) the CWMU Management Plan; or

([~~e~~])vii) any other matter related to the management and operation of the CWMU not originally included in the certificate of registration.

(b) Written notification of a requested change must be submitted to the appropriate regional division office where the CWMU is located.

(c) The division must be notified of all changes in landowner association membership, acreage, and operator within 30 days of such changes occurring.

(d) Changes in the CWMU described in R657-37-5.5(1) (a) require an amendment to the certificate of registration.

(2) Requests [for amendments dealing with]to amend buck and bull permit numbers, permit allocation, or season dates:

(a) may be initiated by the CWMU or the division;

(b) are due on August 1 of the year prior to when hunting is to occur; and

(c) shall be forwarded to the Regional Advisory Councils and Wildlife Board for consideration; and

[~~(d)(e) shall be forwarded to the Regional Advisory Councils and Wildlife Board for consideration and~~] upon approval by the Wildlife Board, an amendment to the original certificate of registration shall be issued in writing.[-]

(3) Requests to amend antlerless permit numbers:

(a) may be initiated by the CWMU or the division;

(b) must be submitted to the division by the last day of February;

~~(c) shall be forwarded to the Regional Advisory Councils and Wildlife Board for consideration; and~~

~~(d) upon approval by the Wildlife Board, an amendment to the original certificate of registration may be issued in writing.~~

~~(3)4(a) If acreage totals in the CWMU decrease by more than 33% or landowner membership within a landowner association changes by more than 33% over the term of the certificate of registration, the certificate of registration shall:~~

~~(i) remain effective for the hunting season beginning in that calendar year; and~~

~~(ii) following completion of that hunting season, the certificate of registration shall terminate.~~

~~(b) A CWMU whose certificate of registration is terminated under this section may reapply consistent with R657-37-5.~~

~~(c)(i) If a reduction in acreage occurs on a CWMU that does not trigger the 33% threshold identified in subsection 4(a) and the resulting acreage total is below the standard totals generally required by R657-37-3, the CWMU will be reported to the CWMU Advisory Committee for review and recommendation to the Wildlife Board for action.~~

~~(ii) Review by the CWMU Advisory Committee and subsequent action by the Wildlife Board shall be taken consistent with R657-37-15.~~

~~(5)(a) All other requests for amendments shall be reviewed by the [region and Wildlife Section and upon]division.~~

~~(b) If the division recommends approval of the amendment, the division will submit that recommendation to the director.~~

~~(c) Upon approval by the director, an amendment to the original certificate of registration shall be issued in writing.~~

R657-37-6. Renewal of a Certificate of Registration.

~~(1)(a) [A CWMU Certificate of Registration must be renewed every three years if no changes in CWMU boundaries occur, or annually if boundary changes occur and may be approved by the division, except as provided in Subsections (b) and (c).]At the end of a certificate of registration term, the certificate of registration may be renewed, consistent with this section.~~

~~(b) [If any changes occur in the activities or information authorized in the current]A certificate of registration [or CWMU Management Plan, the renewal must be considered for approval by the Wildlife Board]terminated pursuant to R657-37-5.5 or R657-37-14 is not eligible for renewal.~~

~~(c)(i) A CWMU Certificate of Registration shall not be renewed if:~~

~~(A) thirty-four percent or more of the private lands included in the renewal application were not included in the previous certificate of registration; or~~

~~(B) thirty-four percent or more of the private land within the CWMU is under new ownership;~~

~~(ii) If a CWMU Certificate of Registration is not renewable under this Subsection, an application for a new CWMU Certificate of Registration must be completed as provided in Section R657-37-5.]~~

~~(2)(a) An application for renewal of a certificate of registration that does not require special considerations identified in R657-37-3(b) must be completed and returned to the regional division office where the CWMU is established no later than August~~

~~[4-]1 of the year preceeding the expiration of the certificate of registration term.~~

~~(b) An application for renewal of a certificate of registration requiring an exception to the minimum acreage requirements or parcel configurations identified in R657-37-3(b) must be submitted to the CWMU Advisory Committee by February 1 of the year preceeding the expiration of the certificate of registration term.~~

~~(3) The renewal application must identify all changes from the previous [CWMU Certificate of Registration or]certificate of registration and CWMU Management Plan.~~

~~(4) The renewal application must be accompanied by:~~

~~(a) the CWMU Management Plan as described in Section R657-37-4(3); and~~

~~(b) all maps as described in Section R657-37-4(3) if the CWMU boundaries have changed; and~~

~~(c)(i) a petition containing the signature and acreage of each participating landowner agreeing to establish and operate the CWMU as provided in this rule and Title 23, Chapter 23 of the Wildlife Resources Code; or~~

~~(ii) a copy of a legal contract or agreement identifying:~~

~~(A) the private land;~~

~~(B) the duration of the contract or agreement; and~~

~~(C) the names and signatures of landowners conveying the hunting rights to the CWMU agent or landowner association operator;~~

~~(d) the name of the designated landowner association operator; and~~

~~(e) the nonrefundable handling fee.~~

~~(5)6) The division may reject any application that is incomplete or completed incorrectly.~~

~~(6)7) The division shall consider:~~

~~(a) the contents of the renewal application;~~

~~(b) the previous performance of the CWMU, including the actions of [the]all landowner association members; and~~

~~(c) any violation by a landowner association member[or landowner association operator when reviewing renewal of the certificate of registration; and~~

~~(b) any violation] of Title 23, Wildlife Resources Code, this rule, stipulations contained in the certificate of registration and all other relevant information provided from any source related to the applicant's fitness to operate a CWMU.~~

~~(7) The]8) After evaluating a complete renewal application, the division shall:~~

~~(a) [approve the]recommend approving renewal [Certificate of Registration]of the certificate of registration and forward the permit recommendations to the Regional Advisory Councils and Wildlife Board; or~~

~~(b) [deny]recommend denying the renewal [Certificate of Registration]certificate of registration and state the reasons for denial in writing to the applicant; and~~

~~(i) forward the application, reason for denial and recommendation to the Regional Advisory Councils and Wildlife Board; and~~

~~(ii) provide the applicant with information for seeking Wildlife Board review of the denial.~~

~~(8)9)(a) Upon receiving the division's recommendation as provided in Subsection ([b)(i)6], the Wildlife Board may consider:~~

~~([a]i) the contents of the renewal application;~~
~~(ii) the previous performance of the CWMU, including the actions of the landowner association member or landowner association operator when reviewing renewal of the certificate of registration; ~~and]~~~~

~~([b]iii) any violation of Title 23, Wildlife Resources Code, this rule, stipulations contained in the certificate of registration and all other relevant information provided from any source related to the applicant's fitness to operate a CWMU[-];~~

~~(9) A CWMU Certificate of Registration]iv) any recommendation provided by the CWMU Advisory Committee if the landowner association has been referred to the CWMU Advisory Committee during the renewal process; and~~

~~(v) the recommendation by the division.~~

~~(b) The Wildlife Board may renew a certificate of registration for a CWMU that does not meet minimum acreage requirements and includes land parcels that adjoin corner-to-corner or containing noncontiguous parcels, provided:~~

~~(i) the CWMU legally possessed a CWMU certificate of registration during the previous year that allowed for corner-to-corner land parcels or noncontiguous land parcels; and~~

~~(ii) the CWMU's renewal application does not add additional corner-to-corner or noncontiguous parcels from the previously approved CWMU certificate of registration.~~

~~(10) A certificate of registration for renewal is authorized for three years and shall expire on January 31, providing the certificate of registration is not revoked[-or], suspended, or terminated prior to the expiration date.~~

R657-37-7. Operation by Landowner Association.

(1)(a) A CWMU must be operated by a landowner association ~~[member who owns land within the CWMU]who is represented by a president~~ or a landowner association operator ~~[-who leases or otherwise controls hunting on land within the CWMU].~~

(b) A landowner association ~~[member]~~president or landowner association operator may appoint CWMU agents to protect private property within the CWMU; however, the landowner association ~~[member]~~president, or landowner association operator must assume ultimate responsibility for the operation of the CWMU.

(2)(a) A landowner association member or landowner association operator may enter into reciprocal agreements with other landowner association members or landowner association operators to allow hunters who have obtained a CWMU permit to hunt within each other's CWMUs as provided in Subsections R657-37-4(3) (a)(x).

(b) Reciprocal hunting agreements may be approved only to:

(i) raise funds to address joint habitat improvement projects;

(ii) address emergency situations limiting hunting opportunity on a CWMU; ~~[or]~~

(iii) raise funds to aid in essential management practices for the benefit of CWMU species, including obtaining age or species population data as recommended by regional division personnel and approved by the division's wildlife section chief; ~~or~~

(iv) ~~or be used with unused vouchers as provided in R657-37-9(12)(a).~~

(c) If a person is authorized to hunt in one or more CWMUs as provided in Subsection (a), written permission from the landowner association member or landowner association operator and written authorization from the division must be in the person's possession while hunting.

(3)(a) A landowner association member or landowner association operator must provide general public CWMU ~~[permittees]~~permittees a minimum of:

(i) five days to hunt with buck, bull or turkey permits; and

(ii) ~~[two]~~three days to hunt with antlerless permits.

~~(b) Sunday hunt days may not be included in minimum hunt days except by mutual agreement of the permittee and the operator.~~

(b) General public CWMU permittees shall be allowed to hunt the entire CWMU except areas that are excluded from hunting to all permittees.

(i) a landowner association may identify in the management plan areas within the CWMU boundary that are open to specific species only. These areas must be open to all permit holders for that species.

(c) A person who has obtained a CWMU permit may hunt only in the CWMU for which the permit is issued, except as provided under Subsection (2).

(4)(a) Each landowner association member or landowner association operator must:

(i) clearly post all boundaries of the CWMU at all corners, fishing streams crossing property lines, road, gates, and rights-of-way entering the land with signs that are a minimum of 8 ½ by 11 inches on a bright yellow background with black lettering, and that contain the language provided in Subsection (b); and

(ii) if a CWMU uses public land for the purpose of making a definable boundary for the CWMU then that boundary shall be posted every three hundred yards.

(b) A CWMU is created under an agreement between private landowners and the division, and approved by the Wildlife Board. Only persons with a valid CWMU permit for the CWMU may hunt moose, deer, elk, pronghorn or turkey within the boundaries of the CWMU. The general public may use accessible public land portions of the CWMU for all legal purposes, other than hunting big game or turkey for which the CWMU is authorized.

(5) A landowner association member or landowner association operator must provide a written copy of its guidelines used to regulate a permit holder's conduct as a guest on the CWMU to each permit holder.

(6)(a) A CWMU and the division shall cooperatively address the needs of landowners who are negatively impacted by big game animals or turkeys associated with the CWMU.

(b) The CWMU and the division shall cooperatively seek methods to prevent or mitigate agricultural depredation caused by big game animals or turkeys associated with the CWMU.

R657-37-8. Cooperative Wildlife Management Unit Agents.

(1) A landowner association member may appoint a CWMU ~~[agents]~~agent to monitor access and protect the private property of the CWMU.

(2) Each CWMU agent must wear or have in possession a form of identification prescribed by the Wildlife Board which indicates the agent is a CWMU agent.

(3) A CWMU agent may refuse entry ~~[into the private land portions of]~~ to or remove from a CWMU ~~[to any person, except owners of land within the unit and their employees,]~~ who:

- (a) does not ~~[have in their possession]~~ possess a valid CWMU permit;
- (b) endangers or has endangered human safety;
- (c) damages or has damaged ~~[private]~~ property within a CWMU; ~~[or]~~
- (d) fails or has failed to comply with reasonable rules of a landowner association; or
- (e) does not have the legal right to be on lands within a CWMU.

(4) A CWMU agent may not refuse entry to the general public onto any public land within the boundaries of a CWMU that is otherwise accessible to the public for purposes other than hunting big game or turkey for which the CWMU is authorized.

(5) In performing the functions described in this section, a CWMU agent must comply with the relevant laws of this state.

R657-37-9. Permit Allocation.

(1) The division shall issue CWMU permits for hunting big game or turkey to permittees:

- (a) qualifying through a drawing conducted for the general public as defined in Subsection R657-37-2(2)(c); or
- (b) named by the landowner association member or landowner association operator.

(2) CWMU landowner association members and their spouses and dependent children cannot apply for CWMU permits specific to their CWMU that are offered in the public drawing.

~~[(2)]~~ A landowner association member or landowner association operator shall be issued vouchers that may be used to purchase hunting permits from division offices.

~~[(3)]~~ The division and the landowner association member must, in accordance with Subsection (4), determine:

- (a) the total number of permits to be issued for the CWMU; and
- (b) the number of permits that may be offered by the landowner association member to the general public as defined in Subsection R657-37-2(2)(c).

~~[(4)]~~ (a) Big game permits may be allocated using an option from:

- (i) table one for moose and pronghorn; or
- (ii) table two for elk and deer.

~~(b) [During a three year management plan period, permit allocations for moose permits available in the public draw will not drop below 40%]~~ (i) Over the term of the certificate of registration, and at all times during the its term, at least 40% of the total permits for bull moose and at least 60% [for] of the antlerless moose permits will be allocated to the public and distributed via the public drawing.

(ii) Notwithstanding subsection (b)(i) above and Tables 1 and 2, if the proportion of permits allocated to the public over consecutive certificate of registration terms substantially deviates from that identified in subsection (b)(i), the Wildlife Board may approve a modified permit distribution scheme that fairly allocates public and private permits.

(c) At least one buck or bull permit or at least 10% of the bucks or bulls permits, whichever is greater, must be made available to the general public through the big game drawing process.

(d) Permits shall not be issued for spike bull elk.

(e) Turkey permits shall be allocated in a ratio of fifty percent to the CWMU and fifty percent to the general public, with the public receiving the extra permit when there is an odd number of total permits.

TABLE 1

| MOOSE AND PRONGHORN Cooperative Wildlife Management Unit's Share | | |
|---|-------------|-----------------|
| Option | Bucks/Bulls | Does/Antlerless |
| 1 | 60% | 40% |

| Public's Share | | |
|----------------|-------------|-----------------|
| Option | Bucks/Bulls | Does/Antlerless |
| 1 | 40% | 60% |

TABLE 2

| ELK AND DEER Cooperative Wildlife Management Unit's Share | | |
|--|-------------|------------|
| Option | Bucks/Bulls | Antlerless |
| 1 | 90% | 0% |
| 2 | 85% | 25% |
| 3 | 80% | 40% |
| 4 | 75% | 50% |

| Public's Share | | |
|----------------|-------------|------------|
| Option | Bucks/Bulls | Antlerless |
| 1 | 10% | 100% |
| 2 | 15% | 75% |
| 3 | 20% | 60% |
| 4 | 25% | 50% |

~~[(5)]~~ (a) The landowner association member or landowner association operator must meet antlerless harvest objectives established in the CWMU management plan under subsection R657-37-4(3)(a)(ii).

(b) Failure to meet antlerless harvest objectives based on a three year average may result in discipline under section R657-37-14.

~~[(6)]~~ A landowner association member or landowner association operator must provide access free of charge to any person who has received a CWMU permit through the general public big game or turkey drawings, except as provided in Section 23-23-11.

~~[(7)]~~ If the division and the landowner association member disagree on the number of permits to be issued, the number of permits allocated, or the method of take, the Wildlife Board shall make the determination based on the biological needs of the big game or turkey populations, including available forage, depredation, and other mitigating factors.

~~[(8)]~~ A CWMU permit entitles the holder to hunt the species and sex of big game or turkey specified on the permit and only in accordance with the certificate of registration and the rules and proclamations of the Wildlife Board.

~~[(9)]~~ Vouchers for antlerless permits may be designated by a landowner association member to any eligible person as provided in Rule R657-5 and the proclamation of the Wildlife Board for taking big game, and Rule R657-42.

~~[(10)]~~ (a) If a landowner association has a CWMU voucher that is not redeemed during the previous year, a landowner

association may donate that voucher to a 501(c)(3) tax exempt organization, provided the following conditions are satisfied:

(i) The voucher donation is approved by the ~~[Wildlife Board]~~director prior to transfer;

(ii) No more than one voucher is donated per year by a landowner association;

(iii) The voucher is donated for a charitable cause, and the landowner association does not receive compensation or consideration of any kind other than tax benefit; and

(iv) The recipient of the voucher is identified prior to obtaining the ~~[Wildlife Board]~~director's approval for the donation.

(b) A CWMU voucher approved for donation under this section may be extended no more than one year.

(c) The division must be notified in writing and the donation completed before ~~[April]~~May 1st the year the CWMU voucher is to be redeemed.

(d) vouchers may be used in reciprocal hunting agreements described in accordance with R657-7-(2)(b).

~~[(H)]~~(a) A complete list of the current CWMUs, and number of big game or turkey permits available for public drawing shall be published in the respective proclamations of the Wildlife Board for taking big game or turkey.

(b) The division reserves the exclusive right to list approved CWMUs in the proclamations of the Wildlife Board for taking big game or turkey. The division may unilaterally decline to list a CWMU in the proclamation where the unit is under investigation for wildlife violations, a portion of the property comprising the CWMU is transferred to a new owner, or any other condition or circumstance that calls into question the CWMUs ability or willingness to allow a meaningful hunting opportunity to all the public permit holders that would otherwise draw out on the public permits.

R657-37-12. Season Lengths.

(1) A landowner association member or landowner association operator may arrange for permittees to hunt on the CWMU during the following dates:

(a) an archery buck deer season may be established beginning with the opening of the general archery deer season through August 31 and during the sixty-one consecutive day buck deer season;

(b) an archery bull elk season may be established beginning with the opening of the general archery elk season through October 31 and during a bull elk season variance;

(c) an archery buck pronghorn season may be established beginning with the opening of the statewide limited entry archery buck pronghorn season through October 31;

~~[(e)]~~(d) general season bull elk, buck pronghorn, and moose seasons may be established September 1 through October 31, or the closing date of the general season for the respective species, whichever is later;

~~[(d)]~~(e)(i) general buck deer seasons may be established for no longer than sixty-one consecutive days from September 1 through November 10;

(ii) a landowner association member or landowner association operator electing to establish buck deer hunting in November must:

(A) meet the CWMU management plan objectives;

(B) not exceed average hunter density exhibited on the surrounding deer wildlife management units;

(C) provide positive hunter satisfaction; and

(D) maintain a harvest success rate at least equal to the surrounding deer wildlife management units;

(E) designate the CWMU's sixty-one consecutive day season in the application, or if the sixty-one day consecutive season is not designated the season shall begin September 1;

(F) allow all public hunters the option to hunt in November;

~~[(e)]~~(f) muzzleloader bull elk seasons may be established September 1 through the end of the general muzzleloader elk season and during a bull elk season variance;

~~[(f)]~~(g) antlerless elk seasons may be established August ~~[45]~~1 through January 31;

~~[(g)]~~(h) antlerless deer seasons may be established August ~~[45]~~1 through December 31;

(i) doe pronghorn seasons may be established August 1 through October 31, unless August 1 falls on a Sunday in which case the season shall start on the following Monday; and

~~[(h)]~~(j) turkey seasons may be established the second Saturday in April through May 31.

(2) The Wildlife Board may authorize bull elk hunting season variances only if the CWMU landowner association member or landowner association operator clearly demonstrates that November hunting is necessary on the CWMU.

(3) Notwithstanding the season length provisions in this section, any season described in Subsection (1) that begins on a Sunday will default to and commence the Saturday before.

R657-37-14. ~~[Discipline or Violation]~~Violations.

(1) The Wildlife Board may refuse to issue, renew, or amend a certificate of registration to an applicant, ~~[and may refuse to renew]~~ or may revoke, restrict, place on probation, change permits or allocations or otherwise act upon a certificate of registration where the landowner association member ~~[or landowner association operator]~~ has:

(a) violated any provision of this rule, the Wildlife Resources Code, the certificate of registration, or the CWMU ~~[application/agreement]~~Management Plan; or

(b) engaged in conduct that results in the conviction of, a plea of no contest to, or a plea held in abeyance to a crime of moral turpitude, or any other crime that when considered with the functions and responsibilities of a CWMU operator bears a reasonable relationship to the operator's or applicant's ability to safely and responsibly operate a CWMU.

(2) The procedures and rules governing any adverse action taken by the division or the Wildlife Board against a certificate of registration or an application for certificate of registration are set forth in Rule R657-2.

R657-37-15. Cooperative Wildlife Management Unit Advisory Committee.

(1) A CWMU Advisory Committee shall be created consisting of ~~[seven]~~eight members nominated by the director and approved by the Wildlife Board.

(2) The committee shall include:

(a) two sportsmen representatives;

- (b) two CWMU representatives;
 - (c) one agricultural representative;
 - (d) one at-large public representative;
 - (e) one elected official; and
 - (f) one Regional Advisory ~~[Committee]~~Council chairperson or Regional Advisory ~~[Committee]~~Council member.
- (3) The committee shall be chaired by the Wildlife Section Chief, who shall be a non-voting member.
- (4) The committee shall:
- (a) hear complaints dealing with fair and equitable treatment of hunters on CWMUs;
 - (b) review the operation of the CWMU program;
 - (c) review failure to meet antlerless objectives;
 - (d) hear complaints from adjacent landowners;
 - (e) review changes in acreage totals for CWMUs that are under standard minimum acreage or parcel configuration requirements and evaluate the appropriateness of their continued participation in the program; and
- ([e]f) make advisory recommendations to the director and Wildlife Board on the matters in Subsections (a), (b), (c) ~~and~~, (d), and (e).
- (5) The Wildlife Section Chief shall determine the agenda, and time and location of the meetings.
- (6) The director shall set staggered terms of appointment of members in order to assure that all committee members' terms shall expire after four years, and at least three members shall expire after the initial two years.

KEY: wildlife, cooperative wildlife management unit
Date of Enactment or Last Substantive Amendment: [February 7, 2013]2016
Notice of Continuation: May 6, 2013
Authorizing, and implemented or Interpreted Law: 23-23-3

Tax Commission, Auditing
R865-19S-94
Tips, Gratuities, and Cover Charges
Pursuant to Utah Code Ann. Section
59-12-103

NOTICE OF PROPOSED RULE
(Amendment)

DAR FILE NO.: 39987
 FILED: 12/10/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The proposed amendments clarify a long-standing Tax Commission practice that required service charges, tips, gratuities, cover charges, and other similar charges are subject to sales tax.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment clarifies that if a service charge, tip, gratuity, cover charge, or other similar charge is included on a patron's

bill, it is part of the sales price and subject to sales tax unless: 1) it states on the front of the bill that the amount is voluntary and may be increased or decreased by the patron; and 2) the language stating that the amount is voluntary must be in the same font size as the service charge, tip, gratuity, cover charge, or other similar charge included on the bill. A voluntary payment is a payment for a nontaxable service. The amendment also deletes redundant language and makes technical changes.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-12-103

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** None--The amendment clarifies long-standing practice that a required service charge, tip, gratuity, cover charge, or other similar charge is subject to sales tax.
- ◆ **LOCAL GOVERNMENTS:** None--The amendment clarifies long-standing practice that a required service charge, tip, gratuity, cover charge, or other similar charge is subject to sales tax.
- ◆ **SMALL BUSINESSES:** None--The amendment clarifies long-standing practice that a required service charge, tip, gratuity, cover charge, or other similar charge is subject to sales tax.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** None--The amendment clarifies long-standing practice that a required service charge, tip, gratuity, cover charge, or other similar charge is subject to sales tax.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Unknown, but presumed insignificant programming costs if the establishment chooses to place a voluntary charge on an invoice.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Tax Commission does not know the compliance costs for businesses, but presumes there may be some minor programming costs if a business elects to place a volunteer amount on an invoice.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

TAX COMMISSION
 AUDITING
 210 N 1950 W
 SALT LAKE CITY, UT 84134
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Christa Johnson by phone at 801-297-3901, by FAX at 801-297-3907, or by Internet E-mail at cj@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/01/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/08/2016

AUTHORIZED BY: Rebecca Rockwell, Commissioner

R865. Tax Commission, Auditing.

R865-19S. Sales and Use Tax.

R865-19S-94. Service Charges, Tips, Gratuities, [and] Cover Charges, and Other Similar Charges Pursuant to Utah Code Ann. Section 59-12-103.

(1)(a) Restaurants, cafes, clubs, private clubs, and similar businesses must collect sales tax on service charges, tips, [or] gratuities, cover charges, or other similar charges included on a patron's bill that are required to be paid.

[~~_____ (a) Tax on the required gratuity is due from a private club, even though the club is not open to the public.~~]

(b) Voluntary [~~tips~~]amounts left on the table or added to a credit card charge slip are not subject to sales tax.

(2) A service charge, tip, gratuity, cover charge, or other similar charge that a restaurant, cafe, club, private club, or similar business includes on a patron's bill is presumed to be required unless:

(a) language on the front of the bill states that the service charge, tip, gratuity, cover charge, or other similar charge is voluntary and may be increased or decreased by the patron; and

(b) the language described in Subsection (2)(a) is in the same font size as the service charge, tip, gratuity, cover charge, or other similar charge that the restaurant, cafe, club, private club, or similar business included on the bill.

[~~(2)~~](3) [~~Cover charges~~]Charges to enter a restaurant, tavern, club or similar facility are taxable as an admission to a place of recreation, amusement or entertainment.

KEY: charities, tax exemptions, religious activities, sales tax
Date of Enactment or Last Substantive Amendment: [August 28, 2014]2016

Notice of Continuation: January 3, 2012

Authorizing, and Implemented or Interpreted Law: 9-2-1702; 9-2-1703; 10-1-303; 10-1-306; 10-1-307; 10-1-405; 19-6-808; 26-32a-101 through 26-32a-113; 59-1-210; 59-12; 59-12-102; 59-12-103; 59-12-104; 59-12-105; 59-12-106; 59-12-107; 59-12-108; 59-12-118; 59-12-301; 59-12-352; 59-12-353

**Transportation, Preconstruction
R930-7**

Utility Accommodation

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 39988

FILED: 12/14/2015

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Department is amending Rule R930-7 to

remove text from Section R930-7-12 that is no longer relevant because it was replaced by the new Rule R930-8. The amendment also includes technical changes intended to update the rule to reflect current practices.

SUMMARY OF THE RULE OR CHANGE: The definition of "relocate" is redrafted to reflect current use. The section addressing the Statewide (multiple use) Encroachment Permit Bonding Option is redrafted to improve clarity. The text that was Section R930-7-12 is replaced with new language on "Maintenance Responsibility" for utility facilities because the section was replaced by new Rule R930-8.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 72-6-116(2)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The Department does not anticipate any additional costs or cost savings to the state budget because the changes are technical in nature and should generate no fiscal effects.

◆ **LOCAL GOVERNMENTS:** The Department does not anticipate any additional costs or cost savings to local governments because the changes are technical in nature and should generate no fiscal effects.

◆ **SMALL BUSINESSES:** The Department does not anticipate any additional costs or cost savings to small businesses because the changes are technical in nature and should generate no fiscal effects.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The Department does not anticipate any additional costs or cost savings to persons other than small businesses, businesses, or local government entities because the changes are technical in nature and should generate no fiscal effects.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Department does not anticipate any additional compliance costs for affected persons because the changes are technical in nature and should generate no fiscal effects.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Department is amending Rule R930-7 to reflect current practices and to account for the codification of Rule R930-8. The changes are technical in nature and should generate no fiscal effect on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

TRANSPORTATION

PRECONSTRUCTION

CALVIN L RAMPTON COMPLEX

4501 S 2700 W

SALT LAKE CITY, UT 84119-5998

or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ James Palmer by phone at 801-965-4000, by FAX at 801-965-4338, or by Internet E-mail at jimpalmer@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 02/16/2016

THIS RULE MAY BECOME EFFECTIVE ON: 02/23/2016

AUTHORIZED BY: Carlos Braceras, Executive Director

R930. Transportation, Preconstruction.**R930-7. Utility Accommodation.****R930-7-3. Definitions.**

(1) "Abandoned facility" is a utility facility that is not in use, no longer actively providing a service and is physically disconnected from the operating facility that is still in use and still actively providing a service. Abandoned facilities remain the property of the utility company.

(2) "Access control" is the regulation of public access to and from properties abutting the highway facilities. The two basic types of access control are:

(a) "No access (NA)" means access to through-traffic lanes is not allowed except at interchanges. Crossings at grade and direct driveway connections are prohibited.

(b) "Limited access (LA)" means access to selected public roads may be provided. There may be some crossings at grade and some private driveway connections.

(3) "Administrative citation" is a letter from UDOT to a utility company citing one or more non-compliance items and proper redress requirements such as action on the appropriate bond, revocation of permit, and revocation of a license agreement.

(4) "AASHTO" is the American Association of State Highway and Transportation Officials.

(5) "Backfill" means the replacement of soil removed during construction. It may also denote material placed over or around structures and utilities.

(6) "Bedding" means the composition and shaping of soil or other suitable material to support a pipe, conduit, casing, or utility tunnel.

(7) "Boring" means the operation by which carriers or casings are pushed or jacked under highways without disturbing the highway structure or prism. Bores are carved progressively ahead of the leading edge of the advancing pipe as soil is mucked back through the pipe.

(8) "Carrier" means a pipe directly enclosing a transmitted fluid (liquid, gas, or slurry).

(9) "Casing" is a larger pipe, conduit, or duct enclosing a carrier.

(10) "Clear Zone" means the total roadside border area, starting at the edge of the traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and a clear run-out area. The desired width is dependent upon traffic volumes, speeds, and roadside geometry.

(11) "Coating" is material applied to or wrapped around a pipe.

(12) "Conduit" is an enclosed tubular casing for the protection of wires and cables.

(13) "Depth of bury (cover)" means the depth from ground or roadway surface to top of pipe, conduit, casing, cable, utility tunnel, or similar facility.

(14) "Deviation" means a granted permission to depart from the standards and requirements of this rule.

(15) "Emergency work" is utility company work required to prevent loss of life or significant damage to property.

(16) "Encasement" is a structural element surrounding a carrier or casing.

(17) "Encroachment" means the unauthorized use of highway right of way.

(18) "Encroachment permit" is a document that specifies the requirements and conditions for performing work on the highway right of way.

(19) "Environmentally protected areas" are areas that include, but are not limited to, wetlands, flood plains, stream channels, rivers, threatened or endangered species, archaeological sites, and historic sites.

(20) "Expressway" is a divided arterial highway for through traffic with partial control of access and generally with grade separations at major intersections.

(21) "Federal-aid highways" are highways eligible to receive Federal-aid.

(22) "FHWA" is the Federal Highway Administration.

(23) "Flexible carrier pipe" is a plastic, fiberglass, or metallic pipe having a large diameter to wall thickness ratio and which can be deformed without undue stress.

(24) "Flowable fill" is low strength flowable concrete as defined in UDOT Standard Specification 03575.

(25) "Freeway" is an expressway with full control of access.

(26) "Frontage road" is a local street or road auxiliary to and located on the side of an arterial highway for service to abutting property and adjacent areas and for control of access.

(27) "Grade" is the rate or percent of change in slope, either ascending or descending, measured along the centerline of a roadway or access.

(28) "Grounded" means electrically connected to earth or to some extended conducting body that serves instead of the earth, whether the connection is intentional or accidental.

(29) "Grout" is a cement mortar or slurry of fine sand or clay.

(30) "Highway, street, or road" are general terms denoting a public way for the transportation of people, materials, and goods, but primarily for vehicular travel, including the entire area within the right of way.

(31) "Horizontal directional drilling" (HDD), also known as directional boring and directional drilling, is a method of installing underground pipes and conduits from the surface along a prescribed bore path. The process is used for installing telecommunications and power cable conduits, water lines, sewer lines, gas lines, oil lines, product pipelines, and casings used for environmental remediation. It is used for crossing waterways, roadways, congested areas, environmentally protected areas, and any area where other methods are not feasible.

(32) "Interstate highway system" (Interstate) is the Dwight D. Eisenhower National System of Interstate and Defense Highways as

defined in the Federal-aid Highway Act of 1956 and any supplemental acts or amendments.

(33) "License Agreement or Statewide Utility License Agreement" is a document by which UDOT licenses the use and occupancy, with conditions, of highway rights of way for utility facilities.

(34) "Manhole" or "utility access hole" is an opening in an underground system that workers or others may enter for the purpose of making installations, removals, inspections, repairs, connections, and tests.

(35) "Median" is the portion of a divided highway separating the traveled ways for traffic in opposite directions.

(36) "MUTCD (Utah MUTCD)" means the current version of Utah Manual on Uniform Traffic Control Devices referenced in R920-1.

(37) "Pavement structure" is the combination of sub-base, base course, and surface course placed on a sub-grade to support the traffic load.

(38) "Permit" means encroachment permit.

(39) "Pipe" is a tubular product made as a production item for the transmission of liquid or gaseous substances. Cylinders formed from plate material in the fabrication of auxiliary equipment are not pipe as defined here.

(40) "Pipeline" is a continuous carrier used primarily for the transportation of liquids, gases, or solids from one point to another using either gravity or pressure flow.

(41) "Plowing" means the direct burial of utility lines by means of a mechanism that breaks the ground, places the utility line, and closes the break in the ground in a single operation.

(42) "Practicable" means reasonably capable of being accomplished or feasible as determined by UDOT.

(43) "Relocate" means ~~[to move an existing utility facility to a new location when found by UDOT to be necessary for construction or maintenance of a highway]~~ the adjustment of utility facilities when found by UDOT to be necessary for construction or maintenance of a highway. It includes removing and reinstalling the facility, including necessary temporary facilities, acquiring the necessary right-of-way on the new location, moving, rearranging or changing the type of existing facilities and taking any necessary safety and protective measures. It also means constructing a replacement facility that is both functionally equivalent to the existing facility and necessary for continuous operation of the utility service, the project economy, or sequence of highway construction.

(44) "Right of way" is a general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to transportation purposes.

(45) "Roadside" is a general term denoting the area between the outer edge of the roadway shoulder and the right of way limits.

(46) "Roadway" is the portion of a highway, including shoulders, for vehicular use. A divided highway has two or more roadways.

(47) "Slope" is the relative steepness of the terrain expressed as a ratio or percentage. Slopes may be categorized as positive or negative and as parallel or cross slopes in relation to the direction of traffic.

(48) "State highways" are those highways designated as State Highways in Title 72, Chapter 4, Designation of State Highways.

(49) "Structure" means any device used to convey vehicles, pedestrians, animals, waterways or other materials over highways, streams, canyons, or other obstacles. It also includes buildings, signs, and UDOT facilities with foundations.

(50) "Subsurface Utility Engineering (SUE)" is the management of certain risks associated with utility mapping at appropriate quality levels, utility coordination, utility relocation, communication of utility data, utility relocation cost estimates, implementation of utility accommodation policies, and utility design. SUE tools include traditional records, site surveys, and new technologies such as surface geophysical methods and non-destructive vacuum excavation, to provide quality levels of information. The SUE process for collecting and depicting information on existing subsurface Utility Facilities is described in ASCE Standard 38-02, Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data.

(51) "Trenched" means installed in a narrow open excavation.

(52) "Trenchless (Untrenched)" means installed without breaking the ground or pavement surface by a construction method such as directional drilling, boring, tunneling, jacking, or auguring.

(53) "UDOT" is the Utah Department of Transportation and where referenced to be contacted, submitted to, approved by, accepted by or otherwise engaged, means an authorized representative.

(54) "Utility" or "utility facility" means privately, publicly, cooperatively, or municipally owned pipelines, facilities, or systems for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, petroleum products, cable television, water, sewer, steam, waste, storm water not connected with highway drainage, and other similar commodities, which directly or indirectly service the public, or any part thereof.

(55) "Utility appurtenances" include but are not limited to pedestals, manholes, vents, drains, rigid markers, meter pits, sprinkler pits, valve pits, and regulator pits.

(56) "Utility company" is a privately, cooperatively, or publicly owned utility, including utilities owned by political subdivisions, and where referenced includes authorized representatives, contractors, and agents.

(57) "Vent" is an appurtenance designed to discharge gaseous contaminants from a casing.

R930-7-6. General Installation Requirements.

(1) General.

(a) Utility companies desiring to use right of way under the jurisdiction of UDOT for the installation or maintenance of any utility facility must be licensed to do so by entering into a license agreement with UDOT. This statewide agreement sets forth the procedures and conditions for the issuance of encroachment permits for all installations statewide. Encroachment permits are not issued without a license agreement first being executed. UDOT may impose additional restrictions or requirements for license agreements or encroachment permits.

(b) A permitted facility shall, if necessary, be modified by the utility company to improve safety or facilitate alteration or maintenance of the right of way as determined by UDOT.

(2) License Agreements or Statewide Utility License Agreements.

(a) Agreements are executed by UDOT and utility companies to set forth the terms and conditions for the accommodation and maintenance of utility facilities within the right of way. A license agreement is required for, but does not guarantee the approval of encroachment permits.

(b) As part of executing a license agreement with UDOT, owners of facilities located in the right of way are required to post a continuous bond in the amount of \$100,000, naming UDOT as the insured, to guarantee satisfactory performance. The Statewide Utilities Engineer may approve a lesser amount. Failure by a utility company to maintain a valid bond in the amount required is cause for denying issuance of future permits to that utility company, and for the removal of that utility company's facilities from the right of way.

(c) A public utility is exempt from the bond requirements described in this section if the public utility:

- (i) is a member of the municipal insurance pool;
- (ii) is a political subdivision; or

(iii) at UDOT's option carries liability insurance with minimum coverage of \$1,000,000 per occurrence and as more specifically described in its License Agreement.

(d) Upon discovery of utility caused damage to the highway or to the right of way, UDOT may opt to exercise its bonding rights in recovering costs incurred to restore the highway or right of way. The utility company is liable for all restoration costs incurred as a result of damages caused by its utility, and its liability is not limited to the amount of the bond.

(e) License agreements may be terminated at any time by either party upon 30 days advance written notice to the other. Permits previously issued and approved under a terminated agreement are not affected and remain in effect on the same terms and conditions set forth in the agreement and permits. The obligation to maintain the \$100,000 bond continues until the utility company's facilities are removed from UDOT's right of way.

(3) Emergency Work.

(a) In all emergency work situations, the utility company or its representative shall contact UDOT immediately and on the first business day shall contact UDOT to complete a formal permit. Failure to contact UDOT for an emergency work situation and obtain an encroachment permit within the stated time period is considered to be a violation of the terms and conditions of the utility company's license agreement. At the discretion of the utility company, emergency work may be performed by a bonded contractor, public agency, or a utility company. None of the provisions of this rule are waived for emergency work except for the requirement of a prior permit.

(4) One Call Requirements.

(a) Underground facilities are not permitted within the right of way unless the utility company subscribes to Blue Stakes of Utah and other appropriate "call-before-you-dig" systems, or otherwise provides utility plans as detailed in Section R930-7-11(6)(a) of this rule.

(5) Preservation of New Pavement.

(a) Cuts or open excavations on newly constructed, paved, or overlaid highways are not allowed for two years. If an emergency cut or excavation occurs, the responsible utility company shall comply with any special conditions imposed by UDOT regarding restoration of the roadway.

(6) Encroachment Permits.

(a) Encroachment Permits on State Highways.

Utility companies shall obtain an encroachment permit from UDOT for the installation and maintenance of utility facilities on the right of way. Encroachment permits are approved or disapproved by UDOT. Applications for encroachment permits are submitted to the Region Permits Officers by the utility company or its contractor. No utility company or utility company contractor shall begin any utility work on the right of way until an approved encroachment permit is issued by UDOT and the utility company is authorized to proceed in writing. Prior to the issuance of encroachment permits, fees are assessed to cover related costs incurred by UDOT including costs for planning, coordination, and utility plan review.

If the utility company expects work to significantly impact travel lane capacity, UDOT recommends the utility company contact the appropriate Region Permit Office to discuss concepts in advance of submitting an encroachment permit application.

Utility companies shall submit two sets of plans depicting the proposed installation. The plans shall be sized as required by UDOT and include utility company identification, work location, utility type and size, type of construction, vertical and horizontal location of facilities relative to the centerline of road, location of all appurtenances, trench details, right of way limits, and traffic control plans. Traffic control plans shall conform to the Utah MUTCD as outlined in Section R930-7-7(1)(d), are mandatory for each instance of utility construction or maintenance, and shall be attached to each permit application.

Utility companies may authorize their contractors to obtain permits on their behalf. All terms and conditions set forth in the license agreement apply. The utility company's construction forces or the utility contractor shall carry a copy of the approved permit at all times while working on the right of way.

(b) Bonding and Liability Insurance Requirements.

(i) Individual (one-time use) Encroachment Permit Bonding Requirements. As authorized by Sub-section 72-7-102(3)(b)(i) this rule requires encroachment permit applicants to post a Performance and Warranty [~~or Maintenance~~] Bond, using UDOT's approved bond form, for a period of three years from the date of beginning of work or two years from the end of work, whichever provides the longer period of coverage. A separate Performance and Warranty Bond is required for each individual encroachment permit. Political subdivisions of the state are not required to post a bond unless the political subdivision fails to meet the terms and conditions of previous permits issued as determined by UDOT. The amount of the bond is determined by the UDOT Region Permits Officer based on the scope of work being performed but will not be less than \$10,000.

(ii) Statewide (multiple use) Encroachment Permit Bonding Option. In lieu of posting multiple individual one-time use bonds, [~~E~~]encroachment permit applicants who routinely acquire encroachment permits may elect to post a statewide performance and warranty [~~or maintenance~~] bond, using UDOT's approved bond form [~~in lieu of posting multiple individual bonds~~]. A statewide bond satisfies bonding requirements for work in all UDOT Regions. The bond amount is determined by UDOT but will not be less than \$100,000. A valid statewide bond period shall be not less than three years from the date of completion of permitted work [~~and will meet bonding requirements for UDOT permits for a period of one year from date of issue~~]. [~~Encroachment permit applicants may submit a replacement statewide bond on an annual basis provided the bond period is not less than three years at time of replacement.~~]

(iii) Inspection Bond. UDOT may require an additional inspection bond to ensure payment for UDOT field review and inspection costs before an encroachment permit is granted.

(iv) Proceeds Against the Bond. UDOT may proceed against the bond to recover all expenses incurred if payment is not received from the permit applicant within 45 calendar days of receiving an invoice. Upon discovery of utility caused damage to the highway or to the right of way, UDOT may opt to exercise its bonding rights in recovering costs incurred to restore the highway or right of way due to utility caused damages. Failure by the utility company to maintain a valid bond in the amounts required shall be cause for denying issuance of future permits and for the removal of the utility from the right of way.

(v) Liability Insurance Requirements. Permit applicants are also required to provide a certificate of liability insurance in the minimum amounts of \$1,000,000 per occurrence and \$2,000,000 in aggregate. Failure to meet this requirement will result in application denial. Liability insurance coverage is required throughout the life of the permit and cancellation will result in permit revocation.

(vi) Information about bond forms and liability insurance requirements are available on UDOT's website at: <http://www.udot.utah.gov/go/encroachmentpermit>

(c) Cancellation of Permits. Any failure on the part of a utility company to comply with the terms and conditions set forth in the license agreement or the encroachment permit may result in cancellation of the permit. Failure to pay any sum of money for costs incurred by UDOT in association with installation or construction review, inspection, reconstruction, repair, or maintenance of the utility facilities may also result in cancellation of the permit. UDOT also may remove the facilities and restore the highway and right of way at the sole expense of the utility company. Prior to any cancellation, UDOT shall notify the utility company in writing, setting forth the violations, and will provide the utility company a reasonable time to correct the violations to the satisfaction of UDOT.

(d) Assignment of Permits. Permits shall not be assigned without the prior written consent of UDOT. All assignees shall be required to file a new permit application.

(e) Indemnification. Permit holders performing utility work on the right of way shall, at all times, indemnify and hold harmless UDOT, its employees, and the State of Utah from responsibility for any damage or liability arising from their construction, maintenance, repair, or any other related operation during the work or as a result of the work. Permit holders shall also be responsible for the completion, restoration, and maintenance of any excavation for a period of three years unless UDOT requires a longer period of indemnification due to specific or unique circumstances.

R930-7-8. Definitive Design Requirements.

(1) Location Requirements.

(a) Longitudinal Installations. The type of utility construction, vertical clearances, lateral location of poles and down guys, and related ground mounted utility facilities along roadways are factors of major importance in preserving a safe traffic environment, the appearance of the highway, and the efficiency and economy of highway construction and maintenance. Longitudinal utility facilities shall be located on a uniform alignment and as close to the right of way line as practicable. The joint use of pole lines is acceptable and encouraged; however, all installations shall be located so that all

servicing may be performed with minimal traffic interference. The following additional requirements apply to longitudinal installations.

(i) Utility facilities shall be located so as to minimize the need for future utility relocations due to highway improvements, avoid risks to the highway, and not adversely impact environmentally protected areas.

(ii) The location of utility installations along urban streets with closely abutting structures such as buildings and signs generally requires special considerations. These considerations shall be resolved in a manner consistent with the prevailing limitations and as approved by UDOT.

(iii) The location of utility facilities and associated appurtenances shall be in accordance with the Americans with Disabilities Act.

(iv) The horizontal location of utility facilities and appurtenances within the right of way shall conform to the current edition of the AASHTO Roadside Design Guide.

(v) Adequate warning devices, barricades, and protective devices must be used to prevent traffic hazards. Where circumstances necessitate the excavation closer to the edge of pavement than established above, concrete barriers or other UDOT approved devices shall be installed for protection of traffic in accordance with UDOT Traffic Control Standards and UDOT's Supplemental Drawings.

(vi) There are greater restrictions on the accommodation of utility facilities within interstate, freeway, and other access controlled highway right of way. See Section R930-7-10 for details.

(b) Overhead Installations.

(i) Minimal vertical clearances for installed overhead lines are 18 feet for crossings and longitudinal installations, and 23 feet for intersections. In addition, the vertical clearance for overhead lines above the highway and the vertical and lateral clearance from bridges and above ground UDOT facilities shall meet or exceed the current edition of the National Electrical Safety Code. Where overhead lines cross UDOT above ground facilities, including but not limited to signs, traffic signal heads, poles, and mast arms, vertical and lateral clearance shall meet OSHA working clearances for electrical lines in effect at the time of the installation which will accommodate maintenance work by UDOT personnel without having to discharge or shield the lines.

(ii) Utility companies planning to attach cable to other utility company poles shall obtain approval from the owner of the poles prior to a permit being issued by UDOT.

(iii) The utility facility shall conform to the current edition of the AASHTO Roadside Design Guide. Where there are existing curbed sections, utility facilities shall be located as far as practicable behind the face of curbs and, where feasible, behind sidewalks at locations that will not interfere with adjacent property use. In all cases there shall be a minimum of two feet clearance behind the face of the curb. All cases shall be resolved in a manner consistent with prevailing limitations and conditions.

(iv) Before locating a utility facility at other than the right of way line, consideration shall be given to designs using self-supporting, armless single pole construction, with vertical alignment of wires or cables, or other techniques permitted by government or industry codes that provide a safe traffic environment. Deviations from required clearances may be made where poles and guys can be shielded by existing traffic barriers or placed in areas that are inaccessible to vehicular traffic.

(v) Where irregular shaped portions of the right of way extend beyond or do not reach the normal right of way limits, variances in the location of utility facilities may be allowed to maintain a reasonably uniform alignment and thereby reduce the need for guys and anchors between poles and roadway.

(c) Subsurface Installations.

(i) Underground utilities may be placed longitudinally outside of the pavement by plowing or open trench method. Underground utilities shall be located on a uniform alignment and as near as practicable to the right of -way line to provide a safe environment for traffic operations, preserve the integrity of the highway, and preserve space for future highway improvements or other utility facility installations. The allowable distance from the right of way line will generally depend upon the terrain and obstructions such as trees and other existing underground and overhead objects. On highways with frontage roads, longitudinal installations shall be located between the frontage roads and the right of way lines. Utility companies shall include the placement of markers referenced in Section R930-7-11(5).

(ii) Unless UDOT grants a deviation, underground utility installations across existing roadways shall be performed by trenchless method in accordance with UDOT requirements and casings may be required. Pits shall be located outside of the clear zone and at least 30 feet from the edge of the nearest through traffic lane and at least 20 feet from the edge of pavement on ramps. On low traffic roadways and frontage roads, as determined by UDOT, bore pits shall be at least ten feet from the edge of pavement, five feet beyond toe of slope under fill sections and at least five feet from the face of curb and meet clear zone requirements from the edge of the traveled way whichever is greater. Bore pits shall be located and constructed so as to eliminate interference with highway structural footings. Shoring shall be used where necessary.

TABLE 1
Pit

| Bore | Locations |
|---|---|
| Bore Pit Set Back | Outside Clear Zone |
| At least ten feet from the edge of pavement, five feet beyond toe of slope under fill sections and at least five feet from the face of curb | At least 30 feet from the edge of the nearest through traffic lane and at least 20 feet from the edge of pavement on ramps. |

(iii) The depth of bury for all utility facilities under pavement shall be a minimum of four feet below the top of pavement or existing grade including open drainage features. Where utility facilities are installed within 20 feet from the edge of pavement, the depth of bury shall be a minimum of five feet below top of grade so as to allow for installation of UDOT signs or delineators. Utility facilities under sidewalks shall be installed a minimum of three feet below the top of sidewalk.

(iv) Utility facilities installed greater than 20 feet from the edge of pavement shall be installed a minimum depth of three feet below grade. Specific types of facilities such as high pressure gas lines or petroleum lines may require additional cover.

(v) All underground utilities installed in the right of way must meet the minimum standards for compaction as outlined in the current edition of the UDOT Standards and Specifications for Road and Bridge Construction.

(vi) Where minimum depth of bury is not feasible, the facility shall be rerouted or, if permitted by UDOT, protected with a casing, encasement, concrete slab, or other suitable protective measures.

TABLE 2

SUMMARY OF UDOT DEFINITIVE UTILITY REQUIREMENTS
MINIMUM DEPTH OF BURY
Longitudinal and Crossing Installations
All underground utilities (cased and uncased)

| Under Pavement Surface | Under Sidewalks | Under Ditch | Less than 20 ft. from edge of pavement | Greater than 20 ft. from edge of pavement |
|--|---|--|--|---|
| Min. of four ft. below top of pavement | Min. of three ft. below top of sidewalk | Min. of three ft. below low point of ditch | Min. of five ft. below natural grade | Min. of three ft. below natural grade |

(d) Crossings.

(i) Utility crossings shall be at 90 degrees unless a deviation is approved by UDOT. Crossing installations under paved surfaces shall be by trenchless methods. Jetting by means of water or compressed air is not permitted.

(ii) Utility crossings shall be avoided in deep roadway cuts, near bridge footings, near retaining and noise walls, at highway cross drains where flow of water may be obstructed, in wet or rocky terrain where it is difficult to attain minimum cover, and through slopes under structures.

(e) Median Installations.

(i) Overhead utility facilities such as poles, guys, or other related facilities shall not be located in highway medians. Deviations may be considered for crossings where wide medians provide for sufficient space to meet clear zone requirements from the edges of the travelled ways.

(f) Appurtenances.

(i) Utility appurtenances shall be located outside the clear zone and as close to the right of way line as practicable. Where these requirements cannot be met and no feasible alternative exists, a deviation to locate appurtenances within the clear zone in areas that are shielded by traffic barriers may be considered after the utility company provides written justification for such location for UDOT review. Cabinets, regulator stations, and other similar utility components shall not be located on the right of way unless they are determined by UDOT to be sufficiently small to allow a deviation.

(ii) Manholes, valve pits, and similar appurtenances shall be installed so that their uppermost surfaces are flush with the adjacent undisturbed surface.

(iii) Utility access points and valve covers shall be located outside the roadway where practicable. In urbanized areas where no feasible alternative to locating utility access points and valve covers outside of the roadway exists, the utility company must coordinate with UDOT to meet safety, operational, and maintenance requirements of both the utility company and UDOT.

(iv) Utility companies shall avoid placing manholes in the pavement of high speed and high volume highways. Deviations may be considered after written justification for such location is submitted by the utility company and reviewed and approved by UDOT. New

manhole installations shall be avoided at highway intersections and within the wheel path of traffic lanes.

(v) Vents, drains, markers, utility access holes, shafts, shut-offs, cross-connect boxes, pedestals, pad-mounted devices, and similar appurtenances shall be located along or across highway rights of way in accordance with the provisions of the Americans With Disabilities Act.

(2) Environmental Compliance.

(a) The utility company shall comply with all applicable state and federal environmental laws and regulations, and shall obtain necessary permits. Environmental requirements include but are not limited to the following.

(i) Water Quality. A "Storm Water General Permit for Construction Activities" is required from the Utah Division of Water Quality for disturbances of one or more acres of ground surface.

(ii) Wetlands and Other Waters of the U.S. A "Section 404 Permit" is required from the U.S. Army Corps of Engineers for any impact to a wetland or water of the U.S.

(iii) Threatened or Endangered (T and E) Species. Comply with the Endangered Species Act; avoid impacts to T and E species or obtain a Permit from the U. S. Fish and Wildlife Service.

(iv) Historic and Archaeological Resources. Comply with the "National Historic Preservation Act"; avoid impacts to historic and archaeological resources. If resources could be impacted, contact the Utah State Historic Preservation Office.

(b) The utility company is responsible for environmental impacts and violations resulting from construction activities performed by the utility company or its contractors.

(c) If UDOT discovers or is made aware of a violation by the utility company or a failure to comply with state and federal environmental laws, regulations and permits, UDOT may revoke the permit, notify appropriate agencies, or both.

(3) Installation of Utilities in Scenic Areas.

(a) The type, size, design, and construction of utility facilities in areas of natural beauty shall not materially alter the scenic quality, appearance, and views from the highway or roadsides. These areas include scenic strips, overlooks, rest areas, recreation areas, adjacent rights of way and highways passing through public parks, recreation areas, wildlife and waterfowl refuges, and historic sites. Utility installations in these areas shall not be permitted. Deviation from this requirement may be allowed if there is no reasonable or feasible alternative as determined by UDOT based on written justification submitted by the utility company. On Federal-aid highways, all decisions related to utility installations within these areas shall be subject to the provisions detailed in 23 CFR 645.209(h).

(i) New underground utility installations may be permitted within scenic strips, overlooks, scenic areas, or in the adjacent rights of way, when they do not require extensive removal, or alteration of trees, and other shrubbery visible to the highway user, or do not impair the scenic appearance of the area.

(ii) New overhead installations of communication and electric power lines are not permitted in such locations unless there is no feasible and reasonable alternative as determined by UDOT. Overhead installations shall be justified to UDOT by demonstrating that other locations are not available and that underground facilities are not technically feasible, economical or are more detrimental to the scenic appearance of the area.

Any installation of overhead facilities shall be made at a location and in a manner that will not detract from the scenic quality of

the area being traversed. The installation shall utilize a suitable design and use materials aesthetically compatible to the scenic area, as approved by UDOT.

(4) Casing and Encasement Requirements.

(a) General. A carrier pipe is sometimes installed inside of a larger diameter pipe defined as a casing. Casings are typically used to provide complete independence of the carrier pipe from the surrounding roadway structure, and to provide adequate protection to the roadway from leakage of a carrier pipeline. It also provides a means for insertion and replacement of carriers without access or disturbance to through-traffic roadways.

(b) Casing requirements for crossing installations.

(i) All pipelines under pressure crossing under the roadbed of highways shall be in casings unless the pipeline is welded steel, meets industry corrosion protection standards, complies with federal and state requirements, and meets accepted industry standards regarding wall thickness and operating stress levels. In some cases UDOT may require a casing regardless of these exceptions if needed to protect the roadway, maintain public safety, or both.

(ii) In urban areas where space is limited for venting or where small pipelines are crossing, specifically intermediate high pressure lines, deviations for casing may be granted by UDOT.

(iii) Where a casing is required, it must be provided under medians, from top of back-slope to top of back-slope for cut sections, five feet beyond toe of slope under fill sections, five feet beyond face of curb in urban sections and all side streets, and five feet beyond any structure where the line passes under or through the structure. Deviations must be approved by UDOT. On freeways, expressways, and other access controlled highways, casings shall extend to the access control lines.

(iv) Utility installations by trenchless technologies, such as jacking, boring, or horizontal directional drilling methods, may be placed under highways without a casing pipe if approved by a UDOT representative.

(v) Where minimum bury is not feasible, the facility shall be rerouted or protected with a casing, concrete slab, or other suitable measures as determined by UDOT.

(c) Casings shall be considered for the following conditions:

(i) as an expediency in the insertion, removal, replacement, or maintenance of carrier pipe crossings of freeways, expressways, and other access controlled highways, and at other locations where it is necessary to avoid trenched construction;

(ii) as protection for carrier pipe from external loads or shock either during or after construction of the highway; and

(iii) as a means of conveying leaking fluids or gases away from the area directly beneath the roadway to a point of venting at or near the right of way line, or to a point of drainage in the highway ditch or a natural drainage way.

(d) UDOT may require casings for pressurized carriers or carriers of a flammable, corrosive, expansive, energized, or unstable material.

(e) Trenchless installations of coated carrier pipes shall be cased. Permission to deviate from this requirement may be granted where assurance is provided against damage to the protective coating.

(f) Encasement or other suitable protections shall be considered for pipelines with less than minimum cover, such as those near bridge footings or other highway structures, or across unstable or subsiding ground, or near other locations where hazardous conditions may exist.

(g) Rigid encasement or suitable bridging shall be used where support of pavement structure may be impaired by depression of flexible carrier pipe. Casings shall be designed to support the load of the highway and superimposed loads thereon and, as a minimum, shall be equal to or exceed the structural requirements of UDOT highway culverts in the UDOT Bridge Design Manual.

(h) Casings shall be sealed at the ends using suitable material to prevent water and debris from entering the annular space between the casing and the carrier. Such installations shall include necessary appurtenances, such as vents and markers.

(5) Mechanical and Other Protective Measures for Uncased Installation.

(a) When highway pipeline crossings are installed without casings or encasement, the following are suggested controls for providing mechanical or other protection.

(i) The carrier pipe shall conform to utility material and design requirements and utility industry and government codes and standards. The carrier pipe shall be designed to support the load of the highway plus superimposed loads operating under all ranges of pressure from maximum internal to zero pressure. Such installations shall use a higher factor of safety in the design, construction, and testing than would normally be required for cased construction.

(ii) Suitable bridging, concrete slabs, or other appropriate measures shall be used to protect existing uncased pipelines which may be vulnerable to damage from construction or maintenance operations. Construction or maintenance activities shall not proceed until protective measures are approved by UDOT.

(b) Uncased crossings of welded steel pipelines carrying flammable, corrosive, expansive, energized, or unstable materials may be permitted if additional protective measures are taken in lieu of encasement. Such measures shall use a higher factor of safety in the design, construction, and testing of the uncased carrier pipe, including

thicker wall pipe, radiograph testing of welds, hydrostatic testing, coating and wrapping, and cathodic protection.

R930-7-12. Maintenance Responsibility.

~~The utility company is responsible for maintenance and liability of its utility facilities and appurtenances on UDOT right of way or on UDOT property including facilities installed without a Statewide Utility License Agreement or permit, whether operational, out of service, or abandoned.~~ **Utility Relocations Required by Highway Projects.**

~~(1) General.~~

~~(a) Utility companies will comply with the requirements of Sections 54-3-29 and 72-6-116, when completing utility relocations necessitated by highway projects.~~

~~(b) This rule incorporates by reference 23 CFR Section 645, Subpart A, (November 22, 2000) for all utility relocations.~~

~~(c) The costs incurred by UDOT and the utility companies for compliance with the federal and state statutes, rules and regulations will be included as part of utility relocation costs.~~

~~(2) Longitudinal Telecommunications Relocations and Reimbursement.~~

~~(a) Utility companies are required to pay all relocation costs for their telecommunications facilities granted interstate access pursuant to Section 72-7-108.~~

KEY: right-of-way, utilities, utility accommodation

Date of Enactment or Last Substantive Amendment: [November 7, 2013]2016

Authorizing, and Implemented or Interpreted Law: 72-6-116(2)

End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at <http://www.rules.utah.gov/publicat/code.htm>. The rule text may also be inspected at the agency or the Division of Administrative Rules. **REVIEWS** are effective upon filing.

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

Corrections, Administration **R251-702**

Inmate Communication: Telephones

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 39971
FILED: 12/04/2015

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized by Sections 63G-3-201 and 64-13-10 of the Utah Code. The purpose of this rule is to provide the policy, procedures, and requirements for the use of and access to inmate communication systems in the Department's prison facilities.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments were received since the last five-year review.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Telephone communication of inmates with friends/family, etc. can be a positive factor during the inmates incarceration. With that said the department must have rules and regulations which monitor the use of inmate calls except for legal phone calls. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

CORRECTIONS
ADMINISTRATION
14717 S MINUTEMAN DR
DRAPER, UT 84020-9549
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steven Turley by phone at 801-545-5633, by FAX at 801-545-5726, or by Internet E-mail at sturley@utah.gov

AUTHORIZED BY: Rollin Cook, Executive Director

EFFECTIVE: 12/04/2015

Corrections, Administration **R251-708** Perimeter Patrol

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 39972
FILED: 12/04/2015

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Sections 63G-3-201, 64-13-10 and 64-13-14, of the Utah Code.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments were received since the law five-year review period.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The perimeter security plays a vital role in the security of the prison operations. The purpose of this rule is to provide the department policies and procedures for perimeter patrol of the prison facilities. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 CORRECTIONS
 ADMINISTRATION
 14717 S MINUTEMAN DR
 DRAPER, UT 84020-9549
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 ♦ Steven Turley by phone at 801-545-5633, by FAX at 801-545-5726, or by Internet E-mail at sturley@utah.gov

AUTHORIZED BY: Rollin Cook, Executive Director

EFFECTIVE: 12/04/2015

Corrections, Administration
R251-711
Admission and Intake

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
 DAR FILE NO.: 39973
 FILED: 12/04/2015

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Sections 63G-3-201, 64-13-10, 64-13-14, and 64-13-15, of the Utah Code.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been received in the last five-year review period.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to provide admission and intake policies applying to individuals committed to the Utah State Prison. The rule plays a vital role in that part of the prison's operation, therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 CORRECTIONS
 ADMINISTRATION
 14717 S MINUTEMAN DR
 DRAPER, UT 84020-9549
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 ♦ Steven Turley by phone at 801-545-5633, by FAX at 801-545-5726, or by Internet E-mail at sturley@utah.gov

AUTHORIZED BY: Rollin Cook, Executive Director

EFFECTIVE: 12/04/2015

Education, Administration
R277-726
Statewide Online Education Program

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
 DAR FILE NO.: 39993
 FILED: 12/15/2015

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Utah Constitution, Article X, Section 3, vests general control and supervision of public education in the Utah State Board of Education (Board); Section 53A-15-1210 requires the Board to make rules providing for the administration of statewide assessments to students enrolled in online courses; Section 53A-15-1213 requires the Board to make rules that establish a course credit acknowledgment form and procedures for completing and submitting the form to the Board; and Subsection 53A-1-401(3) permits the Board to make rules in accordance with its responsibilities.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No written comments have been received.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Rule R277-726 continues to be necessary because it provides procedures and requirements for participation in the Statewide Online Education Program. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

EDUCATION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Angela Stallings by phone at 801-538-7656, by FAX at 801-538-7768, or by Internet E-mail at angie.stallings@schools.utah.gov

AUTHORIZED BY: Angela Stallings, Associate Superintendent, Policy and Communication

EFFECTIVE: 12/15/2015

**Human Services, Administration,
Administrative Services, Licensing
R501-15
Therapeutic Schools**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**

DAR FILE NO.: 39979
FILED: 12/07/2015

**NOTICE OF REVIEW AND STATEMENT OF
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 62A-2-106 provides statutory authority to the Office of Licensing within the Department of Human Services to license therapeutic schools. Section 62A-2-101.32 provides the statutory definition of a therapeutic school and includes specific criteria that apply. The Office of Licensing has reviewed the rules and plans to update them within the next five-year review period.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments were received for Rule R501-15 as the rule has not changed.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Section 62A-2-106 authorizes the Office of Licensing to license all programs that meet the definition of a therapeutic school. Section 62A-2-101.32 provides the definition of a therapeutic school. Rule R501-15 should be continued for another five-year period to comply with statute requiring that these programs be licensed.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HUMAN SERVICES
ADMINISTRATION, ADMINISTRATIVE SERVICES,
LICENSING
195 N 1950 W
FIRST FLOOR
SALT LAKE CITY, UT 84116
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Diane Moore by phone at 801-538-4235, by FAX at 801-538-4553, or by Internet E-mail at dmoore@utah.gov
♦ Jeff Harris by phone at 801-538-4236, by FAX at 801-538-4553, or by Internet E-mail at jharris@utah.gov
♦ Jennifer Stahle by phone at 801-538-9897, by FAX at 801-538-4553, or by Internet E-mail at jenstahle@utah.gov
♦ Julene Robbins by phone at 801-538-4521, by FAX at 801-538-3942, or by Internet E-mail at jhjonesrobbins@utah.gov

AUTHORIZED BY: Diane Moore, Director

EFFECTIVE: 12/07/2015

**Insurance, Administration
R590-205
Privacy of Consumer Information
Compliance Deadline**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**

DAR FILE NO.: 39969
FILED: 12/04/2015

**NOTICE OF REVIEW AND STATEMENT OF
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsections 31A-2-201(2) and 31A-2-201(3)(a) empower the commissioner to administer and enforce Title 31A and to write rules to implement it. Title V, Section 505, 15 U.S.C. 6805, empowers the Utah insurance commissioner to enforce Subtitle A of Title V of the

Gramm-Leach-Bliley Act of 1999, 15 U.S.C. 6801 through 6820. Title V, Section 505, 15 U.S.C. 6805(b)(2), authorizes the commissioner to issue rules to implement the requirements of Title V, Section 5501(b) of the federal act. The rule provides an extension to persons and entities under jurisdiction of the department that are required to adopt policies, procedures, and controls to prevent the unauthorized disclosure of personal nonpublic information relating to their customers under the Gramm-Leach-Bliley Act of 1999. It also creates a link with the federal law, putting it in force in Utah, providing security in how, if at all, a person's personal, nonpublic information may or may not be disclosed.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The department has received no written comments regarding this rule in the past five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The protections to a customer's personal, nonpublic information still needs to be provided; therefore, this rule must be continued. This rule is also a link to the federal laws that provide protection to an individual's personal, nonpublic information.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

INSURANCE
ADMINISTRATION
ROOM 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY, UT 84114-1201
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 12/04/2015

Insurance, Administration
R590-233
Health Benefit Plan Insurance
Standards

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**
DAR FILE NO.: 39970
FILED: 12/04/2015

**NOTICE OF REVIEW AND STATEMENT OF
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsection 31A-2-201(3)(a) authorizes rules to implement the Insurance Code. Sections 31A-2-202 and 31A-23a-412 authorize the commissioner to request reports, conduct examinations, and inspect records of any licensee. Subsection 31A-22-605(4) requires the commissioner to adopt rules to establish standards for disclosure in the sale of, and benefits to be provided by individual and franchise accident and health policies. Section 31A-22-623 authorizes the commissioner to establish by rule minimum standards of coverage for dietary products for inborn metabolic errors. Section 31A-22-626 authorizes the commissioner to establish by rule minimum standards of coverage for diabetes for accident and health insurance. Subsection 31A-23a-402(8) authorizes the commissioner to define by rule acts and practices that are unfair and unreasonable. Subsection 31A-26-301(a) authorizes the commissioner to set standards for timely payment of claims.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The department has not received any written comments regarding this rule in the past five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to provide reasonable standardization and simplification of terms and coverages of insurance policies in order to facilitate public understanding and comparison, and to prohibit provisions that may be misleading or confusing in connection either with the purchase of such coverages or with the settlement of claims, and to provide for full disclosure in the sale of such insurance. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

INSURANCE
ADMINISTRATION
ROOM 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY, UT 84114-1201
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 12/04/2015

Natural Resources, Wildlife Resources
R657-39
Wildlife Board and Regional Advisory
Councils

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**
DAR FILE NO.: 39975
FILED: 12/07/2015

**NOTICE OF REVIEW AND STATEMENT OF
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Under Section 23-14-2, Subsection 23-14-2.6(7), and Sections 23-14-3 and 23-14-19, the Wildlife Board is authorized and required to regulate and prescribe the means by which wildlife may be taken.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No written comments supporting or opposing Rule R657-39 were received since December 2010, when the rule was last reviewed.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Rule R657-39 provides the procedures and practices for the operation of the Wildlife Board and regional advisory councils. The provisions adopted in this rule are effective in providing the standards and requirements for operating Wildlife Board and regional advisory councils. Continuation of this rule is necessary for continued success of this program.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

AUTHORIZED BY: Gregory Sheehan, Director

EFFECTIVE: 12/07/2015

Natural Resources, Wildlife Resources
R657-40
Wildlife Rehabilitation

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**
DAR FILE NO.: 39974
FILED: 12/07/2015

**NOTICE OF REVIEW AND STATEMENT OF
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Under Sections 23-13-4, 23-14-18, and 23-20-3, the Wildlife Board is authorized and required to provide rules to regulate and prescribe the means by which protected wildlife may be held in captivity for rehabilitation purposes.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Division of Wildlife Resources and the Wildlife Board have not received any written comments, either in support or opposition to Rule R657-40. Any written comments received in opposition to this rule would be resolved using existing policies and procedures or the issue would be placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the annual process for taking public input. The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes and administrative record for this rule at the Division of Wildlife Resources.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Rule R657-40 provides the procedures, standards, and requirements for possessing protected wildlife in captivity for rehabilitation purposes by trained and educated individuals as a public service for the benefit of Utah's wildlife resources. The provisions adopted in this rule are effective in providing the standards and requirements for providing this service. Continuation of this rule is necessary for continued success of this program.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

AUTHORIZED BY: Gregory Sheehan, Director

EFFECTIVE: 12/07/2015

End of the Five-Year Notices of Review and Statements of Continuation 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 Division 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.

Abbreviations

AMD = Amendment

CPR = Change in Proposed Rule

NEW = New Rule

R&R = Repeal & Reenact

REP = Repeal

Administrative Services

Facilities Construction and Management

No. 39825 (AMD): R23-7. State Construction Contracts and Drug and Alcohol Testing

Published: 11/01/2015

Effective: 12/11/2015

No. 39826 (AMD): R23-32. Rules of Procedure for Conduct of Utah State Building Board Meetings

Published: 11/01/2015

Effective: 12/11/2015

Commerce

Occupational and Professional Licensing

No. 39816 (AMD): R156-31b. Nurse Practice Act Rule

Published: 11/01/2015

Effective: 12/08/2015

Real Estate

No. 39777 (AMD): R162-57a-5. Project Registration

Published: 10/15/2015

Effective: 12/09/2015

Education

Administration

No. 39836 (REP): R277-118. LEA Post-employment Benefits Plans

Published: 11/01/2015

Effective: 12/08/2015

No. 39837 (NEW): R277-207. Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions

Published: 11/01/2015

Effective: 12/08/2015

No. 39838 (AMD): R277-404. Requirements for Assessments of Student Achievement

Published: 11/01/2015

Effective: 12/08/2015

No. 39839 (AMD): R277-438. Dual Enrollment

Published: 11/01/2015

Effective: 12/08/2015

No. 39840 (AMD): R277-477. Distributions of Funds from the Interest and Dividends Account and Administration of the School LAND Trust Program

Published: 11/01/2015

Effective: 12/08/2015

No. 39841 (AMD): R277-494. Charter School and Online Student Participation in Extracurricular or Co-curricular School Activities

Published: 11/01/2015

Effective: 12/08/2015

No. 39842 (AMD): R277-611. Certified Volunteer Instructors and Material Approval Requirements and Process for Firearm Safety in the Public Schools

Published: 11/01/2015

Effective: 12/08/2015

No. 39843 (NEW): R277-921. Strengthening College and Career Readiness Program

Published: 11/01/2015

Effective: 12/08/2015

Environmental Quality

Air Quality

No. 39751 (AMD): R307-101-2. Definitions
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39823 (AMD): R307-101-2. Definitions
 Published: 11/01/2015
 Effective: 12/15/2015

No. 39750 (AMD): R307-102-1. Air Pollution Prohibited;
 Periodic Reports Required
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39740 (NEW): R307-104. Conflict of Interest
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39733 (AMD): R307-110-10. Section IX. Control
 Measures for Area and Point Sources, Part A, Fine
 Particulate Matter
 Published: 10/01/2015
 Effective: 12/03/2015

No. 39735 (AMD): R307-110-17. Section IX, Control
 Measures for Area and Point Sources, Part H, Emissions
 Limits
 Published: 10/01/2015
 Effective: 12/03/2015

No. 39749 (AMD): R307-150. Emission Inventories
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39748 (AMD): R307-201-3. Visible Emissions Standards
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39747 (AMD): R307-206. Emission Standards:
 Abrasive Blasting
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39746 (AMD): R307-303. Commercial Cooking
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39743 (AMD): R307-305-3. Visible Emissions
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39744 (AMD): R307-306. PM10 Nonattainment and
 Maintenance Areas: Abrasive Blasting
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39745 (AMD): R307-401. Permit: New and Modified
 Sources
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39742 (AMD): R307-410. Permits: Emissions Impact
 Analysis
 Published: 10/01/2015
 Effective: 12/15/2015

No. 39741 (AMD): R307-415. Permits: Operating Permit
 Requirements
 Published: 10/01/2015
 Effective: 12/15/2015

Water Quality

No. 39821 (AMD): R317-4. Onsite Wastewater Systems
 Published: 11/01/2015
 Effective: 01/01/2016

Health

Health Care Financing, Coverage and Reimbursement Policy
 No. 39827 (AMD): R414-1-7. Aliens
 Published: 11/01/2015
 Effective: 12/08/2015

No. 39828 (AMD): R414-3A-6. Services
 Published: 11/01/2015
 Effective: 12/08/2015

Insurance

Administration

No. 39805 (AMD): R590-268. Small Employer Stop-Loss
 Insurance
 Published: 11/01/2015
 Effective: 12/09/2015

Title and Escrow Commission

No. 39801 (REP): R592-2. Title Insurance Administrative
 Hearings and Penalty Imposition
 Published: 10/15/2015
 Effective: 12/09/2015

Labor Commission

Industrial Accidents

No. 39829 (AMD): R612-100-4. Designation as Informal
 Proceedings
 Published: 11/01/2015
 Effective: 12/08/2015

No. 39830 (AMD): R612-200-1. Reporting and Investigating
 Injuries
 Published: 11/01/2015
 Effective: 12/08/2015

No. 39832 (AMD): R612-300-4. General Method For Computing Medical Fees
Published: 11/01/2015
Effective: 12/08/2015

No. 39833 (AMD): R612-300-5. Fees for Specific Procedures
Published: 11/01/2015
Effective: 12/08/2015

No. 39835 (AMD): R612-400-1. Policy Reporting by Workers' Compensation Insurance Carriers
Published: 11/01/2015
Effective: 12/08/2015

No. 39822 (AMD): R612-400-5. Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund
Published: 11/01/2015
Effective: 12/08/2015

Lieutenant Governor
Elections

No. 39824 (NEW): R623-4. Processing Partisan Candidate Nomination Petitions
Published: 11/01/2015
Effective: 12/08/2015

Tax Commission
Property Tax

No. 39815 (AMD): R884-24P-53. 2015 Valuation Guides for Valuation of Land Subject to the Farmland Assessment Act Pursuant to Utah Code Ann. Section 59-2-515
Published: 11/01/2015
Effective: 01/01/2016

End of the Notices of Rule Effective Dates Section

**2015 RULES INDEX
BY AGENCY (CODE NUMBER)
AND
BY KEYWORD (SUBJECT)**

The Rules Index is a cumulative index that reflects all effective changes to Utah's administrative rules. The current Index lists changes made effective from January 2, 2015 through December 15, 2015. The Rules Index is published in the Utah State Bulletin and in the annual Utah Administrative Rules Index of Changes. Nonsubstantive changes, while not published in the Bulletin, do become part of the Utah Administrative Code (Code) and are included in this Index, as well as 120-Day (Emergency) rules that do not become part of the Code. The rules are indexed by Agency (Code Number) and Keyword (Subject).

Questions regarding the index and the information it contains should be addressed to the Division of Administrative Rules (801-538-3764).

A copy of the **RULES INDEX** is available for public inspection at the Division of Administrative Rules (5110 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (<http://www.rules.utah.gov/>).

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

| | |
|----------------------------------|---|
| AMD = Amendment (Proposed Rule) | LNR = Legislative Nonreauthorization |
| CPR = Change in Proposed Rule | NEW = New Rule (Proposed Rule) |
| EMR = 120-Day (Emergency) Rule | NSC = Nonsubstantive Rule Change |
| EXD = Expired Rule | R&R = Repeal and Reenact (Proposed Rule) |
| EXP = Expedited Rule | REP = Repeal (Proposed Rule) |
| EXT = Five-Year Review Extension | 5YR = Five-Year Notice of Review and Statement of Continuation |
| GEX = Governor's Extension | |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|--|-------------|--------|----------------|---------------------|
| ADMINISTRATIVE SERVICES | | | | | |
| <u>Administrative Rules</u> | | | | | |
| R15-1 | Administrative Rule Hearings | 39726 | 5YR | 09/11/2015 | 2015-19/113 |
| R15-2 | Public Petitioning for Rulemaking | 39727 | 5YR | 09/11/2015 | 2015-19/113 |
| R15-3 | Definitional Clarification of Administrative Rule | 39728 | 5YR | 09/11/2015 | 2015-19/114 |
| R15-4 | Administrative Rulemaking Procedures | 39729 | 5YR | 09/11/2015 | 2015-19/115 |
| R15-5 | Administrative Rules Adjudicative Proceedings | 39730 | 5YR | 09/11/2015 | 2015-19/115 |
| <u>Facilities Construction and Management</u> | | | | | |
| R23-1 | Procurement of Construction | 39033 | R&R | 03/03/2015 | 2015-2/4 |
| R23-1-1504 | Performance Evaluation | 39642 | NSC | 09/30/2015 | Not Printed |
| R23-2 | Procurement of Architect-Engineer Services | 39061 | REP | 03/16/2015 | 2015-3/4 |
| R23-3 | Planning and Programming for Capital Projects | 39752 | AMD | 11/09/2015 | 2015-19/4 |
| R23-7 | State Construction Contracts and Drug and Alcohol Testing | 39482 | 5YR | 06/30/2015 | 2015-14/139 |
| R23-7 | State Construction Contracts and Drug and Alcohol Testing | 39825 | AMD | 12/11/2015 | 2015-21/4 |
| R23-32 | Rules of Procedure for Conduct of Utah State Building Board Meetings | 39826 | AMD | 12/11/2015 | 2015-21/6 |
| <u>Finance</u> | | | | | |
| R25-7 | Travel-Related Reimbursements for State Employees | 39301 | AMD | 06/22/2015 | 2015-10/6 |
| R25-7-6 | Reimbursement for Meals | 39903 | AMD | 12/22/2015 | 2015-22/12 |
| R25-10 | State Entities Posting of Financial Information to the Utah Public Finance Website | 39360 | AMD | 07/08/2015 | 2015-11/4 |
| R25-15 | Change Date and Set Aside Provisions for Annual Leave II | 39942 | EMR | 11/12/2015 | 2015-23/57 |
| R25-25-7 | Travel-Related Reimbursements for State Employees | 39160 | AMD | 04/21/2015 | 2015-6/10 |
| <u>Fleet Operations</u> | | | | | |
| R27-1 | Definitions | 39918 | 5YR | 11/06/2015 | 2015-23/61 |
| R27-2 | Fleet Operations Adjudicative Proceedings | 39919 | 5YR | 11/06/2015 | 2015-23/61 |
| R27-3 | Vehicle Use Standards | 39920 | 5YR | 11/06/2015 | 2015-23/62 |
| R27-7 | Safety and Loss Prevention of State Vehicles | 39921 | 5YR | 11/06/2015 | 2015-23/62 |
| <u>Purchasing and General Services</u> | | | | | |
| R33-1-1 | Definitions | 38974 | AMD | 01/28/2015 | 2014-24/4 |
| R33-4 | General Procurement Provisions, Prequalifications, Specifications, and Small Purchases | 39327 | AMD | 06/23/2015 | 2015-10/11 |
| R33-4 | General Procurement Provisions, Prequalifications, Specifications, and Small Purchases | 39472 | AMD | 08/21/2015 | 2015-14/6 |

| | | | | | |
|-----------------------------|--|-------|-----|------------|-------------|
| R33-4 | General Procurement Provisions, Prequalifications, Specifications, and Small Purchases | 39523 | NSC | 08/24/2015 | Not Printed |
| R33-4 | General Procurement Provisions, Prequalifications, Specifications, and Small Purchases | 39957 | NSC | 12/18/2015 | Not Printed |
| R33-6-101 | Competitive Sealed Bidding; Multiple Stage Bidding; Reverse Auction | 38975 | AMD | 01/28/2015 | 2014-24/5 |
| R33-6-109 | Only One Bid Received | 39366 | AMD | 07/09/2015 | 2015-11/5 |
| R33-7 | Request for Proposals | 38976 | AMD | 01/28/2015 | 2014-24/6 |
| R33-7 | Request for Proposals | 39513 | NSC | 07/30/2015 | Not Printed |
| R33-7 | Request for Proposals | 39958 | NSC | 12/18/2015 | Not Printed |
| R33-7-702 | Only One Proposal Received | 39365 | AMD | 07/09/2015 | 2015-11/6 |
| R33-7-702 | Only One Proposal Received | 39432 | AMD | 08/07/2015 | 2015-13/6 |
| R33-8 | Exceptions to Procurement Requirements | 39328 | AMD | 06/23/2015 | 2015-10/15 |
| R33-12 | Terms and Conditions, Contracts, Change Orders and Costs | 38977 | AMD | 01/28/2015 | 2014-24/9 |
| R33-13 | General Construction Provisions | 39959 | NSC | 12/18/2015 | Not Printed |
| R33-16 | Controversies and Protests | 39470 | AMD | 08/21/2015 | 2015-14/9 |
| R33-16-401 | Protest Officer May Correct Noncompliance, Errors and Discrepancies | 38978 | AMD | 01/28/2015 | 2014-24/12 |
| R33-26 | State Surplus Property | 39084 | NSC | 01/28/2015 | Not Printed |
| R33-26 | State Surplus Property | 39271 | AMD | 06/10/2015 | 2015-9/4 |
| R33-26 | State Surplus Property | 39906 | AMD | 12/23/2015 | 2015-22/13 |
| R33-26-202 | Information Technology Equipment | 39042 | AMD | 03/31/2015 | 2015-2/33 |
| R33-26-202 | Disposal of State-Owned Surplus Electronic Data Devices | 39454 | AMD | 08/21/2015 | 2015-14/11 |
| <u>Records Committee</u> | | | | | |
| R35-1 | State Records Committee Appeal Hearing Procedures | 39400 | AMD | 07/31/2015 | 2015-11/7 |
| R35-2 | Declining Appeal Hearings | 39401 | AMD | 07/31/2015 | 2015-11/9 |
| R35-4 | Compliance with State Records Committee Decisions and Orders | 39402 | AMD | 07/31/2015 | 2015-11/10 |
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| R35-6 | Expedited Hearing | 39404 | AMD | 07/31/2015 | 2015-11/12 |
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| R51-1 | Public Petitions for Declaratory Rulings | 39636 | EMR | 09/02/2015 | 2015-19/109 |
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| R58-2 | Disease, Inspections, and Quarantines | 39422 | AMD | 08/12/2015 | 2015-13/14 |
| R58-7 | Livestock Markets, Satellite Video Livestock Auction Market, Livestock Sales, Dealers, and Livestock Market Weighpersons | 39075 | 5YR | 01/13/2015 | 2015-3/67 |
| R58-11 | Slaughter of Livestock and Poultry | 39073 | 5YR | 01/13/2015 | 2015-3/67 |
| R58-11 | Slaughter of Livestock and Poultry | 39775 | AMD | 11/23/2015 | 2015-20/14 |
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| R58-12 | Record Keeping and Carcass Identification at Meat Exempt (Custom Cut) Establishments | 39774 | AMD | 11/23/2015 | 2015-20/19 |
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| R58-13 | Custom Exempt Slaughter | 39616 | EMR | 08/25/2015 | 2015-18/131 |
| R58-15 | Collection of Annual Fees for the Wildlife Damage Prevention Act | 39602 | 5YR | 08/13/2015 | 2015-17/97 |
| R58-17 | Aquaculture and Aquatic Animal Health | 39074 | 5YR | 01/13/2015 | 2015-3/68 |
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| R65-4 | Utah Egg Marketing Order | 39763 | REP | 11/23/2015 | 2015-20/23 |

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| R68-1 | Utah Bee Inspection Act Governing Inspection of Bees | 39612 | 5YR | 08/24/2015 | 2015-18/133 |
| R68-1 | Utah Bee Inspection Act Governing Inspection of Bees | 39773 | AMD | 11/23/2015 | 2015-20/25 |
| R68-2 | Utah Commercial Feed Act Governing Feed | 39471 | 5YR | 06/29/2015 | 2015-14/139 |
| R68-6 | Utah Nursery Act | 39548 | 5YR | 07/29/2015 | 2015-16/79 |
| R68-8 | Utah Seed Law | 39999 | 5YR | 12/17/2015 | Not Printed |
| R68-10 | Quarantine Pertaining to the European Corn Borer | 39507 | 5YR | 07/10/2015 | 2015-15/31 |
| R68-12 | Quarantine Pertaining to Mint Wilt | 39408 | 5YR | 05/21/2015 | 2015-12/33 |
| R68-22 | Industrial Hemp Research | 39148 | NEW | 04/22/2015 | 2015-6/14 |

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| R70-101 | Bedding, Upholstered Furniture and Quilted Clothing | 39407 | R&R | 07/22/2015 | 2015-12/6 |
| R70-330 | Raw Milk for Retail | 39779 | AMD | 11/23/2015 | 2015-20/26 |
| R70-610 | Uniform Retail Wheat Standards of Identify | 39561 | 5YR | 08/05/2015 | 2015-17/98 |
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| R81-2-1 | Special Orders of Liquor by Public | 39154 | AMD | 04/28/2015 | 2015-6/22 |
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| R81-3-1 | Definition | 39417 | AMD | 07/28/2015 | 2015-12/12 |
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| R81-3-14 | Type 5 Package Agencies | 39418 | AMD | 07/28/2015 | 2015-12/14 |
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| R81-7 | Single Event Permits | 39474 | CPR | 11/02/2015 | 2015-18/128 |
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| R156-1-308a | Renewal Dates | 39857 | NSC | 11/09/2015 | Not Printed |
| R156-5a-302c | Qualifications for Licensure - Training Requirements | 39854 | AMD | 12/22/2015 | 2015-22/25 |
| R156-17b | Pharmacy Practice Act Rule | 39056 | 5YR | 01/05/2015 | 2015-3/69 |
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| R156-17b | Pharmacy Practice Act Rule | 39780 | AMD | 12/01/2015 | 2015-20/30 |
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| R156-24b-302b | Qualifications for Licensure - Examination Requirements | 39092 | AMD | 03/24/2015 | 2015-4/9 |
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| R156-31b | Nurse Practice Act Rule | 39816 | AMD | 12/08/2015 | 2015-21/9 |
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| R156-37f-102 | Definitions | 39020 | AMD | 02/24/2015 | 2015-2/84 |
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| R156-46a-502d | Form of Written Informed Consent | 39428 | AMD | 08/17/2015 | 2015-13/21 |
| R156-46a-502d | Form of Written Informed Consent | 39604 | NSC | 09/11/2015 | Not Printed |
| R156-47b | Massage Therapy Practice Act Rule | 38915 | AMD | 04/21/2015 | 2014-22/16 |
| R156-47b | Massage Therapy Practice Act Rule | 38915 | CPR | 04/21/2015 | 2015-6/42 |
| R156-47b-302a | Qualifications for Licensure - Equivalent Education and Training | 39238 | AMD | 05/28/2015 | 2015-8/7 |
| R156-50 | Private Probation Provider Licensing Act Rule | 39737 | 5YR | 09/14/2015 | 2015-19/116 |
| R156-55a | Utah Construction Trades Licensing Act Rule | 39461 | AMD | 11/23/2015 | 2015-14/21 |
| R156-55a | Utah Construction Trades Licensing Act Rule | 39461 | CPR | 11/23/2015 | 2015-20/116 |
| R156-55e | Elevator Mechanics Licensing Rule | 39736 | 5YR | 09/14/2015 | 2015-19/116 |
| R156-60 | Mental Health Professional Practice Act Rule | 39538 | AMD | 09/21/2015 | 2015-16/9 |
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| R156-60c | Clinical Mental Health Counselor Licensing Act Rule | 39519 | AMD | 09/28/2015 | 2015-16/11 |
| R156-60d | Substance Use Disorder Counselor Act Rule | 38964 | AMD | 01/22/2015 | 2014-24/17 |
| R156-61 | Psychologist Licensing Act Rule | 38957 | AMD | 06/15/2015 | 2014-24/19 |
| R156-61 | Psychologist Licensing Act Rule | 38957 | CPR | 06/15/2015 | 2015-9/80 |
| R156-61a | Behavior Analyst Licensing Act Rule | 39772 | NEW | 11/23/2015 | 2015-20/37 |
| R156-63a | Security Personnel Licensing Act Contract Security Rule | 39293 | AMD | 06/22/2015 | 2015-10/22 |
| R156-63a | Security Personnel Licensing Act Contract Security Rule | 39368 | AMD | 07/23/2015 | 2015-11/22 |
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| R156-70a-302 | Qualification for Licensure - Examination Requirements | 39177 | AMD | 05/27/2015 | 2015-7/3 |
| R156-71-202 | Naturopathic Physician Formulary | 39151 | AMD | 04/21/2015 | 2015-6/25 |
| R156-72-102 | Definitions | 39343 | AMD | 07/09/2015 | 2015-11/28 |
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| R162-2a | Utah Housing Opportunity Restricted Account | 39576 | NSC | 08/28/2015 | Not Printed |
| R162-2c | Utah Residential Mortgage Practices and Licensing Rules | 39249 | 5YR | 03/31/2015 | 2015-8/33 |
| R162-2c | Utah Residential Mortgage Practices and Licensing Rules | 39477 | AMD | 09/04/2015 | 2015-14/26 |
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| R162-2f | Real Estate Licensing and Practices Rules | 39776 | AMD | 12/16/2015 | 2015-20/40 |
| R162-2f-206 | Certification of Continuing Education Course | 38972 | AMD | 01/21/2015 | 2014-24/28 |
| R162-2f-401j | Standards for Property Management | 39305 | AMD | 06/22/2015 | 2015-10/25 |
| R162-2g | Real Estate Appraiser Licensing and Certification Administrative Rules | 39571 | AMD | 10/22/2015 | 2015-17/6 |
| R162-57a | Timeshare and Camp Resort Rules | 39292 | 5YR | 04/21/2015 | 2015-10/103 |
| R162-57a-5 | Project Registration | 39777 | AMD | 12/09/2015 | 2015-20/46 |
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| R164-2 | Investment Adviser - Unlawful Acts | 39104 | 5YR | 02/02/2015 | 2015-4/37 |
| R164-15-2 | Notice Filings for Rule 506 Offerings | 38926 | AMD | 03/10/2015 | 2014-22/20 |
| R164-32 | Codification of Precedent | 39300 | NEW | 06/22/2015 | 2015-10/26 |

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| R251-104 | Declaratory Orders | 39819 | 5YR | 10/13/2015 | 2015-21/108 |
| R251-109 | Sex Offender Treatment Providers | 39539 | 5YR | 07/23/2015 | 2015-16/80 |
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| R251-110 | Sex Offender Registration Program | 39760 | NSC | 10/20/2015 | Not Printed |
| R251-301 | Employment, Educational or Vocational Training for Community Correctional Center Offenders | 39540 | 5YR | 07/23/2015 | 2015-16/80 |
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| R251-303 | Offenders' Use of Telephones | 39610 | 5YR | 08/24/2015 | 2015-18/134 |
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| R251-708 | Perimeter Patrol | 39972 | 5YR | 12/04/2015 | Not Printed |
| R251-709 | Transportation of Inmates | 39498 | 5YR | 07/02/2015 | 2015-15/32 |
| R251-711 | Admission and Intake | 39973 | 5YR | 12/04/2015 | Not Printed |
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| R277-100 | Rulemaking Policy | 39785 | R&R | 11/23/2015 | 2015-20/49 |
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| R277-111 | Sharing of Curriculum Materials by Public School Educators | 39078 | AMD | 03/10/2015 | 2015-3/13 |
| R277-114 | Corrective Action and Withdrawal or Reduction of Program Funds | 39335 | 5YR | 05/01/2015 | 2015-10/104 |
| R277-114 | Corrective Action and Withdrawal or Reduction of Program Funds | 39285 | R&R | 06/08/2015 | 2015-9/10 |
| R277-116 | Utah State Board of Education Internal Audit Procedure | 39584 | R&R | 10/08/2015 | 2015-17/10 |
| R277-116-1 | Definitions | 39218 | AMD | 05/08/2015 | 2015-7/7 |
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| R277-200 | Utah Professional Practices Advisory Commission (UPPAC), Definitions | 39382 | NEW | 07/08/2015 | 2015-11/33 |
| R277-200 | Utah Professional Practices Advisory Commission (UPPAC), Definitions | 39585 | AMD | 10/08/2015 | 2015-17/15 |
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| R277-201 | Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions | 39586 | AMD | 10/08/2015 | 2015-17/19 |
| R277-202 | UPPAC Hearing Procedures and Reports | 39384 | NEW | 07/08/2015 | 2015-11/41 |
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| R277-203 | Request for Licensure Reinstatement and Reinstatement Procedures | 39588 | AMD | 10/08/2015 | 2015-17/31 |
| R277-204 | Utah Professional Practices Advisory Commission Criminal Background Review | 39386 | NEW | 07/08/2015 | 2015-11/50 |
| R277-204 | Utah Professional Practices Advisory Commission Criminal Background Review | 39589 | AMD | 10/08/2015 | 2015-17/34 |
| R277-205 | Alcohol Related Offenses | 39387 | NEW | 07/08/2015 | 2015-11/52 |
| R277-205 | Alcohol Related Offenses | 39590 | AMD | 10/08/2015 | 2015-17/36 |
| R277-206 | Drug Related Offenses | 39388 | NEW | 07/08/2015 | 2015-11/53 |
| R277-206 | Drug Related Offenses | 39591 | AMD | 10/08/2015 | 2015-17/37 |
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| R277-207 | Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions | 39837 | NEW | 12/08/2015 | 2015-21/17 |
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| R277-404 | Requirements for Assessments of Student Achievement | 39838 | AMD | 12/08/2015 | 2015-21/19 |
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| R277-410 | Accreditation of Schools | 39490 | AMD | 08/26/2015 | 2015-14/43 |
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| R277-417 | Prohibiting LEAs and Third Party Providers from Offering Incentives or Reimbursements for Enrollment or Participation | 39784 | AMD | 11/23/2015 | 2015-20/54 |
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| R277-419 | Pupil Accounting | 39374 | AMD | 07/08/2015 | 2015-11/58 |
| R277-419-9 | Provisions for Maintaining Student Membership and Enrollment Documentation and Documentation of Student Education Services Provided by Third Party Vendors | 39080 | EMR | 01/15/2015 | 2015-3/63 |
| R277-438 | Dual Enrollment | 39839 | AMD | 12/08/2015 | 2015-21/24 |
| R277-444 | Distribution of Funds to Arts and Science Organizations | 39578 | 5YR | 08/13/2015 | 2015-17/101 |
| R277-444 | Distribution of Funds to Arts and Science Organizations | 39791 | R&R | 12/01/2015 | 2015-20/56 |
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| R277-459 | Classroom Supplies Appropriation | 39286 | AMD | 06/08/2015 | 2015-9/12 |
| R277-468 | Parent/Guardian Review of Public Education Curriculum and Review of Complaint Process | 39079 | NEW | 03/10/2015 | 2015-3/14 |
| R277-474 | School Instruction and Human Sexuality | 39337 | 5YR | 05/01/2015 | 2015-10/105 |
| R277-474 | School Instruction and Human Sexuality | 39287 | AMD | 06/08/2015 | 2015-9/13 |
| R277-475 | Patriotic, Civic and Character Education | 39338 | 5YR | 05/01/2015 | 2015-10/105 |
| R277-475 | Patriotic, Civic and Character Education | 39288 | AMD | 06/08/2015 | 2015-9/16 |
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| R277-477 | Distribution of Funds from the Interest and Dividend Account and Administration of the School LAND Trust Program | 39593 | R&R | 10/08/2015 | 2015-17/41 |
| R277-477 | Distributions of Funds from the Interest and Dividends Account and Administration of the School LAND Trust Program | 39840 | AMD | 12/08/2015 | 2015-21/27 |
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| R616-4 | Coal Mine Safety | 39138 | 5YR | 02/12/2015 | 2015-5/112 |
| <u>Industrial Accidents</u> | | | | | |
| R612-100-4 | Designation as Informal Proceedings | 39829 | AMD | 12/08/2015 | 2015-21/91 |
| R612-200-1 | Reporting and Investigating Injuries | 39830 | AMD | 12/08/2015 | 2015-21/92 |
| R612-300-4 | General Method For Computing Medical Fees | 39832 | AMD | 12/08/2015 | 2015-21/94 |
| R612-300-5 | Fees for Specific Procedures | 39833 | AMD | 12/08/2015 | 2015-21/95 |
| R612-400-1 | Policy Reporting by Workers' Compensation Insurance Carriers | 39835 | AMD | 12/08/2015 | 2015-21/97 |
| R612-400-5 | Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund | 39822 | AMD | 12/08/2015 | 2015-21/98 |
| <u>Occupational Safety and Health</u> | | | | | |
| R614-1 | General Provisions | 39855 | AMD | 12/28/2015 | 2015-22/141 |
| R614-1-7 | Inspections, Citations, and Proposed Penalties | 39381 | AMD | 07/08/2015 | 2015-11/119 |

LIEUTENANT GOVERNOR

Elections

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| R623-1-4 | Registration/License Application Procedure | 39457 | AMD | 08/24/2015 | 2015-14/103 |
| R623-4 | Processing Partisan Candidate Nomination Petitions | 39824 | NEW | 12/08/2015 | 2015-21/99 |

MONEY MANAGEMENT COUNCIL

Administration

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| R628-4 | Bonding of Public Treasurers | 39810 | 5YR | 10/05/2015 | 2015-21/110 |
| R628-11 | Maximum Amount of Uninsured Public Funds Allowed to be Held by Any Qualified Depository | 39818 | 5YR | 10/09/2015 | 2015-21/111 |
| R628-12 | Certification of Qualified Depositories for Public Funds | 39899 | EXT | 10/30/2015 | 2015-22/163 |
| R628-13 | Collateralization of Public Funds | 39900 | EXT | 10/30/2015 | 2015-22/163 |
| R628-15 | Certification as an Investment Adviser | 39347 | EXD | 05/06/2015 | 2015-11/191 |
| R628-15 | Certification as an Investment Adviser | 39348 | EMR | 05/06/2015 | 2015-11/180 |
| R628-15 | Certification as an Investment Adviser | 39396 | NEW | 07/13/2015 | 2015-11/126 |
| R628-16 | Certification as a Dealer | 39901 | EXT | 10/30/2015 | 2015-22/163 |

NATURAL RESOURCES

Forestry, Fire and State Lands

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| R652-70 | Sovereign Lands | 39314 | AMD | 07/06/2015 | 2015-10/88 |
| R652-160 | Department of Natural Resources Wilderness Rules | 38942 | NEW | 01/27/2015 | 2014-23/36 |

Oil, Gas and Mining: Oil and Gas

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| R649-3 | Drilling and Operating Practices | 39028 | AMD | 02/26/2015 | 2015-2/95 |
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Parks and Recreation

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| R651-101 | Adjudicative Proceedings | 39139 | 5YR | 02/12/2015 | 2015-5/112 |
| R651-206 | Carrying Passengers for Hire | 39624 | AMD | 10/22/2015 | 2015-18/99 |
| R651-207 | Registration Fee | 39006 | AMD | 02/11/2015 | 2015-1/25 |
| R651-214 | Temporary Registration | 38970 | AMD | 01/22/2015 | 2014-24/34 |
| R651-223 | Vessel Accident Reporting | 39090 | 5YR | 01/23/2015 | 2015-4/38 |
| R651-409 | Minimum Amounts of Liability Insurance Coverage for an Organized Practice or Sanctioned Race | 39140 | 5YR | 02/12/2015 | 2015-5/113 |
| R651-412 | Curriculum Standards for OHV Education Programs Offered by Non-Division Entities | 39088 | 5YR | 01/22/2015 | 2015-4/38 |
| R651-602 | Aircraft and Powerless Flight | 39497 | AMD | 08/28/2015 | 2015-14/105 |
| R651-634 | Nonresident OHV User Permits and Fees | 39089 | 5YR | 01/22/2015 | 2015-4/39 |
| R651-635 | Commercial Use of Division Managed Park Areas | 39141 | 5YR | 02/12/2015 | 2015-5/113 |
| R651-637 | Antelope Island State Park Special Mule Deer and Bighorn Sheep Hunt | 39814 | 5YR | 10/06/2015 | 2015-21/111 |

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| R653-2 | Financial Assistance from the Board of Water Resources | 39799 | R&R | 11/23/2015 | 2015-20/99 |
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Water Rights

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|---------|--|-------|-----|------------|-----------|
| R655-14 | Administrative Procedures for enforcement Proceedings Before the Division of Water Rights | 39153 | 5YR | 02/24/2015 | 2015-6/47 |
| R655-16 | Administrative Procedures for Declaring Beneficial Use Limitations for Supplemental Water Rights | 39152 | 5YR | 02/24/2015 | 2015-6/47 |

Wildlife Resources

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| R657-3 | Collection, Importation, Transportation, and Possession of Animals | 39217 | AMD | 05/08/2015 | 2015-7/29 |
| R657-3 | Collection, Importation, Transportation, and Possession of Animals | 39719 | AMD | 11/10/2015 | 2015-19/74 |
| R657-5 | Taking Big Game | 38996 | AMD | 02/09/2015 | 2015-1/26 |

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| R657-5 | Taking Big Game | 39062 | AMD | 03/16/2015 | 2015-3/30 |
| R657-5 | Taking Big Game | 39808 | 5YR | 10/05/2015 | 2015-21/112 |
| R657-6 | Taking Upland Game | 39431 | 5YR | 06/08/2015 | 2015-13/63 |
| R657-6 | Taking Upland Game | 39717 | AMD | 11/10/2015 | 2015-19/78 |
| R657-9 | Taking Waterfowl, Common Snipe and Coot | 39435 | AMD | 08/07/2015 | 2015-13/29 |
| R657-9 | Taking Waterfowl, Common Snipe and Coot | 39718 | AMD | 11/10/2015 | 2015-19/79 |
| R657-10 | Taking Cougar | 39712 | AMD | 11/10/2015 | 2015-19/81 |
| R657-11 | Taking Furbearers | 39509 | 5YR | 07/13/2015 | 2015-15/34 |
| R657-11 | Taking Furbearers | 39713 | AMD | 11/10/2015 | 2015-19/85 |
| R657-15 | Closure of Gunnison, Cub and Hat Islands | 39162 | 5YR | 03/03/2015 | 2015-7/75 |
| R657-17 | Lifetime Hunting and Fishing License | 39809 | 5YR | 10/05/2015 | 2015-21/112 |
| R657-19 | Taking Nongame Mammals | 39215 | AMD | 05/08/2015 | 2015-7/33 |
| R657-21 | Cooperative Wildlife Management Units for Small Game and Waterfowl | 39163 | 5YR | 03/03/2015 | 2015-7/76 |
| R657-24 | Compensation for Mountain Lion, Bear, Wolf or Eagle Damage | 39559 | 5YR | 08/03/2015 | 2015-17/105 |
| R657-33 | Taking Bear | 39063 | AMD | 03/16/2015 | 2015-3/31 |
| R657-38 | Dedicated Hunter Program | 39064 | AMD | 03/16/2015 | 2015-3/39 |
| R657-38 | Dedicated Hunter Program | 39807 | 5YR | 10/05/2015 | 2015-21/113 |
| R657-39 | Wildlife Board and Regional Advisory Councils | 39975 | 5YR | 12/07/2015 | Not Printed |
| R657-40 | Wildlife Rehabilitation | 39974 | 5YR | 12/07/2015 | Not Printed |
| R657-41 | Conservation and Sportsman Permits | 39065 | AMD | 03/16/2015 | 2015-3/40 |
| R657-41 | Conservation and Sportsman Permits | 39362 | AMD | 07/09/2015 | 2015-11/129 |
| R657-41 | Conservation and Sportsman Permits | 39811 | 5YR | 10/05/2015 | 2015-21/113 |
| R657-42 | Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents | 39066 | AMD | 03/16/2015 | 2015-3/42 |
| R657-43 | Landowner Permits | 38995 | AMD | 02/09/2015 | 2015-1/33 |
| R657-45 | Wildlife License, Permit, and Certificate of Registration Forms and Terms | 39715 | AMD | 11/10/2015 | 2015-19/87 |
| R657-55 | Wildlife Convention Permits | 39067 | AMD | 03/16/2015 | 2015-3/43 |
| R657-55 | Wildlife Expo Permits | 39345 | 5YR | 05/05/2015 | 2015-11/188 |
| R657-55 | Wildlife Expo Permits | 39739 | AMD | 11/10/2015 | 2015-19/89 |
| R657-56 | Recreational Lease of Private Lands for Free Public Walk-in Access | 39806 | 5YR | 10/05/2015 | 2015-21/114 |
| R657-57 | Division Variance Rule | 39068 | AMD | 03/16/2015 | 2015-3/48 |
| R657-59 | Private Fish Ponds | 39069 | AMD | 03/16/2015 | 2015-3/50 |
| R657-60 | Aquatic Invasive Species Interdiction | 39714 | AMD | 11/10/2015 | 2015-19/93 |
| R657-62 | Drawing Application Procedures | 39070 | AMD | 03/16/2015 | 2015-3/52 |
| R657-63 | Self Defense Against Wild Animals | 39716 | AMD | 11/10/2015 | 2015-19/97 |
| R657-65 | Urban Deer Control | 39434 | AMD | 08/07/2015 | 2015-13/33 |
| R657-68 | Trial Hunting Authorization | 39071 | AMD | 03/16/2015 | 2015-3/54 |
| R657-69 | Turkey Depredation | 38949 | AMD | 01/08/2015 | 2014-23/39 |
| R657-70 | Taking Utah Prairie Dogs | 39216 | NEW | 05/08/2015 | 2015-7/36 |
| R657-70 | Taking Utah Prairie Dogs | 39436 | AMD | 08/07/2015 | 2015-13/36 |

PARDONS (BOARD OF)

Administration

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| R671-104 | Language Access | 39796 | NEW | 11/30/2015 | 2015-20/106 |
| R671-201 | Original Parole Grant Hearing Schedule and Notice | 39093 | AMD | 03/24/2015 | 2015-4/20 |
| R671-201 | Original Parole Grant Hearing Schedule and Notice | 39419 | AMD | 10/15/2015 | 2015-13/41 |
| R671-201 | Original Parole Grant Hearing Schedule and Notice | 39419 | CPR | 10/15/2015 | 2015-17/94 |
| R671-204 | Hearing Continuances | 39544 | EMR | 07/27/2015 | 2015-16/77 |
| R671-204 | Hearing Continuances | 39545 | NEW | 10/01/2015 | 2015-16/63 |
| R671-205 | Credit for Time Served | 39420 | AMD | 08/11/2015 | 2015-13/43 |
| R671-205 | Credit for Time Served | 39547 | NSC | 08/17/2015 | Not Printed |
| R671-303-1 | Information Received, Maintained or Used by the Board | 39107 | AMD | 04/07/2015 | 2015-5/90 |
| R671-305-1 | Board Decisions and Orders | 39137 | AMD | 04/07/2015 | 2015-5/91 |
| R671-311 | Special Attention Hearings and Decisions Reviews | 39570 | AMD | 10/15/2015 | 2015-17/86 |
| R671-311 | Special Attention Reviews, Hearings and Decisions | 39722 | NSC | 11/30/2015 | Not Printed |
| R671-314 | Compassionate Release | 39606 | NEW | 10/22/2015 | 2015-18/107 |

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| R671-316 | Redetermination | 39421 | AMD | 10/15/2015 | 2015-13/44 |
| R671-316 | Redetermination | 39421 | CPR | 10/15/2015 | 2015-17/95 |
| R671-403 | Restitution | 39756 | AMD | 11/30/2015 | 2015-20/107 |
| R671-405 | Parole Termination | 39794 | EMR | 10/01/2015 | 2015-20/126 |
| R671-405 | Parole Termination | 39795 | AMD | 11/30/2015 | 2015-20/110 |

PROFESSIONAL PRACTICES ADVISORY COMMISSION

Administration

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| R686-100 | Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions | 39389 | REP | 07/08/2015 | 2015-11/134 |
| R686-100-7 | Default Procedures | 39221 | AMD | 05/08/2015 | 2015-7/42 |
| R686-101 | UPPAC Hearing Procedures and Reports | 39390 | REP | 07/08/2015 | 2015-11/139 |
| R686-101-14 | Default | 39222 | AMD | 05/08/2015 | 2015-7/43 |
| R686-102 | Request for Licensure Reinstatement and Reinstatement Procedures | 39391 | REP | 07/08/2015 | 2015-11/146 |
| R686-103 | Utah Professional Practices Advisory Commission Review of Licensure Due to Background Check Offenses | 39392 | REP | 07/08/2015 | 2015-11/149 |
| R686-104 | Alcohol Related Offenses | 39393 | REP | 07/08/2015 | 2015-11/152 |
| R686-105 | Drug Related Offenses | 39394 | REP | 07/08/2015 | 2015-11/153 |

PUBLIC SAFETY

Administration

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| R698-6 | Honoring Heroes Restricted Account | 39549 | 5YR | 07/29/2015 | 2015-16/84 |
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Criminal Investigations and Technical Services, 911 Committee (Utah)

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| R720-1 (Changed to R173-1) | Utah 911 Committee | 39022 | AMD | 05/06/2015 | 2015-2/98 |
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Criminal Investigations and Technical Services, Criminal Identification

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| R722-300 | Concealed Firearm Permit and Instructor Rule | 39359 | 5YR | 05/12/2015 | 2015-11/188 |
| R722-310 | Regulation of Bail Bond Recovery and Enforcement Agents | 39057 | 5YR | 01/07/2015 | 2015-3/73 |
| R722-310 | Regulation of Bail Bond Recovery and Enforcement Agents | 39889 | AMD | 12/22/2015 | 2015-22/148 |
| R722-330 | Licensing of Private Investigators | 38947 | AMD | 01/07/2015 | 2014-23/40 |
| R722-330 | Licensing of Private Investigators | 39058 | 5YR | 01/07/2015 | 2015-3/74 |
| R722-330 | Licensing of Private Investigators | 39410 | AMD | 07/22/2015 | 2015-12/27 |
| R722-350 | Certificate of Eligibility | 39758 | 5YR | 09/17/2015 | 2015-20/131 |
| R722-360 | Certificate of Removal from the Sex Offender and Kidnap Registry | 39890 | AMD | 12/22/2015 | 2015-22/152 |
| R722-370 | Firearm Safety Program | 39019 | NEW | 02/24/2015 | 2015-2/100 |
| R722-380 | Firearm Background Check Information | 39091 | NEW | 03/24/2015 | 2015-4/22 |
| R722-380 | Firearm Background Check Information | 39411 | AMD | 07/22/2015 | 2015-12/31 |
| R722-390 | Certificate of Eligibility for Removal from the Utah White Collar Crime Offender Registry | 39891 | NEW | 12/22/2015 | 2015-22/153 |
| R722-900 | Access to Bureau Records | 39892 | AMD | 12/22/2015 | 2015-22/155 |
| R722-910 | Non-Reportable Traffic Offenses | 39893 | NEW | 12/22/2015 | 2015-22/159 |

Driver License

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| R708-7 | Functional Ability in Driving: Guidelines for Physicians | 39072 | AMD | 03/10/2015 | 2015-3/55 |
| R708-14 | Adjudicative Proceedings For Driver License Actions Involving Alcohol and Drugs | 39236 | AMD | 05/26/2015 | 2015-8/17 |
| R708-32 | Uninsured Motorist Identification Database | 39179 | 5YR | 03/10/2015 | 2015-7/77 |
| R708-36 | Disclosure of Personal Identifying Information in MVRs | 39178 | 5YR | 03/10/2015 | 2015-7/77 |
| R708-37 | Certification of Licensed Instructors of Commercial Driver Training Schools or Testing Only Schools to Administer Driving Skills Tests | 39180 | 5YR | 03/10/2015 | 2015-7/78 |
| R708-40 | Driving Simulators | 39181 | 5YR | 03/10/2015 | 2015-7/78 |
| R708-41 | Requirements for Acceptable Documentation, Storage and Maintenance | 39182 | 5YR | 03/10/2015 | 2015-7/79 |

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| R708-50 | Vehicle Impound Fee Reimbursement | 39003 | NEW | 02/09/2015 | 2015-1/38 |
| R708-51 | Mobility Vehicle Permit | 39043 | NEW | 02/25/2015 | 2015-2/97 |

Emergency Management

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| R704-1 | Search and Rescue Financial Assistance Program | 39783 | AMD | 12/01/2015 | 2015-20/112 |
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Fire Marshal

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| R710-6 | Liquefied Petroleum Gas Rules | 39812 | 5YR | 10/05/2015 | 2015-21/114 |
| R710-10 | Rules Pursuant to Fire Service Training, Education, and Certification | 39813 | 5YR | 10/05/2015 | 2015-21/115 |

Peace Officer Standards and Training

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| R728-409 | Suspension, Revocation, or Relinquishment of Certification | 39738 | AMD | 11/12/2015 | 2015-19/98 |
| R728-506 | Canine Body Armor Restricted Account | 38983 | NEW | 01/26/2015 | 2014-24/36 |

PUBLIC SERVICE COMMISSION

Administration

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| R746-100-3 | Pleadings | 39234 | AMD | 05/27/2015 | 2015-8/19 |
| R746-100-3 | Pleadings | 39566 | AMD | 10/08/2015 | 2015-17/88 |
| R746-100-11 | Decisions and Orders | 39235 | AMD | 05/27/2015 | 2015-8/21 |
| R746-200-7 | Termination of Service | 39246 | AMD | 05/27/2015 | 2015-8/22 |
| R746-312 | Electrical Interconnection | 39311 | 5YR | 04/29/2015 | 2015-10/107 |
| R746-341 | Lifeline Rule | 39851 | 5YR | 10/19/2015 | 2015-22/161 |
| R746-341-5 | Duties of ETCs | 38936 | AMD | 01/07/2015 | 2014-23/43 |
| R746-360 | Universal Public Telecommunications Service Support Fund | 39367 | AMD | 07/08/2015 | 2015-11/155 |
| R746-407 | Annualization of Test-Year Data | 39852 | 5YR | 10/19/2015 | 2015-22/162 |
| R746-510 | Funding for Speech and Hearing Impaired Certified Interpreter Training | 39568 | 5YR | 08/11/2015 | 2015-17/105 |

REGENTS (BOARD OF)

Administration

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| R765-571 | Delegation of Purchasing Authority | 39010 | NEW | 04/28/2015 | 2015-1/39 |
| R765-609 | Regents' Scholarship | 39157 | 5YR | 02/25/2015 | 2015-6/48 |
| R765-611 | Veterans Tuition Gap Program | 39023 | NEW | 02/25/2015 | 2015-2/101 |
| R765-649 | Utah Higher Education Assistance Authority (UHEAA) Privacy Policy | 39605 | 5YR | 08/18/2015 | 2015-18/135 |

University of Utah, Commuter Services

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| R810-1 | University of Utah Parking Regulations | 39224 | AMD | 05/19/2015 | 2015-7/44 |
| R810-2 | Parking Meters | 39225 | AMD | 05/19/2015 | 2015-7/46 |
| R810-5 | Permit Types, Eligibility and Designated Parking Areas | 39226 | AMD | 05/19/2015 | 2015-7/47 |
| R810-6 | Permit Prices and Refunds | 39227 | AMD | 05/19/2015 | 2015-7/48 |
| R810-8 | Vendor Regulations | 39228 | AMD | 05/19/2015 | 2015-7/49 |
| R810-9 | Contractors and Their Employees | 39229 | AMD | 05/19/2015 | 2015-7/50 |
| R810-10 | Enforcement System | 39230 | AMD | 05/19/2015 | 2015-7/50 |
| R810-11 | Appeals System | 39231 | AMD | 05/19/2015 | 2015-7/51 |

SCHOOL AND INSTITUTIONAL TRUST FUND BOARD OF TRUSTEES

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| R849-1 | Appeal Rule | 39143 | NEW | 04/15/2015 | 2015-5/92 |
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SCHOOL AND INSTITUTIONAL TRUST LANDS

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| R850-1-200 | Definitions | 39430 | AMD | 08/11/2015 | 2015-13/46 |
| R850-21 | Oil, Gas and Hydrocarbon Resources | 39250 | 5YR | 04/01/2015 | 2015-8/37 |
| R850-22 | Bituminous-Asphaltic Sands and Oil Shale Resources | 39251 | 5YR | 04/01/2015 | 2015-8/37 |
| R850-23 | Sand, Gravel and Cinders Permits | 39252 | 5YR | 04/01/2015 | 2015-8/38 |

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| R850-24 | General Provisions: Mineral and Material Resources, Mineral Leases and Material Permits | 39253 | 5YR | 04/01/2015 | 2015-8/38 |
| R850-25 | Mineral Leases and Materials Permits | 39254 | 5YR | 04/01/2015 | 2015-8/39 |
| R850-26 | Coal Leases | 39255 | 5YR | 04/01/2015 | 2015-8/39 |
| R850-27 | Geothermal Steam | 39256 | 5YR | 04/01/2015 | 2015-8/40 |
| R850-50 | Range Management | 39429 | AMD | 08/11/2015 | 2015-13/48 |
| R850-90 | Land Exchanges | 39295 | NSC | 05/11/2015 | Not Printed |
| R850-150 | Rare Plant Species | 39309 | NEW | 06/22/2015 | 2015-10/92 |
| TAX COMMISSION | | | | | |
| <u>Auditing</u> | | | | | |
| R865-4D-21 | Consistent Basis for Diesel Fuel Reporting Pursuant to Utah Code Ann. Sections 59-13-301 and 59-13-307 | 39437 | AMD | 08/27/2015 | 2015-13/50 |
| R865-6F-28 | Enterprise Zone Corporate Franchise Tax Credits Pursuant to Utah Code Ann. Sections 63M-1-401 through 63M-1-416 | 39425 | NSC | 06/24/2015 | Not Printed |
| R865-9I-37 | Enterprise Zone Individual Income Tax Credits Pursuant to Utah Code Ann. Sections 63M-1-401 through 63M-1-414 | 39426 | NSC | 06/24/2015 | Not Printed |
| R865-13G-18 | Definition of Statewide Average Rack Price of a Gallon of Motor Fuel Pursuant to Utah Code Ann. Sections 59-13-201 and 59-13-210 | 39618 | AMD | 10/22/2015 | 2015-18/108 |
| R865-20T-10 | Procedures for the Revocation, Renewal, and Reinstatement of Licenses Issued Pursuant to Utah Code Ann. Sections 59-14-202, 59-14-203.5, and 59-14-301.5 | 39438 | AMD | 08/27/2015 | 2015-13/51 |
| R865-21U | Use Tax | 39564 | 5YR | 08/06/2015 | 2015-17/106 |
| <u>Collections</u> | | | | | |
| R867-2B | Delinquent Tax Collection | 39565 | 5YR | 08/06/2015 | 2015-17/106 |
| <u>Motor Vehicle Enforcement</u> | | | | | |
| R877-23V-7 | Misleading Advertising Pursuant to Utah Code Ann. Section 41-3-210 | 39619 | AMD | 10/22/2015 | 2015-18/109 |
| R877-23V-7 | Misleading Advertising Pursuant to Utah Code Ann. Section 41-3-210 | 39620 | AMD | 10/22/2015 | 2015-18/112 |
| R877-23V-20 | Reasonable Cause to Deny, Suspend, or Revoke a License Issued Under Title 41, Chapter 3 Pursuant to Utah Code Ann. Section 41-3-209 | 39621 | AMD | 10/22/2015 | 2015-18/115 |
| <u>Property Tax</u> | | | | | |
| R884-24P-33 | 2015 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301 | 39622 | AMD | 10/22/2015 | 2015-18/116 |
| R884-24P-53 | 2015 Valuation Guides for Valuation of Land Subject to the Farmland Assessment Act Pursuant to Utah Code Ann. Section 59-2-515 | 39815 | AMD | 01/01/2016 | 2015-21/101 |
| R884-24P-66 | County Board of Equalization Procedures and Appeals Pursuant to Utah Code Ann. Section 59-2-1004 | 39623 | AMD | 10/22/2015 | 2015-18/125 |
| TECHNOLOGY SERVICES | | | | | |
| <u>Administration</u> | | | | | |
| R895-1 | Access to Records | 39724 | 5YR | 09/11/2015 | 2015-19/119 |
| R895-1 | Access to Records | 39725 | NSC | 09/30/2015 | Not Printed |
| R895-2 | Americans With Disabilities Act (ADA) Complaint Procedure | 39753 | 5YR | 09/15/2015 | 2015-19/120 |
| R895-6 | IT Plan Submission Rule for Agencies | 39026 | AMD | 05/05/2015 | 2015-2/104 |
| R895-8 | State Privacy Policy and Agency Privacy Policies | 39968 | 5YR | 12/01/2015 | 2015-24/67 |
| R895-11 | Technology Services Adjudicative Proceedings | 39731 | REP | 12/02/2015 | 2015-19/102 |

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| R895-14 | Access to Information Technology for Users with Disabilities | 39427 | NEW | 08/07/2015 | 2015-13/52 |
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TRANSPORTATION

Motor Carrier

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| R909-1 | Safety Regulations for Motor Carriers | 39172 | EMR | 03/06/2015 | 2015-7/53 |
| R909-1 | Safety Regulations for Motor Carriers | 39479 | AMD | 08/24/2015 | 2015-14/106 |

Operations, Construction

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| R916-3 | DESIGN-BUILD Contracts | 39100 | AMD | 03/27/2015 | 2015-4/23 |
| R916-4 | Construction Manager/General Contractor Contracts | 39183 | EXT | 03/10/2015 | 2015-7/81 |
| R916-4 | Construction Manager/General Contractor Contracts | 39101 | AMD | 03/27/2015 | 2015-4/26 |
| R916-4 | Construction Manager/General Contractor Contracts | 39506 | 5YR | 07/09/2015 | 2015-15/34 |
| R916-6 | Drug and Alcohol Testing in State Construction Contracts | 39458 | 5YR | 06/22/2015 | 2015-14/144 |
| R916-6 | Drug and Alcohol Testing in State Construction Contracts | 39455 | NSC | 07/13/2015 | Not Printed |

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| R918-7 | Highway Sponsorship Programs | 39004 | NEW | 02/20/2015 | 2015-1/42 |
| R918-7 | Highway Sponsorship Programs | 39150 | AMD | 04/23/2015 | 2015-6/36 |

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| R920-1 | Utah Manual on Uniform Traffic Control Devices | 39481 | AMD | 08/24/2015 | 2015-14/108 |
| R920-2 | Rural Conventional Road Definition | 39495 | NEW | 08/24/2015 | 2015-14/109 |
| R920-4 | Special Road Use or Event | 39095 | EMR | 01/29/2015 | 2015-4/33 |
| R920-8 | Flashing Light Usage on Highway Construction or Maintenance Vehicles | 39433 | NEW | 08/07/2015 | 2015-13/54 |

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| R930-8 | Utility Relocations Required by Highway Projects | 39297 | NEW | 08/24/2015 | 2015-10/93 |
| R930-8 | Utility Relocations Required by Highway Projects | 39297 | CPR | 08/24/2015 | 2015-14/135 |

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| R933-2 | Control of Outdoor Advertising Signs | 39511 | AMD | 09/23/2015 | 2015-15/19 |
| R933-2 | Control of Outdoor Advertising Signs | 39757 | NSC | 10/20/2015 | Not Printed |

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| R926-8 | Guidelines for Partnering with Local Governments | 39504 | 5YR | 07/07/2015 | 2015-15/35 |
| R926-8 | Guidelines for Partnering with Local Governments | 39505 | NSC | 07/30/2015 | Not Printed |
| R926-13 | Designated Scenic Byways | 39448 | 5YR | 06/16/2015 | 2015-14/144 |
| R926-14 | Utah Scenic Byway Program Administration; Scenic Byways Designation, De-designation, and Segmentation Processes | 39449 | 5YR | 06/16/2015 | 2015-14/145 |

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Administration

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| R940-6 | Prioritization of New Transportation Capacity Projects | 39910 | 5YR | 11/03/2015 | 2015-23/72 |
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| R982-402-8 | Eligible HEAT Household | 39441 | AMD | 08/11/2015 | 2015-13/56 |
| R982-700 | Employment Opportunities Website | 38938 | NEW | 01/29/2015 | 2014-23/44 |

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| R986-100 | Employment Support Programs | 39634 | 5YR | 09/02/2015 | 2015-19/120 |
| R986-100-113 | A Client Must Inform the Department of All Material Changes | 39261 | AMD | 07/01/2015 | 2015-8/27 |
| R986-200 | Family Employment Program | 39439 | AMD | 09/01/2015 | 2015-13/57 |
| R986-200 | Family Employment Program | 39635 | 5YR | 09/02/2015 | 2015-19/121 |
| R986-300 | Refugee Resettlement Program | 39643 | 5YR | 09/03/2015 | 2015-19/121 |
| R986-400 | General Assistance | 39644 | 5YR | 09/03/2015 | 2015-19/122 |
| R986-500 | Adoption Assistance | 39645 | 5YR | 09/03/2015 | 2015-19/122 |
| R986-600 | Workforce Investment Act | 39646 | 5YR | 09/03/2015 | 2015-19/123 |
| R986-700 | Child Care Assistance | 39098 | AMD | 05/01/2015 | 2015-4/28 |
| R986-700 | Child Care Assistance | 39395 | AMD | 09/01/2015 | 2015-11/159 |
| R986-700 | Child Care Assistance | 39496 | AMD | 09/01/2015 | 2015-14/110 |
| R986-700 | Child Care Assistance | 39647 | 5YR | 09/03/2015 | 2015-19/123 |
| R986-700-719 | Job Search Child Care (JS CC) | 38953 | AMD | 02/01/2015 | 2014-23/45 |
| R986-700-775 | High Quality School Readiness Grant Program | 38939 | AMD | 01/29/2015 | 2014-23/46 |
| R986-800 | Displaced Homemaker Program | 39648 | 5YR | 09/03/2015 | 2015-19/124 |
| R986-900 | Food Stamps | 39649 | 5YR | 09/03/2015 | 2015-19/124 |
| R986-900-902 | Options and Waivers | 39557 | AMD | 10/01/2015 | 2015-16/64 |

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| R990-8 | Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance | 39085 | AMD | 03/10/2015 | 2015-3/58 |
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| R994-204 | Covered Employment | 39239 | 5YR | 03/25/2015 | 2015-8/40 |
| R994-205 | Exempt Employment | 39240 | 5YR | 03/25/2015 | 2015-8/41 |
| R994-206 | Agricultural Labor | 39241 | 5YR | 03/25/2015 | 2015-8/41 |
| R994-207 | Unemployment | 39577 | 5YR | 08/13/2015 | 2015-17/107 |
| R994-304 | Special Provisions Regarding Transfers of Unemployment Experience and Assigning Rates | 39242 | 5YR | 03/25/2015 | 2015-8/42 |
| R994-312-103 | Confidentiality of Records | 39440 | AMD | 08/11/2015 | 2015-13/59 |
| R994-403-118e | Disqualification Periods if a Claimant Fails to Provide Information | 39792 | NSC | 10/20/2015 | Not Printed |

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

| | |
|----------------------------------|--|
| AMD = Amendment (Proposed Rule) | LNR = Legislative Nonreauthorization |
| CPR = Change in Proposed Rule | NEW = New Rule (Proposed Rule) |
| EMR = 120-Day (Emergency) Rule | NSC = Nonsubstantive Rule Change |
| EXD = Expired Rule | R&R = Repeal and Reenact (Proposed Rule) |
| EXP = Expedited Rule | REP = Repeal (Proposed Rule) |
| EXT = Five-Year Review Extension | 5YR = Five-Year Notice of Review and Statement of Continuation |
| GEX = Governor's Extension | |

| KEYWORD AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|----------------------------------|--|--------------------------|--|--|
| <u>abortion</u> Health, Health Care Financing, Coverage and Reimbursement Policy | 39341 | R414-1B | AMD | 07/01/2015 | 2015-10/32 |
| <u>abrasive blasting</u> Environmental Quality, Air Quality | 39116 39747 39119 39744 | R307-206 R307-206 R307-306 R307-306 | 5YR AMD 5YR AMD | 02/05/2015 12/15/2015 02/05/2015 12/15/2015 | 2015-5/105 2015-19/32 2015-5/107 2015-19/36 |

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| <u>acceptable documents</u> | | | | | | |
| Public Safety, Driver License | 39182 | R708-41 | 5YR | 03/10/2015 | 2015-7/79 | |
| <u>access</u> | | | | | | |
| Environmental Quality, Drinking Water | 39194 | R309-545 | 5YR | 03/13/2015 | 2015-7/70 | |
| <u>access to information</u> | | | | | | |
| Technology Services, Administration | 39724 | R895-1 | 5YR | 09/11/2015 | 2015-19/119 | |
| | 39725 | R895-1 | NSC | 09/30/2015 | Not Printed | |
| <u>access to records</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39892 | R722-900 | AMD | 12/22/2015 | 2015-22/155 | |
| <u>accessibility guidelines</u> | | | | | | |
| Technology Services, Administration | 39427 | R895-14 | NEW | 08/07/2015 | 2015-13/52 | |
| <u>accidents</u> | | | | | | |
| Administrative Services, Fleet Operations | 39921 | R27-7 | 5YR | 11/06/2015 | 2015-23/62 | |
| Natural Resources, Parks and Recreation | 39090 | R651-223 | 5YR | 01/23/2015 | 2015-4/38 | |
| <u>accountants</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39055 | R156-26a-501 | AMD | 04/02/2015 | 2015-3/7 | |
| <u>accounts</u> | | | | | | |
| Money Management Council, Administration | 39810 | R628-4 | 5YR | 10/05/2015 | 2015-21/110 | |
| <u>accreditation</u> | | | | | | |
| Education, Administration | 39485 | R277-410 | 5YR | 07/01/2015 | 2015-14/140 | |
| | 39490 | R277-410 | AMD | 08/26/2015 | 2015-14/43 | |
| <u>activities</u> | | | | | | |
| Education, Administration | 39831 | R277-494 | 5YR | 10/15/2015 | 2015-21/109 | |
| | 39841 | R277-494 | AMD | 12/08/2015 | 2015-21/31 | |
| <u>acupuncture</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39343 | R156-72-102 | AMD | 07/09/2015 | 2015-11/28 | |
| <u>adjudicative procedures</u> | | | | | | |
| Commerce, Administration | 39894 | R151-4 | AMD | 12/28/2015 | 2015-22/21 | |
| Environmental Quality, Administration | 39720 | R305-7 | AMD | 11/20/2015 | 2015-19/8 | |
| <u>adjudicative proceedings</u> | | | | | | |
| Commerce, Administration | 39144 | R151-4-109 | AMD | 04/10/2015 | 2015-5/9 | |
| | 39034 | R151-14-3 | AMD | 02/24/2015 | 2015-2/49 | |
| Environmental Quality, Drinking Water | 39199 | R309-115 | 5YR | 03/13/2015 | 2015-7/59 | |
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| Environmental Quality, Radiation Control | 38770 | R313-17-4 | AMD | 02/17/2015 | 2014-17/95 | |
| | 38770 | R313-17-4 | CPR | 02/17/2015 | 2014-24/40 | |
| Public Safety, Driver License | 39236 | R708-14 | AMD | 05/26/2015 | 2015-8/17 | |
| School and Institutional Trust Fund Board of Trustees, Administration | 39143 | R849-1 | NEW | 04/15/2015 | 2015-5/92 | |
| <u>administrative law</u> | | | | | | |
| Administrative Services, Administrative Rules | 39726 | R15-1 | 5YR | 09/11/2015 | 2015-19/113 | |
| | 39727 | R15-2 | 5YR | 09/11/2015 | 2015-19/113 | |
| | 39728 | R15-3 | 5YR | 09/11/2015 | 2015-19/114 | |
| | 39729 | R15-4 | 5YR | 09/11/2015 | 2015-19/115 | |
| | 39730 | R15-5 | 5YR | 09/11/2015 | 2015-19/115 | |
| <u>administrative penalties</u> | | | | | | |
| Natural Resources, Water Rights | 39153 | R655-14 | 5YR | 02/24/2015 | 2015-6/47 | |

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| Administrative Services, Administrative Rules | 39730 | R15-5 | 5YR | 09/11/2015 | 2015-19/115 | |
| Administrative Services, Fleet Operations | 39919 | R27-2 | 5YR | 11/06/2015 | 2015-23/61 | |
| Agriculture and Food, Administration | 39633 | R51-1 | EXD | 09/01/2015 | 2015-18/137 | |
| | 39636 | R51-1 | EMR | 09/02/2015 | 2015-19/109 | |
| Agriculture and Food, Animal Industry | 39602 | R58-15 | 5YR | 08/13/2015 | 2015-17/97 | |
| Commerce, Administration | 39894 | R151-4 | AMD | 12/28/2015 | 2015-22/21 | |
| | 39144 | R151-4-109 | AMD | 04/10/2015 | 2015-5/9 | |
| Education, Administration | 39770 | R277-100 | 5YR | 09/28/2015 | 2015-20/129 | |
| | 39785 | R277-100 | R&R | 11/23/2015 | 2015-20/49 | |
| Environmental Quality, Administration | 39720 | R305-7 | AMD | 11/20/2015 | 2015-19/8 | |
| Environmental Quality, Air Quality | 39109 | R307-103 | 5YR | 02/05/2015 | 2015-5/101 | |
| Environmental Quality, Drinking Water | 39196 | R309-100 | 5YR | 03/13/2015 | 2015-7/57 | |
| | 39206 | R309-300 | 5YR | 03/13/2015 | 2015-7/63 | |
| Environmental Quality, Radiation Control | 38770 | R313-17-4 | AMD | 02/17/2015 | 2014-17/95 | |
| | 38770 | R313-17-4 | CPR | 02/17/2015 | 2014-24/40 | |
| Human Resource Management, Administration | 39316 | R477-3-1 | AMD | 07/01/2015 | 2015-10/47 | |
| | 39322 | R477-15 | AMD | 07/01/2015 | 2015-10/65 | |
| | 39323 | R477-16 | NEW | 07/01/2015 | 2015-10/67 | |
| Human Services, Administration, Administrative Hearings | 39521 | R497-100 | 5YR | 07/20/2015 | 2015-16/82 | |
| Labor Commission, Adjudication | 39567 | R602-1-4 | AMD | 10/09/2015 | 2015-17/85 | |
| | 39380 | R602-2-4 | AMD | 07/08/2015 | 2015-11/117 | |
| Labor Commission, Industrial Accidents | 39829 | R612-100-4 | AMD | 12/08/2015 | 2015-21/91 | |
| Natural Resources, Forestry, Fire and State Lands | 39314 | R652-70 | AMD | 07/06/2015 | 2015-10/88 | |
| Natural Resources, Parks and Recreation | 39139 | R651-101 | 5YR | 02/12/2015 | 2015-5/112 | |
| Public Safety, Driver License | 39072 | R708-7 | AMD | 03/10/2015 | 2015-3/55 | |
| School and Institutional Trust Lands, Administration | 39430 | R850-1-200 | AMD | 08/11/2015 | 2015-13/46 | |
| | 39250 | R850-21 | 5YR | 04/01/2015 | 2015-8/37 | |
| | 39251 | R850-22 | 5YR | 04/01/2015 | 2015-8/37 | |
| | 39254 | R850-25 | 5YR | 04/01/2015 | 2015-8/39 | |
| | 39255 | R850-26 | 5YR | 04/01/2015 | 2015-8/39 | |
| | 39256 | R850-27 | 5YR | 04/01/2015 | 2015-8/40 | |
| | 39429 | R850-50 | AMD | 08/11/2015 | 2015-13/48 | |
| | 39295 | R850-90 | NSC | 05/11/2015 | Not Printed | |
| <u>administrative proceedings</u> | | | | | | |
| Commerce, Real Estate | 38971 | R162-2e-401 | AMD | 01/28/2015 | 2014-24/26 | |
| Environmental Quality, Air Quality | 39109 | R307-103 | 5YR | 02/05/2015 | 2015-5/101 | |
| Environmental Quality, Drinking Water | 39199 | R309-115 | 5YR | 03/13/2015 | 2015-7/59 | |
| Environmental Quality, Environmental Response and Remediation | 39146 | R311-500 | 5YR | 02/18/2015 | 2015-6/45 | |
| Labor Commission, Industrial Accidents | 39830 | R612-200-1 | AMD | 12/08/2015 | 2015-21/92 | |
| <u>administrative responsibility</u> | | | | | | |
| Human Resource Management, Administration | 39315 | R477-2 | AMD | 07/01/2015 | 2015-10/44 | |
| <u>adoption</u> | | | | | | |
| Human Services, Child and Family Services | 39764 | R512-2 | AMD | 11/23/2015 | 2015-20/94 | |
| <u>adoption assistance</u> | | | | | | |
| Workforce Services, Employment Development | 39645 | R986-500 | 5YR | 09/03/2015 | 2015-19/122 | |
| <u>adoptions</u> | | | | | | |
| Health, Center for Health Data, Vital Records and Statistics | 39798 | R436-18 | NEW | 11/23/2015 | 2015-20/92 | |
| <u>advertising</u> | | | | | | |
| Commerce, Consumer Protection | 39282 | R152-39 | 5YR | 04/15/2015 | 2015-9/83 | |
| <u>air pollution</u> | | | | | | |
| Environmental Quality, Air Quality | 39751 | R307-101-2 | AMD | 12/15/2015 | 2015-19/17 | |
| | 39823 | R307-101-2 | AMD | 12/15/2015 | 2015-21/38 | |
| | 39352 | R307-101-3 | AMD | 09/25/2015 | 2015-11/85 | |
| | 39750 | R307-102-1 | AMD | 12/15/2015 | 2015-19/25 | |
| | 39109 | R307-103 | 5YR | 02/05/2015 | 2015-5/101 | |

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| 39735 | R307-110-17 | AMD | 12/03/2015 | 2015-19/28 | |
| 39166 | R307-110-28 | AMD | 06/04/2015 | 2015-7/15 | |
| 39554 | R307-110-28 | AMD | 10/09/2015 | 2015-16/13 | |
| 38998 | R307-120 | AMD | 03/05/2015 | 2015-1/17 | |
| 39353 | R307-121 | AMD | 09/03/2015 | 2015-11/86 | |
| 39354 | R307-122 | NEW | 09/03/2015 | 2015-11/89 | |
| 39637 | R307-122 | NSC | 09/30/2015 | Not Printed | |
| 39749 | R307-150 | AMD | 12/15/2015 | 2015-19/29 | |
| 39110 | R307-165 | 5YR | 02/05/2015 | 2015-5/102 | |
| 39111 | R307-201 | 5YR | 02/05/2015 | 2015-5/103 | |
| 39748 | R307-201-3 | AMD | 12/15/2015 | 2015-19/31 | |
| 39113 | R307-202 | 5YR | 02/05/2015 | 2015-5/103 | |
| 39112 | R307-203 | 5YR | 02/05/2015 | 2015-5/104 | |
| 39115 | R307-205 | 5YR | 02/05/2015 | 2015-5/105 | |
| 39116 | R307-206 | 5YR | 02/05/2015 | 2015-5/105 | |
| 39747 | R307-206 | AMD | 12/15/2015 | 2015-19/32 | |
| 39168 | R307-210 | AMD | 06/04/2015 | 2015-7/17 | |
| 39169 | R307-214 | AMD | 06/04/2015 | 2015-7/19 | |
| 38842 | R307-302 | AMD | 02/04/2015 | 2014-19/44 | |
| 38842 | R307-302 | CPR | 02/04/2015 | 2015-1/48 | |
| 39349 | R307-302 | 5YR | 05/06/2015 | 2015-11/185 | |
| 39118 | R307-305 | 5YR | 02/05/2015 | 2015-5/107 | |
| 39743 | R307-305-3 | AMD | 12/15/2015 | 2015-19/35 | |
| 39119 | R307-306 | 5YR | 02/05/2015 | 2015-5/107 | |
| 39744 | R307-306 | AMD | 12/15/2015 | 2015-19/36 | |
| 39120 | R307-307 | 5YR | 02/05/2015 | 2015-5/108 | |
| 39121 | R307-309 | 5YR | 02/05/2015 | 2015-5/108 | |
| 39122 | R307-310 | 5YR | 02/05/2015 | 2015-5/109 | |
| 38997 | R307-311 | NEW | 03/05/2015 | 2015-1/22 | |
| 39745 | R307-401 | AMD | 12/15/2015 | 2015-19/37 | |
| 38901 | R307-401-19 | AMD | 02/05/2015 | 2014-21/16 | |
| 39742 | R307-410 | AMD | 12/15/2015 | 2015-19/44 | |
| 39741 | R307-415 | AMD | 12/15/2015 | 2015-19/46 | |
| <u>air quality</u> | | | | | |
| Environmental Quality, Air Quality | 39114 | R307-204 | 5YR | 02/05/2015 | 2015-5/104 |
| | 39355 | R307-230 | NEW | 11/03/2015 | 2015-11/90 |
| | 39355 | R307-230 | CPR | 11/03/2015 | 2015-19/106 |
| <u>air travel</u> | | | | | |
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| | 39903 | R25-7-6 | AMD | 12/22/2015 | 2015-22/12 |
| | 39160 | R25-25-7 | AMD | 04/21/2015 | 2015-6/10 |
| <u>alcohol</u> | | | | | |
| Education, Administration | 39387 | R277-205 | NEW | 07/08/2015 | 2015-11/52 |
| | 39590 | R277-205 | AMD | 10/08/2015 | 2015-17/36 |
| Human Services, Substance Abuse and Mental Health | 39884 | R523-13 | NEW | 12/22/2015 | 2015-22/124 |
| | 39883 | R523-24 | REP | 12/22/2015 | 2015-22/136 |
| <u>alcoholic beverages</u> | | | | | |
| Alcoholic Beverage Control, Administration | 39156 | R81-1-3 | AMD | 04/28/2015 | 2015-6/16 |
| | 39158 | R81-1-6 | AMD | 04/28/2015 | 2015-6/18 |
| | 39329 | R81-1-26 | AMD | 06/24/2015 | 2015-10/17 |
| | 39154 | R81-2-1 | AMD | 04/28/2015 | 2015-6/22 |
| | 39476 | R81-2-8 | AMD | 08/25/2015 | 2015-14/13 |
| | 39330 | R81-2-9 | AMD | 06/24/2015 | 2015-10/20 |
| | 39907 | R81-2-10 | AMD | 12/24/2015 | 2015-22/20 |
| | 39417 | R81-3-1 | AMD | 07/28/2015 | 2015-12/12 |
| | 39155 | R81-3-5 | AMD | 04/28/2015 | 2015-6/23 |
| | 39418 | R81-3-14 | AMD | 07/28/2015 | 2015-12/14 |
| | 39331 | R81-3-19 | AMD | 06/24/2015 | 2015-10/21 |
| | 39803 | R81-4B | 5YR | 10/02/2015 | 2015-21/107 |
| | 39059 | R81-4E | 5YR | 01/08/2015 | 2015-3/69 |

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| | 39474 | R81-7 | R&R | 11/02/2015 | 2015-14/14 |
| | 39474 | R81-7 | CPR | 11/02/2015 | 2015-18/128 |
| | 39804 | R81-10A | 5YR | 10/02/2015 | 2015-21/107 |
| | 39475 | R81-10B | REP | 11/02/2015 | 2015-14/18 |
| <u>allocation</u> | | | | | |
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| <u>alternative energy</u> | | | | | |
| Governor, Economic Development | 39533 | R357-9 | NSC | 08/17/2015 | Not Printed |
| <u>alternative fuels</u> | | | | | |
| Environmental Quality, Air Quality | 39353 | R307-121 | AMD | 09/03/2015 | 2015-11/86 |
| | 39354 | R307-122 | NEW | 09/03/2015 | 2015-11/89 |
| | 39637 | R307-122 | NSC | 09/30/2015 | Not Printed |
| <u>alternative onsite wastewater systems</u> | | | | | |
| Environmental Quality, Water Quality | 39106 | R317-4 | 5YR | 02/03/2015 | 2015-5/111 |
| | 39821 | R317-4 | AMD | 01/01/2016 | 2015-21/66 |
| <u>animal protection</u> | | | | | |
| Natural Resources, Wildlife Resources | 39217 | R657-3 | AMD | 05/08/2015 | 2015-7/29 |
| | 39719 | R657-3 | AMD | 11/10/2015 | 2015-19/74 |
| <u>annual leave</u> | | | | | |
| Administrative Services, Finance | 39942 | R25-15 | EMR | 11/12/2015 | 2015-23/57 |
| <u>annualization</u> | | | | | |
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| <u>appeals</u> | | | | | |
| Education, Administration | 39385 | R277-203 | NEW | 07/08/2015 | 2015-11/47 |
| Professional Practices Advisory Commission, Administration | 39392 | R686-103 | REP | 07/08/2015 | 2015-11/149 |
| School and Institutional Trust Fund Board of Trustees, Administration | 39143 | R849-1 | NEW | 04/15/2015 | 2015-5/92 |
| <u>appellate procedures</u> | | | | | |
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| Corrections, Administration | 39819 | R251-104 | 5YR | 10/13/2015 | 2015-21/108 |
| Technology Services, Administration | 39731 | R895-11 | REP | 12/02/2015 | 2015-19/102 |
| <u>application procedures</u> | | | | | |
| Commerce, Real Estate | 39575 | R162-2a | 5YR | 08/13/2015 | 2015-17/100 |
| | 39576 | R162-2a | NSC | 08/28/2015 | Not Printed |
| <u>appraisal management company</u> | | | | | |
| Commerce, Real Estate | 39291 | R162-2e | 5YR | 04/17/2015 | 2015-10/102 |
| | 38971 | R162-2e-401 | AMD | 01/28/2015 | 2014-24/26 |
| <u>appraisals</u> | | | | | |
| Tax Commission, Property Tax | 39622 | R884-24P-33 | AMD | 10/22/2015 | 2015-18/116 |
| | 39815 | R884-24P-53 | AMD | 01/01/2016 | 2015-21/101 |
| | 39623 | R884-24P-66 | AMD | 10/22/2015 | 2015-18/125 |
| <u>approval orders</u> | | | | | |
| Environmental Quality, Air Quality | 39745 | R307-401 | AMD | 12/15/2015 | 2015-19/37 |
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| | 39586 | R277-201 | AMD | 10/08/2015 | 2015-17/19 |
| Professional Practices Advisory Commission, Administration | 39389 | R686-100 | REP | 07/08/2015 | 2015-11/134 |
| | 39221 | R686-100-7 | AMD | 05/08/2015 | 2015-7/42 |

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| Public Service Commission, Administration | 39234 | R746-100-3 | AMD | 05/27/2015 | 2015-8/19 |
| | 39566 | R746-100-3 | AMD | 10/08/2015 | 2015-17/88 |
| | 39235 | R746-100-11 | AMD | 05/27/2015 | 2015-8/21 |

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| Education, Administration | 38956 | R277-487 | AMD | 01/07/2015 | 2014-23/6 |
| | 39375 | R277-487 | AMD | 07/08/2015 | 2015-11/67 |
| Judicial Performance Evaluation Commission, Administration | 39268 | R597-2 | 5YR | 04/13/2015 | 2015-9/85 |

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| Environmental Quality, Air Quality | 39750 | R307-102-1 | AMD | 12/15/2015 | 2015-19/25 |
| Human Resource Management, Administration | 39315 | R477-2 | AMD | 07/01/2015 | 2015-10/44 |
| Technology Services, Administration | 39724 | R895-1 | 5YR | 09/11/2015 | 2015-19/119 |
| | 39725 | R895-1 | NSC | 09/30/2015 | Not Printed |
| Workforce Services, Unemployment Insurance | 39440 | R994-312-103 | AMD | 08/11/2015 | 2015-13/59 |

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| Human Services, Administration | 39469 | R495-890 | 5YR | 06/29/2015 | 2015-14/142 | |
| <u>conflict of interest</u> | | | | | | |
| Environmental Quality, Air Quality | 39740 | R307-104 | NEW | 12/15/2015 | 2015-19/26 | |
| Human Resource Management, Administration | 39321 | R477-9-4 | NSC | 05/11/2015 | Not Printed | |
| <u>conflicts of interest</u> | | | | | | |
| Judicial Performance Evaluation Commission, Administration | 39268 | R597-2 | 5YR | 04/13/2015 | 2015-9/85 | |
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| Environmental Quality, Drinking Water | 39195 | R309-550 | 5YR | 03/13/2015 | 2015-7/70 | |
| | 39508 | R309-550-10 | AMD | 09/10/2015 | 2015-15/4 | |
| <u>consent</u> | | | | | | |
| Health, Disease Control and Prevention, Epidemiology | 39108 | R386-800 | 5YR | 02/05/2015 | 2015-5/111 | |
| <u>conservation</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39162 | R657-15 | 5YR | 03/03/2015 | 2015-7/75 | |
| School and Institutional Trust Lands, Administration | 39309 | R850-150 | NEW | 06/22/2015 | 2015-10/92 | |
| <u>conservation permits</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39065 | R657-41 | AMD | 03/16/2015 | 2015-3/40 | |
| | 39362 | R657-41 | AMD | 07/09/2015 | 2015-11/129 | |
| | 39811 | R657-41 | 5YR | 10/05/2015 | 2015-21/113 | |
| <u>construction</u> | | | | | | |
| Transportation, Operations, Construction | 39100 | R916-3 | AMD | 03/27/2015 | 2015-4/23 | |
| | 39183 | R916-4 | EXT | 03/10/2015 | 2015-7/81 | |
| | 39101 | R916-4 | AMD | 03/27/2015 | 2015-4/26 | |
| | 39506 | R916-4 | 5YR | 07/09/2015 | 2015-15/34 | |
| Transportation, Operations, Traffic and Safety | 39433 | R920-8 | NEW | 08/07/2015 | 2015-13/54 | |
| <u>construction management</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 39959 | R33-13 | NSC | 12/18/2015 | Not Printed | |
| <u>consumer confidence report</u> | | | | | | |
| Environmental Quality, Drinking Water | 39205 | R309-225 | 5YR | 03/13/2015 | 2015-7/62 | |
| <u>consumer protection</u> | | | | | | |
| Commerce, Consumer Protection | 39281 | R152-1 | 5YR | 04/15/2015 | 2015-9/83 | |
| | 39273 | R152-1 | AMD | 06/08/2015 | 2015-9/5 | |
| | 39525 | R152-22-3 | AMD | 09/21/2015 | 2015-16/7 | |
| | 39282 | R152-39 | 5YR | 04/15/2015 | 2015-9/83 | |
| | 39524 | R152-49 | NEW | 09/21/2015 | 2015-16/8 | |
| <u>consumer rights</u> | | | | | | |
| Human Services, Substance Abuse and Mental Health | 39871 | R523-6 | REP | 12/22/2015 | 2015-22/100 | |
| | 39872 | R523-8 | NEW | 12/22/2015 | 2015-22/110 | |
| <u>contamination</u> | | | | | | |
| Environmental Quality, Radiation Control | 39082 | R313-15-1208 | AMD | 03/17/2015 | 2015-3/21 | |
| <u>continuances</u> | | | | | | |
| Pardons (Board Of), Administration | 39544 | R671-204 | EMR | 07/27/2015 | 2015-16/77 | |
| | 39545 | R671-204 | NEW | 10/01/2015 | 2015-16/63 | |
| <u>continuing professional education</u> | | | | | | |
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| | 39825 | R23-7 | AMD | 12/11/2015 | 2015-21/4 |
| Capitol Preservation Board (State), Administration | 39502 | R131-15 | 5YR | 07/06/2015 | 2015-15/32 |
| Commerce, Occupational and Professional Licensing | 39461 | R156-55a | AMD | 11/23/2015 | 2015-14/21 |
| | 39461 | R156-55a | CPR | 11/23/2015 | 2015-20/116 |
| Transportation, Operations, Construction | 39458 | R916-6 | 5YR | 06/22/2015 | 2015-14/144 |
| | 39455 | R916-6 | NSC | 07/13/2015 | Not Printed |

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| | 39482 | R23-7 | 5YR | 06/30/2015 | 2015-14/139 |
| | 39825 | R23-7 | AMD | 12/11/2015 | 2015-21/4 |
| Administrative Services, Purchasing and General Services | 38977 | R33-12 | AMD | 01/28/2015 | 2014-24/9 |
| Capitol Preservation Board (State), Administration | 39502 | R131-15 | 5YR | 07/06/2015 | 2015-15/32 |
| Transportation, Operations, Construction | 39100 | R916-3 | AMD | 03/27/2015 | 2015-4/23 |
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| | 39101 | R916-4 | AMD | 03/27/2015 | 2015-4/26 |
| | 39506 | R916-4 | 5YR | 07/09/2015 | 2015-15/34 |
| | 39458 | R916-6 | 5YR | 06/22/2015 | 2015-14/144 |
| | 39455 | R916-6 | NSC | 07/13/2015 | Not Printed |

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| Commerce, Occupational and Professional Licensing | 39020 | R156-37f-102 | AMD | 02/24/2015 | 2015-2/84 |
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| | 38978 | R33-16-401 | AMD | 01/28/2015 | 2014-24/12 |

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| | 39819 | R251-104 | 5YR | 10/13/2015 | 2015-21/108 |
| | 39539 | R251-109 | 5YR | 07/23/2015 | 2015-16/80 |
| | 39540 | R251-301 | 5YR | 07/23/2015 | 2015-16/80 |
| | 39060 | R251-303 | 5YR | 01/08/2015 | 2015-3/70 |
| | 39610 | R251-303 | 5YR | 08/24/2015 | 2015-18/134 |
| | 39971 | R251-702 | 5YR | 12/04/2015 | Not Printed |
| | 39972 | R251-708 | 5YR | 12/04/2015 | Not Printed |
| | 39498 | R251-709 | 5YR | 07/02/2015 | 2015-15/32 |
| | 39973 | R251-711 | 5YR | 12/04/2015 | Not Printed |
| | 39820 | R251-712 | 5YR | 10/13/2015 | 2015-21/109 |

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| | 39285 | R277-114 | R&R | 06/08/2015 | 2015-9/10 |

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| | 39165 | R414-303-8 | AMD | 05/08/2015 | 2015-7/26 | |
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| | 39338 | R277-475 | 5YR | 05/01/2015 | 2015-10/105 | |
| | 39288 | R277-475 | AMD | 06/08/2015 | 2015-9/16 | |
| | 39487 | R277-700 | 5YR | 07/01/2015 | 2015-14/141 | |
| | 39935 | R277-705 | 5YR | 11/10/2015 | 2015-23/63 | |
| <u>curriculum</u> | | | | | | |
| Education, Administration | 39079 | R277-468 | NEW | 03/10/2015 | 2015-3/14 | |
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| | 39078 | R277-111 | AMD | 03/10/2015 | 2015-3/13 | |
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| Health, Center for Health Data, Health Care Statistics | 39247 | R428-15 | NSC | 04/07/2015 | Not Printed | |
| Insurance, Administration | 39103 | R590-271 | NEW | 06/22/2015 | 2015-4/19 | |
| | 39103 | R590-271 | CPR | 06/22/2015 | 2015-10/98 | |
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| Insurance, Administration | 39103 | R590-271 | NEW | 06/22/2015 | 2015-4/19 | |
| | 39103 | R590-271 | CPR | 06/22/2015 | 2015-10/98 | |
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| | 39279 | R313-22 | CPR | 08/26/2015 | 2015-14/124 | |
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| Administrative Services, Fleet Operations | 39918 | R27-1 | 5YR | 11/06/2015 | 2015-23/61 | |
| Administrative Services, Purchasing and General Services | 38974 | R33-1-1 | AMD | 01/28/2015 | 2014-24/4 | |
| Education, Administration | 39488 | R277-99 | NEW | 08/26/2015 | 2015-14/40 | |
| | 39382 | R277-200 | NEW | 07/08/2015 | 2015-11/33 | |
| | 39585 | R277-200 | AMD | 10/08/2015 | 2015-17/15 | |
| Environmental Quality, Air Quality | 39751 | R307-101-2 | AMD | 12/15/2015 | 2015-19/17 | |
| | 39823 | R307-101-2 | AMD | 12/15/2015 | 2015-21/38 | |
| | 39352 | R307-101-3 | AMD | 09/25/2015 | 2015-11/85 | |
| Environmental Quality, Drinking Water | 39198 | R309-110 | 5YR | 03/13/2015 | 2015-7/59 | |
| Human Resource Management, Administration | 39324 | R477-1 | AMD | 07/01/2015 | 2015-10/39 | |
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| Commerce, Occupational and Professional Licensing | 39858 | R156-69-302d | AMD | 12/22/2015 | 2015-22/28 | |
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| Governor, Economic Development | 39530 | R357-5 | NSC | 08/17/2015 | Not Printed | |
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| | 39591 | R277-206 | AMD | 10/08/2015 | 2015-17/37 |
| | 39937 | R277-206-1 | NSC | 11/24/2015 | Not Printed |
| | 39597 | R277-514 | REP | 10/08/2015 | 2015-17/58 |
| | 39493 | R277-609 | AMD | 09/03/2015 | 2015-14/54 |
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| | 39394 | R686-105 | REP | 07/08/2015 | 2015-11/153 |
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| | 39086 | R58-21 | 5YR | 01/21/2015 | 2015-4/37 |
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| Education, Administration | 39787 | R277-606 | NEW | 11/23/2015 | 2015-20/66 |
| <u>drug and alcohol testing</u> | | | | | |
| Administrative Services, Facilities Construction and Management | 39482 | R23-7 | 5YR | 06/30/2015 | 2015-14/139 |
| | 39825 | R23-7 | AMD | 12/11/2015 | 2015-21/4 |
| Administrative Services, Purchasing and General Services | 39959 | R33-13 | NSC | 12/18/2015 | Not Printed |
| Capitol Preservation Board (State), Administration | 39502 | R131-15 | 5YR | 07/06/2015 | 2015-15/32 |
| Transportation, Operations, Construction | 39458 | R916-6 | 5YR | 06/22/2015 | 2015-14/144 |
| | 39455 | R916-6 | NSC | 07/13/2015 | Not Printed |
| <u>drug offenses</u> | | | | | |
| Education, Administration | 39388 | R277-206 | NEW | 07/08/2015 | 2015-11/53 |
| | 39591 | R277-206 | AMD | 10/08/2015 | 2015-17/37 |
| | 39937 | R277-206-1 | NSC | 11/24/2015 | Not Printed |
| <u>drug stamps</u> | | | | | |
| Tax Commission, Collections | 39565 | R867-2B | 5YR | 08/06/2015 | 2015-17/106 |
| <u>dual employment</u> | | | | | |
| Human Resource Management, Administration | 39320 | R477-8-3 | AMD | 07/01/2015 | 2015-10/64 |
| <u>dual enrollment</u> | | | | | |
| Education, Administration | 39839 | R277-438 | AMD | 12/08/2015 | 2015-21/24 |
| <u>due process</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39871 | R523-6 | REP | 12/22/2015 | 2015-22/100 |
| | 39872 | R523-8 | NEW | 12/22/2015 | 2015-22/110 |
| <u>DUI programs</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39880 | R523-11 | NEW | 12/22/2015 | 2015-22/118 |
| | 39878 | R523-22 | REP | 12/22/2015 | 2015-22/130 |

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| <u>e-mail</u> | | | | | |
| Commerce, Consumer Protection | 39282 | R152-39 | 5YR | 04/15/2015 | 2015-9/83 |
| <u>economic development</u> | | | | | |
| Governor, Economic Development | 39094 | R357-3 | R&R | 04/13/2015 | 2015-4/12 |
| | 39528 | R357-3 | NSC | 08/17/2015 | Not Printed |
| | 39887 | R357-3 | AMD | 12/28/2015 | 2015-22/29 |
| | 39530 | R357-5 | NSC | 08/17/2015 | Not Printed |
| | 39531 | R357-6 | NSC | 08/17/2015 | Not Printed |
| | 39532 | R357-7 | NSC | 08/17/2015 | Not Printed |
| | 39533 | R357-9 | NSC | 08/17/2015 | Not Printed |
| <u>economic opportunity</u> | | | | | |
| Governor, Economic Development | 39526 | R357-1 | NSC | 08/17/2015 | Not Printed |
| <u>EDTIF</u> | | | | | |
| Governor, Economic Development | 39094 | R357-3 | R&R | 04/13/2015 | 2015-4/12 |
| <u>education finance</u> | | | | | |
| Education, Administration | 39374 | R277-419 | AMD | 07/08/2015 | 2015-11/58 |
| | 39080 | R277-419-9 | EMR | 01/15/2015 | 2015-3/63 |
| <u>educational administration</u> | | | | | |
| Education, Administration | 39584 | R277-116 | R&R | 10/08/2015 | 2015-17/10 |
| | 39218 | R277-116-1 | AMD | 05/08/2015 | 2015-7/7 |
| <u>educator license</u> | | | | | |
| Education, Administration | 39385 | R277-203 | NEW | 07/08/2015 | 2015-11/47 |
| | 39386 | R277-204 | NEW | 07/08/2015 | 2015-11/50 |
| Professional Practices Advisory Commission, Administration | 39392 | R686-103 | REP | 07/08/2015 | 2015-11/149 |
| <u>educator license renewal</u> | | | | | |
| Education, Administration | 39486 | R277-500 | 5YR | 07/01/2015 | 2015-14/141 |
| | 39491 | R277-500 | AMD | 08/26/2015 | 2015-14/46 |
| <u>educator licenses</u> | | | | | |
| Education, Administration | 39589 | R277-204 | AMD | 10/08/2015 | 2015-17/34 |
| <u>educator licensing</u> | | | | | |
| Education, Administration | 39378 | R277-502 | AMD | 07/08/2015 | 2015-11/75 |
| <u>educator licensure</u> | | | | | |
| Education, Administration | 39597 | R277-514 | REP | 10/08/2015 | 2015-17/58 |
| <u>educators</u> | | | | | |
| Education, Administration | 39382 | R277-200 | NEW | 07/08/2015 | 2015-11/33 |
| | 39585 | R277-200 | AMD | 10/08/2015 | 2015-17/15 |
| | 39384 | R277-202 | NEW | 07/08/2015 | 2015-11/41 |
| | 39587 | R277-202 | AMD | 10/08/2015 | 2015-17/24 |
| | 39387 | R277-205 | NEW | 07/08/2015 | 2015-11/52 |
| | 39590 | R277-205 | AMD | 10/08/2015 | 2015-17/36 |
| | 39388 | R277-206 | NEW | 07/08/2015 | 2015-11/53 |
| | 39591 | R277-206 | AMD | 10/08/2015 | 2015-17/37 |
| | 39937 | R277-206-1 | NSC | 11/24/2015 | Not Printed |
| | 39837 | R277-207 | NEW | 12/08/2015 | 2015-21/17 |
| | 39582 | R277-498 | 5YR | 08/13/2015 | 2015-17/103 |
| | 39596 | R277-498 | AMD | 10/08/2015 | 2015-17/56 |
| | 39598 | R277-515 | AMD | 10/08/2015 | 2015-17/60 |
| | 39600 | R277-517 | REP | 10/08/2015 | 2015-17/67 |
| | 39290 | R277-517-5 | AMD | 06/08/2015 | 2015-9/19 |
| | 39371 | R277-520 | 5YR | 05/15/2015 | 2015-11/185 |
| | 39379 | R277-520 | AMD | 07/08/2015 | 2015-11/80 |
| | 39788 | R277-533 | NEW | 11/23/2015 | 2015-20/62 |
| Professional Practices Advisory Commission, Administration | 39393 | R686-104 | REP | 07/08/2015 | 2015-11/152 |

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| | 39394 | R686-105 | REP | 07/08/2015 | 2015-11/153 |
| <u>effective date</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39414 | R414-306-2 | AMD | 08/01/2015 | 2015-12/16 |
| <u>efficiency</u> | | | | | |
| Governor, Energy Development (Office of) | 38931 | R362-3 | AMD | 01/07/2015 | 2014-22/24 |
| <u>elderly</u> | | | | | |
| Human Services, Aging and Adult Services | 39272 | R510-100 | AMD | 06/30/2015 | 2015-9/62 |
| | 39269 | R510-400 | AMD | 06/30/2015 | 2015-9/64 |
| <u>election law</u> | | | | | |
| Lieutenant Governor, Elections | 39824 | R623-4 | NEW | 12/08/2015 | 2015-21/99 |
| <u>elections</u> | | | | | |
| Lieutenant Governor, Elections | 39824 | R623-4 | NEW | 12/08/2015 | 2015-21/99 |
| <u>Electronic Cigarette Regulation Act</u> | | | | | |
| Health, Disease Control and Prevention, Health Promotion | 39797 | R384-415 | NEW | 12/29/2015 | 2015-20/76 |
| <u>electronic cigarettes</u> | | | | | |
| Health, Disease Control and Prevention, Health Promotion | 39797 | R384-415 | NEW | 12/29/2015 | 2015-20/76 |
| <u>electronic meetings</u> | | | | | |
| Governor, Economic Development | 39510 | R357-14 | NEW | 09/10/2015 | 2015-15/13 |
| <u>elevator mechanics</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39736 | R156-55e | 5YR | 09/14/2015 | 2015-19/116 |
| <u>elevators</u> | | | | | |
| Labor Commission, Boiler and Elevator Safety | 39296 | R616-3-3 | AMD | 06/22/2015 | 2015-10/86 |
| <u>eligibility</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39310 | R414-307 | AMD | 07/01/2015 | 2015-10/33 |
| | 39629 | R414-307 | AMD | 11/01/2015 | 2015-18/70 |
| | 39558 | R414-307-13 | AMD | 10/01/2015 | 2015-16/16 |
| | 39145 | R414-309 | 5YR | 02/18/2015 | 2015-6/45 |
| Human Services, Child and Family Services | 39284 | R512-1 | AMD | 06/15/2015 | 2015-9/71 |
| | 39764 | R512-2 | AMD | 11/23/2015 | 2015-20/94 |
| <u>email address requirements</u> | | | | | |
| Insurance, Administration | 39650 | R590-258 | 5YR | 09/04/2015 | 2015-19/118 |
| <u>emergency medical services</u> | | | | | |
| Health, Family Health and Preparedness, Emergency Medical Services | 39551 | R426-1 | AMD | 09/24/2015 | 2015-16/20 |
| | 39467 | R426-2 | AMD | 08/21/2015 | 2015-14/82 |
| | 39552 | R426-3 | AMD | 09/24/2015 | 2015-16/23 |
| | 39550 | R426-4 | AMD | 09/24/2015 | 2015-16/29 |
| | 39546 | R426-5 | AMD | 09/24/2015 | 2015-16/43 |
| | 39628 | R426-6 | AMD | 11/19/2015 | 2015-18/73 |
| | 39932 | R426-7 | 5YR | 11/10/2015 | 2015-23/64 |
| | 39265 | R426-8 | AMD | 06/08/2015 | 2015-9/55 |
| | 39933 | R426-8 | 5YR | 11/10/2015 | 2015-23/64 |
| | 39468 | R426-9 | AMD | 08/21/2015 | 2015-14/87 |
| <u>emergency procurement</u> | | | | | |
| Administrative Services, Purchasing and General Services | 39328 | R33-8 | AMD | 06/23/2015 | 2015-10/15 |
| <u>emergency safety interventions</u> | | | | | |
| Education, Administration | 39493 | R277-609 | AMD | 09/03/2015 | 2015-14/54 |

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| <u>emission fees</u> | | | | | | |
| Environmental Quality, Air Quality | 39741 | R307-415 | AMD | 12/15/2015 | 2015-19/46 | |
| <u>emission testing</u> | | | | | | |
| Environmental Quality, Air Quality | 39110 | R307-165 | 5YR | 02/05/2015 | 2015-5/102 | |
| <u>employee benefit plans</u> | | | | | | |
| Human Resource Management, Administration | 39318 | R477-6 | AMD | 07/01/2015 | 2015-10/51 | |
| <u>employment</u> | | | | | | |
| Human Resource Management, Administration | 39317 | R477-4 | AMD | 07/01/2015 | 2015-10/48 | |
| <u>employment support procedures</u> | | | | | | |
| Workforce Services, Employment Development | 39634 | R986-100 | 5YR | 09/02/2015 | 2015-19/120 | |
| | 39261 | R986-100-113 | AMD | 07/01/2015 | 2015-8/27 | |
| <u>employment tests</u> | | | | | | |
| Workforce Services, Unemployment Insurance | 39239 | R994-204 | 5YR | 03/25/2015 | 2015-8/40 | |
| | 39240 | R994-205 | 5YR | 03/25/2015 | 2015-8/41 | |
| | 39241 | R994-206 | 5YR | 03/25/2015 | 2015-8/41 | |
| <u>endangered species</u> | | | | | | |
| School and Institutional Trust Lands, Administration | 39309 | R850-150 | NEW | 06/22/2015 | 2015-10/92 | |
| <u>endowed universities</u> | | | | | | |
| Education, Administration | 39376 | R277-490 | AMD | 07/08/2015 | 2015-11/72 | |
| <u>energy</u> | | | | | | |
| Governor, Energy Development (Office of) | 38931 | R362-3 | AMD | 01/07/2015 | 2014-22/24 | |
| <u>energy assistance</u> | | | | | | |
| Workforce Services, Administration | 39441 | R982-402-8 | AMD | 08/11/2015 | 2015-13/56 | |
| <u>enforcement</u> | | | | | | |
| Agriculture and Food, Animal Industry | 39602 | R58-15 | 5YR | 08/13/2015 | 2015-17/97 | |
| Commerce, Real Estate | 39249 | R162-2c | 5YR | 03/31/2015 | 2015-8/33 | |
| | 39477 | R162-2c | AMD | 09/04/2015 | 2015-14/26 | |
| | 38999 | R162-2c-201 | AMD | 02/10/2015 | 2015-1/8 | |
| Human Services, Recovery Services | 39949 | R527-800 | 5YR | 11/16/2015 | 2015-23/71 | |
| Natural Resources, Water Rights | 39153 | R655-14 | 5YR | 02/24/2015 | 2015-6/47 | |
| <u>engineers</u> | | | | | | |
| Administrative Services, Facilities Construction and Management | 39061 | R23-2 | REP | 03/16/2015 | 2015-3/4 | |
| <u>enrollment</u> | | | | | | |
| Education, Administration | 39372 | R277-417 | NEW | 07/08/2015 | 2015-11/55 | |
| | 39784 | R277-417 | AMD | 11/23/2015 | 2015-20/54 | |
| | 39373 | R277-418 | NEW | 07/08/2015 | 2015-11/57 | |
| <u>enterprise zones</u> | | | | | | |
| Tax Commission, Auditing | 39426 | R865-9I-37 | NSC | 06/24/2015 | Not Printed | |
| <u>environment</u> | | | | | | |
| Tax Commission, Auditing | 39618 | R865-13G-18 | AMD | 10/22/2015 | 2015-18/108 | |
| <u>environmental analysis</u> | | | | | | |
| Environmental Quality, Radiation Control | 39149 | R313-24-1 | NSC | 03/06/2015 | Not Printed | |
| | 39275 | R313-24-4 | AMD | 06/16/2015 | 2015-9/49 | |
| <u>environmental health</u> | | | | | | |
| Environmental Quality, Drinking Water | 39213 | R309-600 | 5YR | 03/13/2015 | 2015-7/71 | |
| | 39214 | R309-605 | 5YR | 03/13/2015 | 2015-7/71 | |
| <u>environmental health scientists</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39306 | R156-20a | 5YR | 04/27/2015 | 2015-10/101 | |

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| | 39351 | R156-20a | AMD | 07/09/2015 | 2015-11/20 |
| <u>environmental health scientists-in-training</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39306 | R156-20a | 5YR | 04/27/2015 | 2015-10/101 |
| | 39351 | R156-20a | AMD | 07/09/2015 | 2015-11/20 |
| <u>environmental protection</u> | | | | | |
| Environmental Quality, Drinking Water | 39196 | R309-100 | 5YR | 03/13/2015 | 2015-7/57 |
| | 39206 | R309-300 | 5YR | 03/13/2015 | 2015-7/63 |
| | 39208 | R309-400 | 5YR | 03/13/2015 | 2015-7/64 |
| | 39209 | R309-405 | 5YR | 03/13/2015 | 2015-7/64 |
| <u>equipment</u> | | | | | |
| Environmental Quality, Air Quality | 38998 | R307-120 | AMD | 03/05/2015 | 2015-1/17 |
| <u>evaluation cycles</u> | | | | | |
| Judicial Performance Evaluation Commission, Administration | 39244 | R597-3-2 | AMD | 05/27/2015 | 2015-8/13 |
| | 39243 | R597-3-3 | AMD | 05/27/2015 | 2015-8/15 |
| <u>evaluations</u> | | | | | |
| Education, Administration | 39788 | R277-533 | NEW | 11/23/2015 | 2015-20/62 |
| <u>event permits</u> | | | | | |
| Alcoholic Beverage Control, Administration | 39474 | R81-7 | R&R | 11/02/2015 | 2015-14/14 |
| | 39474 | R81-7 | CPR | 11/02/2015 | 2015-18/128 |
| <u>evidence-based prevention</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 38917 | R523-8 | NEW | 01/06/2015 | 2014-22/33 |
| | 39874 | R523-8 | REP | 12/22/2015 | 2015-22/109 |
| | 39875 | R523-9 | NEW | 12/22/2015 | 2015-22/115 |
| <u>evidence-based prevention workgroup</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 38917 | R523-8 | NEW | 01/06/2015 | 2014-22/33 |
| | 39874 | R523-8 | REP | 12/22/2015 | 2015-22/109 |
| | 39875 | R523-9 | NEW | 12/22/2015 | 2015-22/115 |
| <u>evidentiary restrictions</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39630 | R156-1 | AMD | 10/22/2015 | 2015-18/56 |
| | 39857 | R156-1-308a | NSC | 11/09/2015 | Not Printed |
| <u>exceptions to procurement requirements</u> | | | | | |
| Administrative Services, Purchasing and General Services | 39328 | R33-8 | AMD | 06/23/2015 | 2015-10/15 |
| <u>exemptions</u> | | | | | |
| Environmental Quality, Radiation Control | 38907 | R313-19 | AMD | 02/17/2015 | 2014-21/18 |
| | 39280 | R313-19-13 | AMD | 08/26/2015 | 2015-9/27 |
| | 39280 | R313-19-13 | CPR | 08/26/2015 | 2015-14/114 |
| <u>expenses</u> | | | | | |
| Public Safety, Emergency Management | 39783 | R704-1 | AMD | 12/01/2015 | 2015-20/112 |
| <u>expert witnesses</u> | | | | | |
| Attorney General, Administration | 39032 | R105-1 | AMD | 03/26/2015 | 2015-2/34 |
| | 39099 | R105-1 | AMD | 03/26/2015 | 2015-4/4 |
| | 39363 | R105-1 | EMR | 05/12/2015 | 2015-11/171 |
| | 39364 | R105-1 | AMD | 07/13/2015 | 2015-11/13 |
| <u>expungement</u> | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39758 | R722-350 | 5YR | 09/17/2015 | 2015-20/131 |
| <u>extracurricular</u> | | | | | |
| Education, Administration | 39831 | R277-494 | 5YR | 10/15/2015 | 2015-21/109 |

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| | 39841 | R277-494 | AMD | 12/08/2015 | 2015-21/31 |
| <u>eyeglasses</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39357 | R414-53 | AMD | 07/16/2015 | 2015-11/111 |
| <u>facilities use</u> | | | | | |
| Capitol Preservation Board (State), Administration | 39025 | R131-2 | AMD | 02/24/2015 | 2015-2/41 |
| <u>fair employment practices</u> | | | | | |
| Human Resource Management, Administration | 39315 | R477-2 | AMD | 07/01/2015 | 2015-10/44 |
| | 39317 | R477-4 | AMD | 07/01/2015 | 2015-10/48 |
| <u>family employment program</u> | | | | | |
| Workforce Services, Employment Development | 39439 | R986-200 | AMD | 09/01/2015 | 2015-13/57 |
| | 39635 | R986-200 | 5YR | 09/02/2015 | 2015-19/121 |
| <u>family involvement</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39871 | R523-6 | REP | 12/22/2015 | 2015-22/100 |
| | 39872 | R523-8 | NEW | 12/22/2015 | 2015-22/110 |
| <u>family resource facilitator</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39867 | R523-3 | REP | 12/22/2015 | 2015-22/82 |
| | 39868 | R523-6 | NEW | 12/22/2015 | 2015-22/104 |
| <u>fatality review</u> | | | | | |
| Human Services, Administration | 39326 | R495-808 | 5YR | 04/30/2015 | 2015-10/106 |
| <u>federal lands</u> | | | | | |
| Governor, Economic Development | 38945 | R357-12 | NEW | 03/20/2015 | 2014-23/17 |
| <u>federal shutdown</u> | | | | | |
| Governor, Economic Development | 38945 | R357-12 | NEW | 03/20/2015 | 2014-23/17 |
| <u>feed contamination</u> | | | | | |
| Agriculture and Food, Plant Industry | 39471 | R68-2 | 5YR | 06/29/2015 | 2015-14/139 |
| <u>fees</u> | | | | | |
| Financial Institutions, Nondepository Lenders | 39442 | R343-10 | NEW | 08/12/2015 | 2015-13/22 |
| | 39503 | R343-10 | NSC | 08/17/2015 | Not Printed |
| Labor Commission, Industrial Accidents | 39832 | R612-300-4 | AMD | 12/08/2015 | 2015-21/94 |
| | 39833 | R612-300-5 | AMD | 12/08/2015 | 2015-21/95 |
| <u>filing deadlines</u> | | | | | |
| Labor Commission, Adjudication | 39567 | R602-1-4 | AMD | 10/09/2015 | 2015-17/85 |
| Labor Commission, Industrial Accidents | 39830 | R612-200-1 | AMD | 12/08/2015 | 2015-21/92 |
| Workforce Services, Unemployment Insurance | 39792 | R994-403-118e | NSC | 10/20/2015 | Not Printed |
| <u>films</u> | | | | | |
| Transportation, Operations, Traffic and Safety | 39095 | R920-4 | EMR | 01/29/2015 | 2015-4/33 |
| <u>filtration</u> | | | | | |
| Environmental Quality, Drinking Water | 39190 | R309-525 | 5YR | 03/13/2015 | 2015-7/68 |
| <u>finance</u> | | | | | |
| Administrative Services, Finance | 39360 | R25-10 | AMD | 07/08/2015 | 2015-11/4 |
| <u>financial aid</u> | | | | | |
| Regents (Board Of), Administration | 39023 | R765-611 | NEW | 02/25/2015 | 2015-2/101 |
| <u>financial assistance</u> | | | | | |
| Environmental Quality, Drinking Water | 39211 | R309-705 | 5YR | 03/13/2015 | 2015-7/72 |

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| Financial Institutions, Administration | 39370 | R331-14 | REP | 07/08/2015 | 2015-11/104 | |
| Money Management Council, Administration | 39818 | R628-11 | 5YR | 10/09/2015 | 2015-21/111 | |
| | 39899 | R628-12 | EXT | 10/30/2015 | 2015-22/163 | |
| | 39900 | R628-13 | EXT | 10/30/2015 | 2015-22/163 | |
| <u>financial reimbursement</u> | | | | | | |
| Public Safety, Emergency Management | 39783 | R704-1 | AMD | 12/01/2015 | 2015-20/112 | |
| <u>financing of programs</u> | | | | | | |
| Human Services, Substance Abuse and Mental Health | 39860 | R523-1 | NEW | 12/22/2015 | 2015-22/67 | |
| | 39873 | R523-20 | REP | 12/22/2015 | 2015-22/128 | |
| <u>fingerprint background check</u> | | | | | | |
| Education, Administration | 39486 | R277-500 | 5YR | 07/01/2015 | 2015-14/141 | |
| | 39491 | R277-500 | AMD | 08/26/2015 | 2015-14/46 | |
| <u>fingerprinting</u> | | | | | | |
| Environmental Quality, Radiation Control | 38908 | R313-37 | NEW | 06/29/2015 | 2014-21/21 | |
| | 38908 | R313-37 | CPR | 06/29/2015 | 2015-5/98 | |
| Human Services, Administration, Administrative Services, Licensing | 39778 | R501-14 | 5YR | 09/29/2015 | 2015-20/130 | |
| <u>fingerprints</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39893 | R722-910 | NEW | 12/22/2015 | 2015-22/159 | |
| <u>fire authority</u> | | | | | | |
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| Public Safety, Fire Marshal | 39813 | R710-10 | 5YR | 10/05/2015 | 2015-21/115 | |
| <u>firearm background check information</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39091 | R722-380 | NEW | 03/24/2015 | 2015-4/22 | |
| | 39411 | R722-380 | AMD | 07/22/2015 | 2015-12/31 | |
| <u>firearm denials</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39091 | R722-380 | NEW | 03/24/2015 | 2015-4/22 | |
| | 39411 | R722-380 | AMD | 07/22/2015 | 2015-12/31 | |
| <u>firearm purchases</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39091 | R722-380 | NEW | 03/24/2015 | 2015-4/22 | |
| | 39411 | R722-380 | AMD | 07/22/2015 | 2015-12/31 | |
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| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39091 | R722-380 | NEW | 03/24/2015 | 2015-4/22 | |
| | 39411 | R722-380 | AMD | 07/22/2015 | 2015-12/31 | |
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| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39019 | R722-370 | NEW | 02/24/2015 | 2015-2/100 | |
| <u>firearms</u> | | | | | | |
| Education, Administration | 39834 | R277-611 | 5YR | 10/15/2015 | 2015-21/110 | |
| | 39842 | R277-611 | AMD | 12/08/2015 | 2015-21/34 | |

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| Environmental Quality, Air Quality | 39117 | R307-207 | 5YR | 02/05/2015 | 2015-5/106 | |
| | 38842 | R307-302 | AMD | 02/04/2015 | 2014-19/44 | |
| | 38842 | R307-302 | CPR | 02/04/2015 | 2015-1/48 | |
| | 39349 | R307-302 | 5YR | 05/06/2015 | 2015-11/185 | |
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| Governor, Economic Development | 38945 | R357-12 | NEW | 03/20/2015 | 2014-23/17 | |
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| Natural Resources, Wildlife Resources | 39069 | R657-59 | AMD | 03/16/2015 | 2015-3/50 | |
| | 39714 | R657-60 | AMD | 11/10/2015 | 2015-19/93 | |
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| Transportation, Operations, Traffic and Safety | 39433 | R920-8 | NEW | 08/07/2015 | 2015-13/54 | |
| <u>flocculation</u> | | | | | | |
| Environmental Quality, Drinking Water | 39190 | R309-525 | 5YR | 03/13/2015 | 2015-7/68 | |
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| Agriculture and Food, Animal Industry | 39073 | R58-11 | 5YR | 01/13/2015 | 2015-3/67 | |
| | 39775 | R58-11 | AMD | 11/23/2015 | 2015-20/14 | |
| | 39573 | R58-12 | 5YR | 08/12/2015 | 2015-17/97 | |
| | 39774 | R58-12 | AMD | 11/23/2015 | 2015-20/19 | |
| | 39614 | R58-13 | EXD | 08/25/2015 | 2015-18/137 | |
| | 39616 | R58-13 | EMR | 08/25/2015 | 2015-18/131 | |
| Agriculture and Food, Regulatory Services | 39561 | R70-610 | 5YR | 08/05/2015 | 2015-17/98 | |
| | 39560 | R70-620 | 5YR | 08/05/2015 | 2015-17/98 | |
| <u>food stamps</u> | | | | | | |
| Workforce Services, Employment Development | 39649 | R986-900 | 5YR | 09/03/2015 | 2015-19/124 | |
| | 39557 | R986-900-902 | AMD | 10/01/2015 | 2015-16/64 | |
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| Human Services, Substance Abuse and Mental Health | 39871 | R523-6 | REP | 12/22/2015 | 2015-22/100 | |
| | 39872 | R523-8 | NEW | 12/22/2015 | 2015-22/110 | |
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| | 39165 | R414-303-8 | AMD | 05/08/2015 | 2015-7/26 | |
| <u>foster care</u> | | | | | | |
| Human Services, Administration | 39500 | R495-883 | 5YR | 07/06/2015 | 2015-15/33 | |
| Human Services, Administration, Administrative Services, Licensing | 39358 | R501-12 | EMR | 05/12/2015 | 2015-11/178 | |
| | 39638 | R501-12 | EMR | 09/04/2015 | 2015-19/110 | |
| | 39617 | R501-12 | AMD | 10/23/2015 | 2015-18/77 | |
| | 39888 | R501-12 | NSC | 11/19/2015 | Not Printed | |
| Human Services, Child and Family Services | 39764 | R512-2 | AMD | 11/23/2015 | 2015-20/94 | |
| <u>franchises</u> | | | | | | |
| Commerce, Administration | 39034 | R151-14-3 | AMD | 02/24/2015 | 2015-2/49 | |
| Tax Commission, Auditing | 39425 | R865-6F-28 | NSC | 06/24/2015 | Not Printed | |
| <u>freedom of information</u> | | | | | | |
| Technology Services, Administration | 39724 | R895-1 | 5YR | 09/11/2015 | 2015-19/119 | |
| | 39725 | R895-1 | NSC | 09/30/2015 | Not Printed | |
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| Tax Commission, Auditing | 39437 | R865-4D-21 | AMD | 08/27/2015 | 2015-13/50 | |
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| Human Services, Aging and Adult Services | 39272 | R510-100 | AMD | 06/30/2015 | 2015-9/62 | |
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| | 39861 | R523-4 | REP | 12/22/2015 | 2015-22/84 | |
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| | 39713 | R657-11 | AMD | 11/10/2015 | 2015-19/85 | |
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| | 39808 | R657-5 | 5YR | 10/05/2015 | 2015-21/112 | |
| | 39431 | R657-6 | 5YR | 06/08/2015 | 2015-13/63 | |
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| | 39509 | R657-11 | 5YR | 07/13/2015 | 2015-15/34 | |
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| | 39063 | R657-33 | AMD | 03/16/2015 | 2015-3/31 | |
| | 39071 | R657-68 | AMD | 03/16/2015 | 2015-3/54 | |
| | 39216 | R657-70 | NEW | 05/08/2015 | 2015-7/36 | |
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| | 39472 | R33-4 | AMD | 08/21/2015 | 2015-14/6 | |
| | 39523 | R33-4 | NSC | 08/24/2015 | Not Printed | |
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| | 39271 | R33-26 | AMD | 06/10/2015 | 2015-9/4 | |
| | 39906 | R33-26 | AMD | 12/23/2015 | 2015-22/13 | |
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| | 39403 | R35-5 | AMD | 07/31/2015 | 2015-11/11 | |
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| Commerce, Administration | 39894 | R151-4 | AMD | 12/28/2015 | 2015-22/21 | |
| | 39144 | R151-4-109 | AMD | 04/10/2015 | 2015-5/9 | |
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| | 39137 | R671-305-1 | AMD | 04/07/2015 | 2015-5/91 | |
| | 39756 | R671-403 | AMD | 11/30/2015 | 2015-20/107 | |
| Public Service Commission, Administration | 39234 | R746-100-3 | AMD | 05/27/2015 | 2015-8/19 | |
| | 39566 | R746-100-3 | AMD | 10/08/2015 | 2015-17/88 | |
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| Education, Administration | 39007 | R277-497 | AMD | 02/09/2015 | 2015-1/11 | |
| | 39581 | R277-497 | 5YR | 08/13/2015 | 2015-17/103 | |
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| | 39582 | R277-498 | 5YR | 08/13/2015 | 2015-17/103 | |
| | 39596 | R277-498 | AMD | 10/08/2015 | 2015-17/56 | |
| Health, Family Health and Preparedness, Emergency Medical Services | 39628 | R426-6 | AMD | 11/19/2015 | 2015-18/73 | |
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| | 38901 | R307-401-19 | AMD | 02/05/2015 | 2014-21/16 | |
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| Human Services, Administration | 39325 | R495-878 | R&R | 06/22/2015 | 2015-10/68 | |
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| | 39060 | R251-303 | 5YR | 01/08/2015 | 2015-3/70 | |
| | 39610 | R251-303 | 5YR | 08/24/2015 | 2015-18/134 | |
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| Environmental Quality, Air Quality | 39169 | R307-214 | AMD | 06/04/2015 | 2015-7/19 | |
| | 39742 | R307-410 | AMD | 12/15/2015 | 2015-19/44 | |
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| | 39303 | R315-15-3 | NSC | 05/06/2015 | Not Printed | |
| | 39304 | R315-15-5 | NSC | 05/11/2015 | Not Printed | |
| | 39307 | R315-15-6 | NSC | 05/11/2015 | Not Printed | |
| | 39308 | R315-15-13 | NSC | 05/11/2015 | Not Printed | |
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| | 39766 | R428-1 | AMD | 11/30/2015 | 2015-20/86 | |
| | 39405 | R428-2 | AMD | 07/30/2015 | 2015-11/112 | |
| | 39767 | R428-2 | AMD | 11/30/2015 | 2015-20/87 | |
| | 39415 | R428-11 | AMD | 10/01/2015 | 2015-12/18 | |

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| | 38982 | R432-2-6 | AMD | 02/06/2015 | 2014-24/33 | |
| | 39514 | R432-3-10 | AMD | 09/29/2015 | 2015-15/14 | |
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| | 39915 | R432-101 | 5YR | 11/05/2015 | 2015-23/65 | |
| | 39917 | R432-102 | 5YR | 11/05/2015 | 2015-23/66 | |
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| | 39925 | R432-104 | 5YR | 11/09/2015 | 2015-23/67 | |
| | 39967 | R432-104 | NSC | 12/18/2015 | Not Printed | |
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| | 39931 | R432-600 | 5YR | 11/09/2015 | 2015-23/69 | |
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| | 39312 | R590-220 | CPR | 09/23/2015 | 2015-16/68 | |
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| | 38770 | R313-17-4 | CPR | 02/17/2015 | 2014-24/40 |
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| Workforce Services, Administration | 39441 | R982-402-8 | AMD | 08/11/2015 | 2015-13/56 |
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heavy duty vehicles

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| Environmental Quality, Air Quality | 39354 | R307-122 | NEW | 09/03/2015 | 2015-11/89 |
| | 39637 | R307-122 | NSC | 09/30/2015 | Not Printed |

hemp

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| Agriculture and Food, Plant Industry | 39148 | R68-22 | NEW | 04/22/2015 | 2015-6/14 |
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high quality ground water

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| Environmental Quality, Drinking Water | 39185 | R309-505 | 5YR | 03/13/2015 | 2015-7/65 |
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higher education

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| Regents (Board Of), Administration | 39010 | R765-571 | NEW | 04/28/2015 | 2015-1/39 |
| | 39157 | R765-609 | 5YR | 02/25/2015 | 2015-6/48 |
| | 39023 | R765-611 | NEW | 02/25/2015 | 2015-2/101 |
| | 39605 | R765-649 | 5YR | 08/18/2015 | 2015-18/135 |

highways

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| Transportation, Operations, Construction | 39100 | R916-3 | AMD | 03/27/2015 | 2015-4/23 |
| | 39183 | R916-4 | EXT | 03/10/2015 | 2015-7/81 |
| | 39101 | R916-4 | AMD | 03/27/2015 | 2015-4/26 |
| | 39506 | R916-4 | 5YR | 07/09/2015 | 2015-15/34 |
| Transportation, Operations, Traffic and Safety | 39433 | R920-8 | NEW | 08/07/2015 | 2015-13/54 |
| Transportation, Program Development | 39504 | R926-8 | 5YR | 07/07/2015 | 2015-15/35 |
| | 39505 | R926-8 | NSC | 07/30/2015 | Not Printed |
| | 39448 | R926-13 | 5YR | 06/16/2015 | 2015-14/144 |
| | 39449 | R926-14 | 5YR | 06/16/2015 | 2015-14/145 |

hiring practices

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| Human Resource Management, Administration | 39317 | R477-4 | AMD | 07/01/2015 | 2015-10/48 |
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historic preservation

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| Tax Commission, Auditing | 39425 | R865-6F-28 | NSC | 06/24/2015 | Not Printed |
| | 39426 | R865-9I-37 | NSC | 06/24/2015 | Not Printed |

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| <u>holidays</u> | | | | | |
| Human Resource Management, Administration | 39319 | R477-7 | AMD | 07/01/2015 | 2015-10/56 |
| | 39886 | R477-7 | AMD | 01/01/2016 | 2015-22/63 |
| <u>home care services</u> | | | | | |
| Human Services, Aging and Adult Services | 39269 | R510-400 | AMD | 06/30/2015 | 2015-9/64 |
| <u>Honoring Heroes Restricted Account</u> | | | | | |
| Public Safety, Administration | 39549 | R698-6 | 5YR | 07/29/2015 | 2015-16/84 |
| <u>hospital policy</u> | | | | | |
| Health, Center for Health Data, Health Care Statistics | 39415 | R428-11 | AMD | 10/01/2015 | 2015-12/18 |
| <u>hospitals</u> | | | | | |
| Health, Administration | 39574 | R380-200 | R&R | 12/30/2015 | 2015-17/75 |
| Health, Family Health and Preparedness, Primary Care and Rural Health | 39613 | R434-45 | NEW | 11/23/2015 | 2015-18/75 |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39341 | R414-1B | AMD | 07/01/2015 | 2015-10/32 |
| <u>hostile work environment</u> | | | | | |
| Human Resource Management, Administration | 39322 | R477-15 | AMD | 07/01/2015 | 2015-10/65 |
| | 39323 | R477-16 | NEW | 07/01/2015 | 2015-10/67 |
| <u>hourly child care centers</u> | | | | | |
| Health, Child Care Center Licensing Committee | 39130 | R381-60 | NEW | 05/01/2015 | 2015-5/16 |
| Health, Family Health and Preparedness, Child Care Licensing | 39127 | R430-60 | REP | 05/01/2015 | 2015-5/56 |
| <u>human services</u> | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 39334 | R501-1 | AMD | 07/01/2015 | 2015-10/72 |
| | 39333 | R501-4 | REP | 06/29/2015 | 2015-10/76 |
| | 39358 | R501-12 | EMR | 05/12/2015 | 2015-11/178 |
| | 39638 | R501-12 | EMR | 09/04/2015 | 2015-19/110 |
| | 39617 | R501-12 | AMD | 10/23/2015 | 2015-18/77 |
| <u>Human Services</u> | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 39888 | R501-12 | NSC | 11/19/2015 | Not Printed |
| <u>human services</u> | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 39979 | R501-15 | 5YR | 12/07/2015 | Not Printed |
| | 39258 | R501-19 | 5YR | 04/01/2015 | 2015-8/34 |
| | 39259 | R501-20 | 5YR | 04/01/2015 | 2015-8/35 |
| | 39260 | R501-21 | 5YR | 04/01/2015 | 2015-8/35 |
| | 39257 | R501-22 | 5YR | 04/01/2015 | 2015-8/36 |
| <u>hunter education</u> | | | | | |
| Natural Resources, Wildlife Resources | 39071 | R657-68 | AMD | 03/16/2015 | 2015-3/54 |
| <u>hunting</u> | | | | | |
| Natural Resources, Parks and Recreation | 39814 | R651-637 | 5YR | 10/06/2015 | 2015-21/111 |
| Natural Resources, Wildlife Resources | 39064 | R657-38 | AMD | 03/16/2015 | 2015-3/39 |
| | 39807 | R657-38 | 5YR | 10/05/2015 | 2015-21/113 |
| <u>hunting and fishing licenses</u> | | | | | |
| Natural Resources, Wildlife Resources | 39809 | R657-17 | 5YR | 10/05/2015 | 2015-21/112 |
| <u>hunting guides</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39350 | R156-79 | AMD | 07/09/2015 | 2015-11/29 |
| <u>hydraulic modeling</u> | | | | | |
| Environmental Quality, Drinking Water | 39187 | R309-511 | 5YR | 03/13/2015 | 2015-7/66 |

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| <u>hydropneumatic systems</u> Environmental Quality, Drinking Water | 39193 | R309-540 | 5YR | 03/13/2015 | 2015-7/69 |
| <u>identification card</u> Public Safety, Driver License | 39182 | R708-41 | 5YR | 03/10/2015 | 2015-7/79 |
| <u>illegal drug operation</u> Health, Disease Control and Prevention, Environmental Services | 39159 | R392-600 | EXD | 02/26/2015 | 2015-6/49 |
| <u>illegal drug operations</u> Health, Disease Control and Prevention, Environmental Services | 39161 | R392-600 | NEW | 05/01/2015 | 2015-6/27 |
| <u>immigration consultant</u> Commerce, Consumer Protection | 39524 | R152-49 | NEW | 09/21/2015 | 2015-16/8 |
| <u>immunization data reporting</u> Health, Disease Control and Prevention, Epidemiology | 39108 | R386-800 | 5YR | 02/05/2015 | 2015-5/111 |
| <u>immunizations</u> Health, Disease Control and Prevention, Immunization | 39171 | R396-100 | NSC | 03/24/2015 | Not Printed |
| <u>implements of husbandry</u> Transportation, Motor Carrier | 39172 39479 | R909-1 R909-1 | EMR AMD | 03/06/2015 08/24/2015 | 2015-7/53 2015-14/106 |
| <u>import requirements</u> Agriculture and Food, Animal Industry | 39423 | R58-1 | AMD | 08/12/2015 | 2015-13/7 |
| <u>import restrictions</u> Natural Resources, Wildlife Resources | 39217 39719 | R657-3 R657-3 | AMD AMD | 05/08/2015 11/10/2015 | 2015-7/29 2015-19/74 |
| <u>impound fee reimbursement</u> Public Safety, Driver License | 39003 | R708-50 | NEW | 02/09/2015 | 2015-1/38 |
| <u>improper attempts to influence</u> Judicial Performance Evaluation Commission, Administration | 39268 | R597-2 | 5YR | 04/13/2015 | 2015-9/85 |
| <u>improvements</u> Education, Administration | 39592 39789 | R277-406 R277-920 | AMD NEW | 10/08/2015 11/23/2015 | 2015-17/39 2015-20/70 |
| <u>incentives</u> Education, Administration | 39372 39784 | R277-417 R277-417 | NEW AMD | 07/08/2015 11/23/2015 | 2015-11/55 2015-20/54 |
| <u>incidents</u> Administrative Services, Fleet Operations | 39921 | R27-7 | 5YR | 11/06/2015 | 2015-23/62 |
| <u>income</u> Health, Health Care Financing, Coverage and Reimbursement Policy | 39484 | R414-304 | AMD | 09/01/2015 | 2015-14/77 |
| <u>income tax</u> Tax Commission, Auditing | 39426 | R865-91-37 | NSC | 06/24/2015 | Not Printed |
| <u>independent contractor</u> Workforce Services, Unemployment Insurance | 39239 | R994-204 | 5YR | 03/25/2015 | 2015-8/40 |
| <u>Indian affairs</u> Heritage and Arts, Indian Affairs | 39721 | R456-1 | EXT | 09/09/2015 | 2015-19/127 |

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| <u>individual home booster pumps</u> | | | | | | |
| Environmental Quality, Drinking Water | 39193 | R309-540 | 5YR | 03/13/2015 | 2015-7/69 | |
| <u>individual open enrollment period</u> | | | | | | |
| Insurance, Administration | 39520 | R590-269 | AMD | 09/23/2015 | 2015-16/61 | |
| <u>industry</u> | | | | | | |
| Environmental Quality, Radiation Control | 39017 | R313-35 | AMD | 05/22/2015 | 2015-2/89 | |
| | 39017 | R313-35 | CPR | 05/22/2015 | 2015-8/30 | |
| | 39276 | R313-36-3 | AMD | 06/16/2015 | 2015-9/52 | |
| <u>information technology</u> | | | | | | |
| Technology Services, Administration | 39731 | R895-11 | REP | 12/02/2015 | 2015-19/102 | |
| <u>information technology for users with disabilities</u> | | | | | | |
| Technology Services, Administration | 39427 | R895-14 | NEW | 08/07/2015 | 2015-13/52 | |
| <u>injury</u> | | | | | | |
| Health, Disease Control and Prevention, Epidemiology | 39170 | R386-703 | AMD | 05/15/2015 | 2015-7/24 | |
| | 39765 | R386-703 | 5YR | 09/23/2015 | 2015-20/130 | |
| <u>inmate transportation</u> | | | | | | |
| Corrections, Administration | 39498 | R251-709 | 5YR | 07/02/2015 | 2015-15/32 | |
| <u>inmates</u> | | | | | | |
| Corrections, Administration | 39971 | R251-702 | 5YR | 12/04/2015 | Not Printed | |
| Pardons (Board Of), Administration | 39093 | R671-201 | AMD | 03/24/2015 | 2015-4/20 | |
| | 39419 | R671-201 | AMD | 10/15/2015 | 2015-13/41 | |
| | 39419 | R671-201 | CPR | 10/15/2015 | 2015-17/94 | |
| | 39107 | R671-303-1 | AMD | 04/07/2015 | 2015-5/90 | |
| | 39570 | R671-311 | AMD | 10/15/2015 | 2015-17/86 | |
| | 39722 | R671-311 | NSC | 11/30/2015 | Not Printed | |
| | 39606 | R671-314 | NEW | 10/22/2015 | 2015-18/107 | |
| | 39421 | R671-316 | AMD | 10/15/2015 | 2015-13/44 | |
| | 39421 | R671-316 | CPR | 10/15/2015 | 2015-17/95 | |
| <u>innovation</u> | | | | | | |
| Governor, Economic Development | 38944 | R357-11 | NEW | 03/23/2015 | 2014-23/14 | |
| | 39534 | R357-11 | NSC | 08/17/2015 | Not Printed | |
| <u>inspections</u> | | | | | | |
| Agriculture and Food, Animal Industry | 39424 | R58-22 | AMD | 08/12/2015 | 2015-13/15 | |
| Agriculture and Food, Plant Industry | 39773 | R68-1 | AMD | 11/23/2015 | 2015-20/25 | |
| Agriculture and Food, Regulatory Services | 39562 | R70-910 | 5YR | 08/05/2015 | 2015-17/99 | |
| | 39563 | R70-950 | 5YR | 08/05/2015 | 2015-17/99 | |
| <u>Institutional Review Board</u> | | | | | | |
| Human Services, Administration | 39270 | R495-820 | NEW | 06/18/2015 | 2015-9/57 | |
| <u>instruction</u> | | | | | | |
| Education, Administration | 39834 | R277-611 | 5YR | 10/15/2015 | 2015-21/110 | |
| | 39842 | R277-611 | AMD | 12/08/2015 | 2015-21/34 | |
| <u>instructor certification</u> | | | | | | |
| Commerce, Real Estate | 39571 | R162-2g | AMD | 10/22/2015 | 2015-17/6 | |
| <u>insurance</u> | | | | | | |
| Human Resource Management, Administration | 39318 | R477-6 | AMD | 07/01/2015 | 2015-10/51 | |
| Insurance, Administration | 39147 | R590-140 | 5YR | 02/18/2015 | 2015-6/46 | |
| | 39603 | R590-154 | AMD | 10/08/2015 | 2015-17/82 | |
| | 39443 | R590-162-3 | AMD | 08/26/2015 | 2015-13/26 | |
| | 39030 | R590-173 | NSC | 01/15/2015 | Not Printed | |
| | 39650 | R590-258 | 5YR | 09/04/2015 | 2015-19/118 | |
| | 39103 | R590-271 | NEW | 06/22/2015 | 2015-4/19 | |
| | 39103 | R590-271 | CPR | 06/22/2015 | 2015-10/98 | |
| Labor Commission, Industrial Accidents | 39835 | R612-400-1 | AMD | 12/08/2015 | 2015-21/97 | |

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| <u>insurance companies</u> | | | | | |
| Insurance, Administration | 39444 39444 | R590-198-5 R590-198-5 | AMD CPR | 08/26/2015 08/26/2015 | 2015-13/27 2015-14/133 |
| <u>insurance continuing education</u> | | | | | |
| Insurance, Administration | 38934 | R590-142 | AMD | 01/12/2015 | 2014-23/25 |
| <u>insurance internet portal</u> | | | | | |
| Insurance, Administration | 39175 | R590-256 | 5YR | 03/10/2015 | 2015-7/75 |
| <u>insurance law</u> | | | | | |
| Insurance, Administration | 39651 39029 39174 39038 39969 | R590-130 R590-130-7 R590-164 R590-194 R590-205 | 5YR NSC 5YR NSC 5YR | 09/04/2015 01/15/2015 03/10/2015 01/15/2015 12/04/2015 | 2015-19/117 Not Printed 2015-7/74 Not Printed Not Printed |
| <u>insurance licensing requirements</u> | | | | | |
| Insurance, Administration | 38935 | R590-244 | AMD | 01/12/2015 | 2014-23/31 |
| <u>interconnection</u> | | | | | |
| Public Service Commission, Administration | 39311 | R746-312 | 5YR | 04/29/2015 | 2015-10/107 |
| <u>interest buy-downs</u> | | | | | |
| Environmental Quality, Drinking Water | 39210 | R309-700 | 5YR | 03/13/2015 | 2015-7/72 |
| <u>internal operating procedures</u> | | | | | |
| Judicial Performance Evaluation Commission, Administration | 39268 | R597-2 | 5YR | 04/13/2015 | 2015-9/85 |
| <u>internet access</u> | | | | | |
| Heritage and Arts, Library | 39853 | R458-2 | 5YR | 10/20/2015 | 2015-22/161 |
| <u>internet facilitators</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39298 | R156-83 | 5YR | 04/23/2015 | 2015-10/102 |
| <u>interpreters</u> | | | | | |
| Education, Rehabilitation | 38930 39790 | R280-203 R280-203 | AMD AMD | 01/02/2015 11/23/2015 | 2014-22/22 2015-20/73 |
| Pardons (Board Of), Administration | 39796 | R671-104 | NEW | 11/30/2015 | 2015-20/106 |
| Public Service Commission, Administration | 39568 | R746-510 | 5YR | 08/11/2015 | 2015-17/105 |
| <u>inventories</u> | | | | | |
| Environmental Quality, Air Quality | 39749 | R307-150 | AMD | 12/15/2015 | 2015-19/29 |
| <u>investigations</u> | | | | | |
| Human Services, Administration | 39469 | R495-890 | 5YR | 06/29/2015 | 2015-14/142 |
| Human Services, Child Protection Ombudsman (Office of) | 39478 | R515-1 | 5YR | 06/30/2015 | 2015-14/143 |
| Public Safety, Peace Officer Standards and Training | 39738 | R728-409 | AMD | 11/12/2015 | 2015-19/98 |
| <u>investment advisers</u> | | | | | |
| Commerce, Securities | 39104 | R164-2 | 5YR | 02/02/2015 | 2015-4/37 |
| Money Management Council, Administration | 39347 39348 39396 | R628-15 R628-15 R628-15 | EXD EMR NEW | 05/06/2015 05/06/2015 07/13/2015 | 2015-11/191 2015-11/180 2015-11/126 |
| <u>involuntary commitment</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39869 39870 | R523-5 R523-7 | REP NEW | 12/22/2015 12/22/2015 | 2015-22/95 2015-22/106 |
| <u>iron and manganese control</u> | | | | | |
| Environmental Quality, Drinking Water | 39192 | R309-535 | 5YR | 03/13/2015 | 2015-7/69 |

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| <u>irradiators</u> | | | | | | |
| Environmental Quality, Radiation Control | 39047 | R313-34 | AMD | 05/05/2015 | 2015-2/87 | |
| <u>IT planning</u> | | | | | | |
| Technology Services, Administration | 39026 | R895-6 | AMD | 05/05/2015 | 2015-2/104 | |
| <u>jail reimbursement</u> | | | | | | |
| Governor, Criminal and Juvenile Justice (State Commission on) | 39053 | R356-1 | EXT | 01/02/2015 | 2015-3/75 | |
| | 39344 | R356-1 | EXD | 05/05/2015 | 2015-11/191 | |
| | 39802 | R356-1 | EMR | 10/01/2015 | 2015-20/121 | |
| | 39450 | R356-1 | NEW | 11/04/2015 | 2015-14/66 | |
| <u>job creation</u> | | | | | | |
| Governor, Economic Development | 39526 | R357-1 | NSC | 08/17/2015 | Not Printed | |
| <u>job descriptions</u> | | | | | | |
| Human Resource Management, Administration | 39316 | R477-3-1 | AMD | 07/01/2015 | 2015-10/47 | |
| <u>jobs</u> | | | | | | |
| Governor, Economic Development | 39094 | R357-3 | R&R | 04/13/2015 | 2015-4/12 | |
| | 39528 | R357-3 | NSC | 08/17/2015 | Not Printed | |
| | 39887 | R357-3 | AMD | 12/28/2015 | 2015-22/29 | |
| <u>judges</u> | | | | | | |
| Governor, Criminal and Juvenile Justice (State Commission on) | 39466 | R356-101 | 5YR | 06/26/2015 | 2015-14/142 | |
| Judicial Performance Evaluation Commission, Administration | 39244 | R597-3-2 | AMD | 05/27/2015 | 2015-8/13 | |
| | 39243 | R597-3-3 | AMD | 05/27/2015 | 2015-8/15 | |
| <u>Judicial Conduct Commission</u> | | | | | | |
| Judicial Conduct Commission, Administration | 39048 | R595-1 | 5YR | 01/02/2015 | 2015-3/71 | |
| | 39049 | R595-2 | 5YR | 01/02/2015 | 2015-3/72 | |
| | 39050 | R595-3 | 5YR | 01/02/2015 | 2015-3/72 | |
| | 39051 | R595-4 | 5YR | 01/02/2015 | 2015-3/73 | |
| <u>judicial nominating commissions</u> | | | | | | |
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| Judicial Performance Evaluation Commission, Administration | 39244 | R597-3-2 | AMD | 05/27/2015 | 2015-8/13 | |
| | 39243 | R597-3-3 | AMD | 05/27/2015 | 2015-8/15 | |
| <u>juvenile corrections</u> | | | | | | |
| Human Services, Juvenile Justice Services | 39759 | R547-11 | NEW | 11/24/2015 | 2015-20/95 | |
| <u>juvenile transportation</u> | | | | | | |
| Human Services, Juvenile Justice Services | 39759 | R547-11 | NEW | 11/24/2015 | 2015-20/95 | |
| <u>juveniles</u> | | | | | | |
| Human Services, Juvenile Justice Services | 39759 | R547-11 | NEW | 11/24/2015 | 2015-20/95 | |
| <u>kidnap offender registry</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39890 | R722-360 | AMD | 12/22/2015 | 2015-22/152 | |
| <u>kinship</u> | | | | | | |
| Human Services, Child and Family Services | 39499 | R512-500 | AMD | 09/08/2015 | 2015-15/16 | |
| <u>land exchange</u> | | | | | | |
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| <u>languages</u> | | | | | | |
| Pardons (Board Of), Administration | 39796 | R671-104 | NEW | 11/30/2015 | 2015-20/106 | |
| <u>lead-based paint</u> | | | | | | |
| Environmental Quality, Air Quality | 39123 | R307-841 | 5YR | 02/05/2015 | 2015-5/109 | |
| | 39124 | R307-842 | 5YR | 02/05/2015 | 2015-5/110 | |
| <u>lead-based paint abatement</u> | | | | | | |
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| <u>lead-based paint renovation</u> | | | | | | |
| Environmental Quality, Air Quality | 39123 | R307-841 | 5YR | 02/05/2015 | 2015-5/109 | |
| <u>leaders</u> | | | | | | |
| Education, Administration | 39789 | R277-920 | NEW | 11/23/2015 | 2015-20/70 | |
| <u>lease operations</u> | | | | | | |
| School and Institutional Trust Lands, Administration | 39253 | R850-24 | 5YR | 04/01/2015 | 2015-8/38 | |
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| | 39251 | R850-22 | 5YR | 04/01/2015 | 2015-8/37 | |
| | 39254 | R850-25 | 5YR | 04/01/2015 | 2015-8/39 | |
| | 39255 | R850-26 | 5YR | 04/01/2015 | 2015-8/39 | |
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| | 39886 | R477-7 | AMD | 01/01/2016 | 2015-22/63 | |
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| Natural Resources, Parks and Recreation | 39140 | R651-409 | 5YR | 02/12/2015 | 2015-5/113 | |
| <u>libraries</u> | | | | | | |
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| <u>license</u> | | | | | | |
| Environmental Quality, Radiation Control | 39280 | R313-19-13 | AMD | 08/26/2015 | 2015-9/27 | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39410 | R722-330 | AMD | 07/22/2015 | 2015-12/27 | |
| <u>license certificate</u> | | | | | | |
| Public Safety, Driver License | 39182 | R708-41 | 5YR | 03/10/2015 | 2015-7/79 | |
| <u>license reinstatements</u> | | | | | | |
| Education, Administration | 39385 | R277-203 | NEW | 07/08/2015 | 2015-11/47 | |
| | 39588 | R277-203 | AMD | 10/08/2015 | 2015-17/31 | |
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| Education, Administration | 39371 | R277-520 | 5YR | 05/15/2015 | 2015-11/185 | |
| | 39379 | R277-520 | AMD | 07/08/2015 | 2015-11/80 | |
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| | 39280 | R313-19-13 | CPR | 08/26/2015 | 2015-14/114 | |
| Natural Resources, Wildlife Resources | 39715 | R657-45 | AMD | 11/10/2015 | 2015-19/87 | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39889 | R722-310 | AMD | 12/22/2015 | 2015-22/148 | |
| | 39058 | R722-330 | 5YR | 01/07/2015 | 2015-3/74 | |
| <u>licensing</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39630 | R156-1 | AMD | 10/22/2015 | 2015-18/56 | |

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| | 39857 | R156-1-308a | NSC | 11/09/2015 | Not Printed |
| | 39854 | R156-5a-302c | AMD | 12/22/2015 | 2015-22/25 |
| | 39056 | R156-17b | 5YR | 01/05/2015 | 2015-3/69 |
| | 39018 | R156-17b | AMD | 02/24/2015 | 2015-2/51 |
| | 39780 | R156-17b | AMD | 12/01/2015 | 2015-20/30 |
| | 39306 | R156-20a | 5YR | 04/27/2015 | 2015-10/101 |
| | 39351 | R156-20a | AMD | 07/09/2015 | 2015-11/20 |
| | 39092 | R156-24b-302b | AMD | 03/24/2015 | 2015-4/9 |
| | 39055 | R156-26a-501 | AMD | 04/02/2015 | 2015-3/7 |
| | 39233 | R156-28-304 | AMD | 05/27/2015 | 2015-8/6 |
| | 39132 | R156-31b | AMD | 04/07/2015 | 2015-5/10 |
| | 39816 | R156-31b | AMD | 12/08/2015 | 2015-21/9 |
| | 39615 | R156-31b-103 | NSC | 09/11/2015 | Not Printed |
| | 38981 | R156-31b-202 | AMD | 01/22/2015 | 2014-24/13 |
| | 38980 | R156-31b-609 | AMD | 01/22/2015 | 2014-24/14 |
| | 39015 | R156-37 | AMD | 02/24/2015 | 2015-2/80 |
| | 39020 | R156-37f-102 | AMD | 02/24/2015 | 2015-2/84 |
| | 39859 | R156-40 | AMD | 12/22/2015 | 2015-22/26 |
| | 39639 | R156-41-602 | AMD | 11/10/2015 | 2015-19/7 |
| | 39761 | R156-42a | AMD | 12/01/2015 | 2015-20/35 |
| | 39176 | R156-44a-609 | AMD | 05/11/2015 | 2015-7/2 |
| | 39428 | R156-46a-502d | AMD | 08/17/2015 | 2015-13/21 |
| | 39604 | R156-46a-502d | NSC | 09/11/2015 | Not Printed |
| | 38915 | R156-47b | AMD | 04/21/2015 | 2014-22/16 |
| | 38915 | R156-47b | CPR | 04/21/2015 | 2015-6/42 |
| | 39238 | R156-47b-302a | AMD | 05/28/2015 | 2015-8/7 |
| | 39737 | R156-50 | 5YR | 09/14/2015 | 2015-19/116 |
| | 39461 | R156-55a | AMD | 11/23/2015 | 2015-14/21 |
| | 39461 | R156-55a | CPR | 11/23/2015 | 2015-20/116 |
| | 39736 | R156-55e | 5YR | 09/14/2015 | 2015-19/116 |
| | 39538 | R156-60 | AMD | 09/21/2015 | 2015-16/9 |
| | 38979 | R156-60a | AMD | 01/22/2015 | 2014-24/15 |
| | 39519 | R156-60c | AMD | 09/28/2015 | 2015-16/11 |
| | 38964 | R156-60d | AMD | 01/22/2015 | 2014-24/17 |
| | 38957 | R156-61 | AMD | 06/15/2015 | 2014-24/19 |
| | 38957 | R156-61 | CPR | 06/15/2015 | 2015-9/80 |
| | 39772 | R156-61a | NEW | 11/23/2015 | 2015-20/37 |
| | 39293 | R156-63a | AMD | 06/22/2015 | 2015-10/22 |
| | 39368 | R156-63a | AMD | 07/23/2015 | 2015-11/22 |
| | 39294 | R156-63b | AMD | 06/22/2015 | 2015-10/24 |
| | 39369 | R156-63b | AMD | 07/23/2015 | 2015-11/25 |
| | 39858 | R156-69-302d | AMD | 12/22/2015 | 2015-22/28 |
| | 39177 | R156-70a-302 | AMD | 05/27/2015 | 2015-7/3 |
| | 39151 | R156-71-202 | AMD | 04/21/2015 | 2015-6/25 |
| | 39343 | R156-72-102 | AMD | 07/09/2015 | 2015-11/28 |
| | 39350 | R156-79 | AMD | 07/09/2015 | 2015-11/29 |
| | 39298 | R156-83 | 5YR | 04/23/2015 | 2015-10/102 |
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| | 39477 | R162-2c | AMD | 09/04/2015 | 2015-14/26 |
| | 38999 | R162-2c-201 | AMD | 02/10/2015 | 2015-1/8 |
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| Human Services, Administration, Administrative Services, Licensing | 39334 | R501-1 | AMD | 07/01/2015 | 2015-10/72 |
| | 39333 | R501-4 | REP | 06/29/2015 | 2015-10/76 |
| | 39358 | R501-12 | EMR | 05/12/2015 | 2015-11/178 |
| | 39638 | R501-12 | EMR | 09/04/2015 | 2015-19/110 |
| | 39617 | R501-12 | AMD | 10/23/2015 | 2015-18/77 |
| | 39888 | R501-12 | NSC | 11/19/2015 | Not Printed |
| | 39778 | R501-14 | 5YR | 09/29/2015 | 2015-20/130 |
| | 39258 | R501-19 | 5YR | 04/01/2015 | 2015-8/34 |
| | 39259 | R501-20 | 5YR | 04/01/2015 | 2015-8/35 |
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| | 39257 | R501-22 | 5YR | 04/01/2015 | 2015-8/36 |
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| <u>licensure</u> | | | | | |
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| <u>life sciences</u> Governor, Economic Development | 39531 | R357-6 | NSC | 08/17/2015 | Not Printed |
| <u>lifeline rates</u> Public Service Commission, Administration | 39851 38936 | R746-341 R746-341-5 | 5YR AMD | 10/19/2015 01/07/2015 | 2015-22/161 2014-23/43 |
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| <u>loans</u> Environmental Quality, Drinking Water | 39210 39211 | R309-700 R309-705 | 5YR 5YR | 03/13/2015 03/13/2015 | 2015-7/72 2015-7/72 |
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| <u>lobbyists</u> Lieutenant Governor, Elections | 39457 | R623-1-4 | AMD | 08/24/2015 | 2015-14/103 |
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| <u>local health departments</u> Health, Administration | 39173 | R380-40 | 5YR | 03/06/2015 | 2015-7/74 |
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| <u>long-term care alternatives</u> | | | | | |
| Human Services, Aging and Adult Services | 39269 | R510-400 | AMD | 06/30/2015 | 2015-9/64 |
| <u>long-term care ombudsman</u> | | | | | |
| Human Services, Aging and Adult Services | 39272 | R510-100 | AMD | 06/30/2015 | 2015-9/62 |
| <u>low quality ground water</u> | | | | | |
| Environmental Quality, Drinking Water | 39185 | R309-505 | 5YR | 03/13/2015 | 2015-7/65 |
| <u>MACT</u> | | | | | |
| Environmental Quality, Air Quality | 39169 | R307-214 | AMD | 06/04/2015 | 2015-7/19 |
| <u>MAGI-based</u> | | | | | |
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| | 39165 | R414-303-8 | AMD | 05/08/2015 | 2015-7/26 |
| <u>maintenance</u> | | | | | |
| Transportation, Operations, Maintenance | 39004 | R918-7 | NEW | 02/20/2015 | 2015-1/42 |
| | 39150 | R918-7 | AMD | 04/23/2015 | 2015-6/36 |
| Transportation, Operations, Traffic and Safety | 39433 | R920-8 | NEW | 08/07/2015 | 2015-13/54 |
| <u>mammography</u> | | | | | |
| Environmental Quality, Radiation Control | 39016 | R313-28-31 | AMD | 03/24/2015 | 2015-2/85 |
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| Commerce, Occupational and Professional Licensing | 38915 | R156-47b | AMD | 04/21/2015 | 2014-22/16 |
| | 38915 | R156-47b | CPR | 04/21/2015 | 2015-6/42 |
| | 39238 | R156-47b-302a | AMD | 05/28/2015 | 2015-8/7 |
| <u>massage therapist</u> | | | | | |
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| | 38915 | R156-47b | CPR | 04/21/2015 | 2015-6/42 |
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| | 38915 | R156-47b | CPR | 04/21/2015 | 2015-6/42 |
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| <u>material permits</u> | | | | | |
| School and Institutional Trust Lands, Administration | 39253 | R850-24 | 5YR | 04/01/2015 | 2015-8/38 |
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| | 39596 | R277-498 | AMD | 10/08/2015 | 2015-17/56 |
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| <u>meat inspections</u> | | | | | |
| Agriculture and Food, Animal Industry | 39616 | R58-13 | EMR | 08/25/2015 | 2015-18/131 |
| <u>Medicaid</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39040 | R414-1-5 | AMD | 03/02/2015 | 2015-2/90 |
| | 39248 | R414-1-5 | AMD | 06/01/2015 | 2015-8/8 |
| | 39460 | R414-1-5 | AMD | 09/16/2015 | 2015-14/70 |
| | 39781 | R414-1-5 | EMR | 10/01/2015 | 2015-20/123 |
| | 39800 | R414-1-5 | AMD | 12/01/2015 | 2015-20/80 |
| | 39827 | R414-1-7 | AMD | 12/08/2015 | 2015-21/86 |
| | 39452 | R414-1-12 | AMD | 09/22/2015 | 2015-14/74 |

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| | 39087 | R414-6 | REP | 03/24/2015 | 2015-4/18 |
| | 39543 | R414-7C | REP | 09/29/2015 | 2015-16/14 |
| | 38952 | R414-11 | AMD | 01/13/2015 | 2014-23/22 |
| | 39142 | R414-14A | AMD | 04/07/2015 | 2015-5/53 |
| | 39005 | R414-19A | AMD | 02/18/2015 | 2015-1/24 |
| | 39264 | R414-19A | 5YR | 04/07/2015 | 2015-9/84 |
| | 39377 | R414-33D | 5YR | 05/15/2015 | 2015-11/186 |
| | 39131 | R414-38 | AMD | 04/07/2015 | 2015-5/54 |
| | 39515 | R414-40 | 5YR | 07/16/2015 | 2015-16/81 |
| | 39356 | R414-52 | AMD | 07/16/2015 | 2015-11/110 |
| | 39357 | R414-53 | AMD | 07/16/2015 | 2015-11/111 |
| | 39556 | R414-55 | AMD | 10/01/2015 | 2015-16/15 |
| | 39516 | R414-59 | 5YR | 07/16/2015 | 2015-16/81 |
| | 39782 | R414-61-2 | EMR | 10/01/2015 | 2015-20/125 |
| | 39453 | R414-61-2 | AMD | 11/02/2015 | 2015-14/75 |
| | 39793 | R414-61-2 | AMD | 11/25/2015 | 2015-20/84 |
| | 39483 | R414-302-8 | AMD | 09/01/2015 | 2015-14/76 |
| | 39145 | R414-309 | 5YR | 02/18/2015 | 2015-6/45 |
| | 38984 | R414-310-7 | AMD | 02/01/2015 | 2014-24/32 |
| | 39299 | R414-401-3 | AMD | 07/01/2015 | 2015-10/37 |
| | 39517 | R414-506 | 5YR | 07/16/2015 | 2015-16/82 |
| | 39332 | R414-507 | NEW | 07/01/2015 | 2015-10/38 |
| | 39553 | R414-510 | AMD | 09/29/2015 | 2015-16/17 |
| Human Services, Recovery Services | 39949 | R527-800 | 5YR | 11/16/2015 | 2015-23/71 |
| | 39909 | R527-936 | 5YR | 11/03/2015 | 2015-23/72 |
| <u>medical practitioners</u> | | | | | |
| Labor Commission, Industrial Accidents | 39832 | R612-300-4 | AMD | 12/08/2015 | 2015-21/94 |
| | 39833 | R612-300-5 | AMD | 12/08/2015 | 2015-21/95 |
| <u>medical records</u> | | | | | |
| Corrections, Administration | 39541 | R251-102 | 5YR | 07/23/2015 | 2015-16/79 |
| <u>medical transportation</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39414 | R414-306-2 | AMD | 08/01/2015 | 2015-12/16 |
| <u>medical use advisory committee</u> | | | | | |
| Environmental Quality, Radiation Control | 39283 | R313-27 | NEW | 07/09/2015 | 2015-9/51 |
| <u>medical use of radiation</u> | | | | | |
| Environmental Quality, Radiation Control | 39283 | R313-27 | NEW | 07/09/2015 | 2015-9/51 |
| <u>meeting procedures</u> | | | | | |
| Administrative Services, Facilities Construction and Management | 39826 | R23-32 | AMD | 12/11/2015 | 2015-21/6 |
| <u>membrane technology</u> | | | | | |
| Environmental Quality, Drinking Water | 39191 | R309-530 | 5YR | 03/13/2015 | 2015-7/68 |
| <u>mental health</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39538 | R156-60 | AMD | 09/21/2015 | 2015-16/9 |
| | 39519 | R156-60c | AMD | 09/28/2015 | 2015-16/11 |
| Corrections, Administration | 39539 | R251-109 | 5YR | 07/23/2015 | 2015-16/80 |
| <u>mental health and substance use disorder</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39867 | R523-3 | REP | 12/22/2015 | 2015-22/82 |
| | 39868 | R523-6 | NEW | 12/22/2015 | 2015-22/104 |
| <u>meth lab contractor certification</u> | | | | | |
| Environmental Quality, Environmental Response and Remediation | 39146 | R311-500 | 5YR | 02/18/2015 | 2015-6/45 |

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| <u>methadone programs</u> | | | | | | |
| Human Services, Substance Abuse and Mental Health | 39877 | R523-10 | NEW | 12/22/2015 | 2015-22/116 | |
| | 39876 | R523-21 | REP | 12/22/2015 | 2015-22/129 | |
| <u>methamphetamine decontamination</u> | | | | | | |
| Health, Disease Control and Prevention, Environmental Services | 39159 | R392-600 | EXD | 02/26/2015 | 2015-6/49 | |
| | 39161 | R392-600 | NEW | 05/01/2015 | 2015-6/27 | |
| <u>midwifery</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39176 | R156-44a-609 | AMD | 05/11/2015 | 2015-7/2 | |
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| | 39718 | R657-9 | AMD | 11/10/2015 | 2015-19/79 | |
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| | 39399 | R309-510 | AMD | 07/15/2015 | 2015-11/92 | |
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| <u>miscellaneous treatment</u> | | | | | | |
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| <u>misleading names</u> | | | | | | |
| Insurance, Administration | 39603 | R590-154 | AMD | 10/08/2015 | 2015-17/82 | |
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| Public Safety, Driver License | 39043 | R708-51 | NEW | 02/25/2015 | 2015-2/97 | |
| <u>mobility vehicles</u> | | | | | | |
| Public Safety, Driver License | 39043 | R708-51 | NEW | 02/25/2015 | 2015-2/97 | |
| <u>modeling</u> | | | | | | |
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| <u>monitoring</u> | | | | | | |
| Environmental Quality, Radiation Control | 39275 | R313-24-4 | AMD | 06/16/2015 | 2015-9/49 | |
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| Governor, Economic Development | 39530 | R357-5 | NSC | 08/17/2015 | Not Printed | |
| <u>motor fuel</u> | | | | | | |
| Tax Commission, Auditing | 39618 | R865-13G-18 | AMD | 10/22/2015 | 2015-18/108 | |
| <u>motor vehicle record</u> | | | | | | |
| Public Safety, Driver License | 39178 | R708-36 | 5YR | 03/10/2015 | 2015-7/77 | |
| <u>motor vehicles</u> | | | | | | |
| Commerce, Administration | 39034 | R151-14-3 | AMD | 02/24/2015 | 2015-2/49 | |
| Environmental Quality, Air Quality | 39353 | R307-121 | AMD | 09/03/2015 | 2015-11/86 | |
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| | 39355 | R307-230 | CPR | 11/03/2015 | 2015-19/106 |
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| Governor, Economic Development | 39530 | R357-5 | NSC | 08/17/2015 | Not Printed |
| | 39531 | R357-6 | NSC | 08/17/2015 | Not Printed |
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| | 39490 | R277-410 | AMD | 08/26/2015 | 2015-14/43 |
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| | 39760 | R251-110 | NSC | 10/20/2015 | Not Printed |

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| <u>notification requirements</u> | | | | | |
| Commerce, Real Estate | 39572 | R162-2f | 5YR | 08/12/2015 | 2015-17/101 |
| | 39776 | R162-2f | AMD | 12/16/2015 | 2015-20/40 |
| | 38972 | R162-2f-206 | AMD | 01/21/2015 | 2014-24/28 |
| | 39305 | R162-2f-401j | AMD | 06/22/2015 | 2015-10/25 |
| <u>NOx</u> | | | | | |
| Environmental Quality, Air Quality | 39355 | R307-230 | NEW | 11/03/2015 | 2015-11/90 |
| | 39355 | R307-230 | CPR | 11/03/2015 | 2015-19/106 |
| <u>nurseries (agriculture)</u> | | | | | |
| Agriculture and Food, Plant Industry | 39548 | R68-6 | 5YR | 07/29/2015 | 2015-16/79 |
| <u>nurses</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39132 | R156-31b | AMD | 04/07/2015 | 2015-5/10 |
| | 39816 | R156-31b | AMD | 12/08/2015 | 2015-21/9 |
| | 39615 | R156-31b-103 | NSC | 09/11/2015 | Not Printed |
| | 38981 | R156-31b-202 | AMD | 01/22/2015 | 2014-24/13 |
| | 38980 | R156-31b-609 | AMD | 01/22/2015 | 2014-24/14 |
| <u>nursing facility</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39299 | R414-401-3 | AMD | 07/01/2015 | 2015-10/37 |
| <u>occupational licensing</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39461 | R156-55a | AMD | 11/23/2015 | 2015-14/21 |
| | 39461 | R156-55a | CPR | 11/23/2015 | 2015-20/116 |
| <u>occupational therapy</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39761 | R156-42a | AMD | 12/01/2015 | 2015-20/35 |
| <u>off-premises</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39884 | R523-13 | NEW | 12/22/2015 | 2015-22/124 |
| | 39883 | R523-24 | REP | 12/22/2015 | 2015-22/136 |
| <u>offender employment</u> | | | | | |
| Corrections, Administration | 39540 | R251-301 | 5YR | 07/23/2015 | 2015-16/80 |
| <u>offender substance abuse assessments</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39864 | R523-4 | NEW | 12/22/2015 | 2015-22/90 |
| <u>offender substance abuse education series</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39864 | R523-4 | NEW | 12/22/2015 | 2015-22/90 |
| <u>offender substance abuse screenings</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39864 | R523-4 | NEW | 12/22/2015 | 2015-22/90 |
| <u>offender substance abuse treatments</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39864 | R523-4 | NEW | 12/22/2015 | 2015-22/90 |
| <u>OHV education standards</u> | | | | | |
| Natural Resources, Parks and Recreation | 39088 | R651-412 | 5YR | 01/22/2015 | 2015-4/38 |
| <u>oil and gas law</u> | | | | | |
| Natural Resources, Oil, Gas and Mining; Oil and Gas | 39028 | R649-3 | AMD | 02/26/2015 | 2015-2/95 |
| <u>oil gas and hydrocarbons</u> | | | | | |
| School and Institutional Trust Lands, Administration | 39250 | R850-21 | 5YR | 04/01/2015 | 2015-8/37 |
| <u>oil shale</u> | | | | | |
| School and Institutional Trust Lands, Administration | 39251 | R850-22 | 5YR | 04/01/2015 | 2015-8/37 |

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| <u>on-premise</u> | | | | | | |
| Human Services, Substance Abuse and Mental Health | 39882 | R523-12 | NEW | 12/22/2015 | 2015-22/121 | |
| | 39881 | R523-23 | REP | 12/22/2015 | 2015-22/133 | |
| <u>online prescribing</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39298 | R156-83 | 5YR | 04/23/2015 | 2015-10/102 | |
| <u>onsite wastewater systems</u> | | | | | | |
| Environmental Quality, Water Quality | 39106 | R317-4 | 5YR | 02/03/2015 | 2015-5/111 | |
| | 39821 | R317-4 | AMD | 01/01/2016 | 2015-21/66 | |
| <u>open and public meetings</u> | | | | | | |
| Governor, Economic Development | 39510 | R357-14 | NEW | 09/10/2015 | 2015-15/13 | |
| <u>open burning</u> | | | | | | |
| Environmental Quality, Air Quality | 39113 | R307-202 | 5YR | 02/05/2015 | 2015-5/103 | |
| <u>open government</u> | | | | | | |
| Administrative Services, Administrative Rules | 39727 | R15-2 | 5YR | 09/11/2015 | 2015-19/113 | |
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| Workforce Services, Administration | 39441 | R982-402-8 | AMD | 08/11/2015 | 2015-13/56 | |
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| Environmental Quality, Air Quality | 39741 | R307-415 | AMD | 12/15/2015 | 2015-19/46 | |
| <u>operation and maintenance</u> | | | | | | |
| Environmental Quality, Drinking Water | 39189 | R309-520 | 5YR | 03/13/2015 | 2015-7/67 | |
| | 39641 | R309-520 | AMD | 11/16/2015 | 2015-19/52 | |
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| | 39076 | R309-500 | AMD | 07/15/2015 | 2015-3/16 | |
| | 39076 | R309-500 | CPR | 07/15/2015 | 2015-11/166 | |
| | 39640 | R309-500-6 | AMD | 11/16/2015 | 2015-19/50 | |
| <u>operational requirements</u> | | | | | | |
| Commerce, Real Estate | 39572 | R162-2f | 5YR | 08/12/2015 | 2015-17/101 | |
| | 39776 | R162-2f | AMD | 12/16/2015 | 2015-20/40 | |
| | 38972 | R162-2f-206 | AMD | 01/21/2015 | 2014-24/28 | |
| | 39305 | R162-2f-401j | AMD | 06/22/2015 | 2015-10/25 | |
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| School and Institutional Trust Lands, Administration | 39250 | R850-21 | 5YR | 04/01/2015 | 2015-8/37 | |
| <u>operator certification</u> | | | | | | |
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| <u>optometry</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39356 | R414-52 | AMD | 07/16/2015 | 2015-11/110 | |
| <u>organ transplants</u> | | | | | | |
| Health, Family Health and Preparedness, Children with Special Health Care Needs | 39133 | R398-30 | NEW | 04/20/2015 | 2015-5/49 | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39134 | R414-10B | REP | 04/20/2015 | 2015-5/51 | |
| <u>out of school time child care programs</u> | | | | | | |
| Health, Child Care Center Licensing Committee | 39129 | R381-70 | NEW | 05/01/2015 | 2015-5/25 | |
| Health, Family Health and Preparedness, Child Care Licensing | 39126 | R430-70 | REP | 05/01/2015 | 2015-5/66 | |

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| <u>out-of-home care</u> | | | | | | |
| Human Services, Child and Family Services | 39537 | R512-308 | 5YR | 07/22/2015 | 2015-16/84 | |
| <u>outfitters</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39350 | R156-79 | AMD | 07/09/2015 | 2015-11/29 | |
| <u>outpatient treatment programs</u> | | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 39260 | R501-21 | 5YR | 04/01/2015 | 2015-8/35 | |
| <u>outside counsel</u> | | | | | | |
| Attorney General, Administration | 39032 | R105-1 | AMD | 03/26/2015 | 2015-2/34 | |
| | 39099 | R105-1 | AMD | 03/26/2015 | 2015-4/4 | |
| | 39363 | R105-1 | EMR | 05/12/2015 | 2015-11/171 | |
| | 39364 | R105-1 | AMD | 07/13/2015 | 2015-11/13 | |
| <u>overflow and drains</u> | | | | | | |
| Environmental Quality, Drinking Water | 39194 | R309-545 | 5YR | 03/13/2015 | 2015-7/70 | |
| <u>overtime</u> | | | | | | |
| Human Resource Management, Administration | 39320 | R477-8-3 | AMD | 07/01/2015 | 2015-10/64 | |
| <u>ozone</u> | | | | | | |
| Environmental Quality, Air Quality | 39733 | R307-110-10 | AMD | 12/03/2015 | 2015-19/26 | |
| | 39167 | R307-110-17 | AMD | 06/04/2015 | 2015-7/14 | |
| | 39735 | R307-110-17 | AMD | 12/03/2015 | 2015-19/28 | |
| | 39166 | R307-110-28 | AMD | 06/04/2015 | 2015-7/15 | |
| | 39554 | R307-110-28 | AMD | 10/09/2015 | 2015-16/13 | |
| <u>paint</u> | | | | | | |
| Environmental Quality, Air Quality | 39123 | R307-841 | 5YR | 02/05/2015 | 2015-5/109 | |
| | 39124 | R307-842 | 5YR | 02/05/2015 | 2015-5/110 | |
| <u>parades</u> | | | | | | |
| Transportation, Operations, Traffic and Safety | 39095 | R920-4 | EMR | 01/29/2015 | 2015-4/33 | |
| <u>parent/guardian</u> | | | | | | |
| Education, Administration | 39079 | R277-468 | NEW | 03/10/2015 | 2015-3/14 | |
| <u>parking facilities</u> | | | | | | |
| Regents (Board Of), University of Utah, Commuter Services | 39224 | R810-1 | AMD | 05/19/2015 | 2015-7/44 | |
| | 39225 | R810-2 | AMD | 05/19/2015 | 2015-7/46 | |
| | 39226 | R810-5 | AMD | 05/19/2015 | 2015-7/47 | |
| | 39227 | R810-6 | AMD | 05/19/2015 | 2015-7/48 | |
| | 39228 | R810-8 | AMD | 05/19/2015 | 2015-7/49 | |
| | 39229 | R810-9 | AMD | 05/19/2015 | 2015-7/50 | |
| | 39230 | R810-10 | AMD | 05/19/2015 | 2015-7/50 | |
| | 39231 | R810-11 | AMD | 05/19/2015 | 2015-7/51 | |
| <u>Parkinson's disease</u> | | | | | | |
| Health, Disease Control and Prevention, Health Promotion | 39052 | R384-300 | NEW | 03/12/2015 | 2015-3/24 | |
| <u>parks</u> | | | | | | |
| Natural Resources, Parks and Recreation | 39624 | R651-206 | AMD | 10/22/2015 | 2015-18/99 | |
| | 39140 | R651-409 | 5YR | 02/12/2015 | 2015-5/113 | |
| | 39088 | R651-412 | 5YR | 01/22/2015 | 2015-4/38 | |
| | 39497 | R651-602 | AMD | 08/28/2015 | 2015-14/105 | |
| | 39089 | R651-634 | 5YR | 01/22/2015 | 2015-4/39 | |
| | 39141 | R651-635 | 5YR | 02/12/2015 | 2015-5/113 | |
| | 39814 | R651-637 | 5YR | 10/06/2015 | 2015-21/111 | |
| <u>parole</u> | | | | | | |
| Pardons (Board Of), Administration | 39796 | R671-104 | NEW | 11/30/2015 | 2015-20/106 | |
| | 39093 | R671-201 | AMD | 03/24/2015 | 2015-4/20 | |

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| | 39544 | R671-204 | EMR | 07/27/2015 | 2015-16/77 |
| | 39545 | R671-204 | NEW | 10/01/2015 | 2015-16/63 |
| | 39420 | R671-205 | AMD | 08/11/2015 | 2015-13/43 |
| | 39547 | R671-205 | NSC | 08/17/2015 | Not Printed |
| | 39107 | R671-303-1 | AMD | 04/07/2015 | 2015-5/90 |
| | 39570 | R671-311 | AMD | 10/15/2015 | 2015-17/86 |
| | 39722 | R671-311 | NSC | 11/30/2015 | Not Printed |
| | 39606 | R671-314 | NEW | 10/22/2015 | 2015-18/107 |
| | 39421 | R671-316 | AMD | 10/15/2015 | 2015-13/44 |
| | 39421 | R671-316 | CPR | 10/15/2015 | 2015-17/95 |
| | 39756 | R671-403 | AMD | 11/30/2015 | 2015-20/107 |
| | 39794 | R671-405 | EMR | 10/01/2015 | 2015-20/126 |
| | 39795 | R671-405 | AMD | 11/30/2015 | 2015-20/110 |
| <u>particulate</u> | | | | | |
| Environmental Quality, Air Quality | 39120 | R307-307 | 5YR | 02/05/2015 | 2015-5/108 |
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| Environmental Quality, Air Quality | 39118 | R307-305 | 5YR | 02/05/2015 | 2015-5/107 |
| | 39743 | R307-305-3 | AMD | 12/15/2015 | 2015-19/35 |
| <u>partnering</u> | | | | | |
| Transportation, Program Development | 39504 | R926-8 | 5YR | 07/07/2015 | 2015-15/35 |
| | 39505 | R926-8 | NSC | 07/30/2015 | Not Printed |
| <u>past-due support</u> | | | | | |
| Human Services, Recovery Services | 39262 | R527-254 | NEW | 06/09/2015 | 2015-9/74 |
| <u>patient safety</u> | | | | | |
| Health, Administration | 39574 | R380-200 | R&R | 12/30/2015 | 2015-17/75 |
| <u>patriotic education</u> | | | | | |
| Education, Administration | 39338 | R277-475 | 5YR | 05/01/2015 | 2015-10/105 |
| | 39288 | R277-475 | AMD | 06/08/2015 | 2015-9/16 |
| <u>payers</u> | | | | | |
| Health, Center for Health Data, Health Care Statistics | 39247 | R428-15 | NSC | 04/07/2015 | Not Printed |
| <u>pedestrians</u> | | | | | |
| Transportation, Operations, Traffic and Safety | 39481 | R920-1 | AMD | 08/24/2015 | 2015-14/108 |
| <u>peer review</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39055 | R156-26a-501 | AMD | 04/02/2015 | 2015-3/7 |
| <u>peer support specialist</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39865 | R523-2 | REP | 12/22/2015 | 2015-22/75 |
| | 39867 | R523-3 | REP | 12/22/2015 | 2015-22/82 |
| | 39866 | R523-5 | NEW | 12/22/2015 | 2015-22/97 |
| | 39868 | R523-6 | NEW | 12/22/2015 | 2015-22/104 |
| <u>penalties</u> | | | | | |
| Environmental Quality, Drinking Water | 39208 | R309-400 | 5YR | 03/13/2015 | 2015-7/64 |
| | 39209 | R309-405 | 5YR | 03/13/2015 | 2015-7/64 |
| <u>per diem allowances</u> | | | | | |
| Administrative Services, Finance | 39301 | R25-7 | AMD | 06/22/2015 | 2015-10/6 |
| | 39903 | R25-7-6 | AMD | 12/22/2015 | 2015-22/12 |
| | 39160 | R25-25-7 | AMD | 04/21/2015 | 2015-6/10 |
| <u>performance measurement</u> | | | | | |
| Health, Center for Health Data, Health Care Statistics | 39768 | R428-12 | AMD | 11/30/2015 | 2015-20/91 |
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| School and Institutional Trust Lands, Administration | 39254 | R850-25 | 5YR | 04/01/2015 | 2015-8/39 | |
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| Environmental Quality, Air Quality | 39745 | R307-401 | AMD | 12/15/2015 | 2015-19/37 | |
| | 38901 | R307-401-19 | AMD | 02/05/2015 | 2014-21/16 | |
| Environmental Quality, Drinking Water | 39184 | R309-500 | 5YR | 03/13/2015 | 2015-7/65 | |
| | 39076 | R309-500 | AMD | 07/15/2015 | 2015-3/16 | |
| | 39076 | R309-500 | CPR | 07/15/2015 | 2015-11/166 | |
| | 39640 | R309-500-6 | AMD | 11/16/2015 | 2015-19/50 | |
| Natural Resources, Forestry, Fire and State Lands | 39314 | R652-70 | AMD | 07/06/2015 | 2015-10/88 | |
| Natural Resources, Wildlife Resources | 39066 | R657-42 | AMD | 03/16/2015 | 2015-3/42 | |
| | 39715 | R657-45 | AMD | 11/10/2015 | 2015-19/87 | |
| | 39068 | R657-57 | AMD | 03/16/2015 | 2015-3/48 | |
| | 39070 | R657-62 | AMD | 03/16/2015 | 2015-3/52 | |
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| | 39815 | R884-24P-53 | AMD | 01/01/2016 | 2015-21/101 | |
| | 39623 | R884-24P-66 | AMD | 10/22/2015 | 2015-18/125 | |
| <u>personnel files</u> | | | | | | |
| Labor Commission, Antidiscrimination and Labor, Antidiscrimination | 39245 | R606-6 | 5YR | 03/30/2015 | 2015-8/36 | |
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| | 39318 | R477-6 | AMD | 07/01/2015 | 2015-10/51 | |
| | 39321 | R477-9-4 | NSC | 05/11/2015 | Not Printed | |
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| Commerce, Occupational and Professional Licensing | 39056 | R156-17b | 5YR | 01/05/2015 | 2015-3/69 | |
| | 39018 | R156-17b | AMD | 02/24/2015 | 2015-2/51 | |
| | 39780 | R156-17b | AMD | 12/01/2015 | 2015-20/30 | |
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| Commerce, Occupational and Professional Licensing | 39056 | R156-17b | 5YR | 01/05/2015 | 2015-3/69 | |
| | 39018 | R156-17b | AMD | 02/24/2015 | 2015-2/51 | |
| | 39780 | R156-17b | AMD | 12/01/2015 | 2015-20/30 | |
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| Commerce, Occupational and Professional Licensing | 39092 | R156-24b-302b | AMD | 03/24/2015 | 2015-4/9 | |
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| Commerce, Occupational and Professional Licensing | 39092 | R156-24b-302b | AMD | 03/24/2015 | 2015-4/9 | |
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| Health, Family Health and Preparedness, Primary Care and Rural Health | 39613 | R434-45 | NEW | 11/23/2015 | 2015-18/75 | |
| | 39342 | R434-100 | 5YR | 05/04/2015 | 2015-11/187 | |
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| | 39076 | R309-500 | CPR | 07/15/2015 | 2015-11/166 |
| | 39640 | R309-500-6 | AMD | 11/16/2015 | 2015-19/50 |
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| | 39408 | R68-12 | 5YR | 05/21/2015 | 2015-12/33 |
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| | 39735 | R307-110-17 | AMD | 12/03/2015 | 2015-19/28 |
| | 39166 | R307-110-28 | AMD | 06/04/2015 | 2015-7/15 |
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| | 39111 | R307-201 | 5YR | 02/05/2015 | 2015-5/103 |
| | 39748 | R307-201-3 | AMD | 12/15/2015 | 2015-19/31 |
| | 39116 | R307-206 | 5YR | 02/05/2015 | 2015-5/105 |
| | 39747 | R307-206 | AMD | 12/15/2015 | 2015-19/32 |
| | 39118 | R307-305 | 5YR | 02/05/2015 | 2015-5/107 |
| | 39743 | R307-305-3 | AMD | 12/15/2015 | 2015-19/35 |
| | 39119 | R307-306 | 5YR | 02/05/2015 | 2015-5/107 |
| | 39744 | R307-306 | AMD | 12/15/2015 | 2015-19/36 |
| | 39122 | R307-310 | 5YR | 02/05/2015 | 2015-5/109 |
| | 38997 | R307-311 | NEW | 03/05/2015 | 2015-1/22 |
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| | 39167 | R307-110-17 | AMD | 06/04/2015 | 2015-7/14 |
| | 39735 | R307-110-17 | AMD | 12/03/2015 | 2015-19/28 |
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| | 39746 | R307-303 | AMD | 12/15/2015 | 2015-19/34 |
| | 39118 | R307-305 | 5YR | 02/05/2015 | 2015-5/107 |
| | 39743 | R307-305-3 | AMD | 12/15/2015 | 2015-19/35 |
| <u>podiatric physician</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39854 | R156-5a-302c | AMD | 12/22/2015 | 2015-22/25 |
| <u>podiatrists</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39854 | R156-5a-302c | AMD | 12/22/2015 | 2015-22/25 |
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| <u>position classifications</u> | | | | | |
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| <u>post-retirement benefits</u> | | | | | |
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| Agriculture and Food, Animal Industry | 39073 | R58-11 | 5YR | 01/13/2015 | 2015-3/67 |
| | 39775 | R58-11 | AMD | 11/23/2015 | 2015-20/14 |

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| <u>precedent</u> | | | | | | |
| Commerce, Securities | 39300 | R164-32 | NEW | 06/22/2015 | 2015-10/26 | |
| <u>preferred provider organization</u> | | | | | | |
| Health, Center for Health Data, Health Care Statistics | 39768 | R428-12 | AMD | 11/30/2015 | 2015-20/91 | |
| <u>presumptive eligibility</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39413 | R414-303-6 | AMD | 08/01/2015 | 2015-12/15 | |
| | 39165 | R414-303-8 | AMD | 05/08/2015 | 2015-7/26 | |
| <u>primary care</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 38984 | R414-310-7 | AMD | 02/01/2015 | 2014-24/32 | |
| <u>primary disinfectants</u> | | | | | | |
| Environmental Quality, Drinking Water | 39189 | R309-520 | 5YR | 03/13/2015 | 2015-7/67 | |
| | 39641 | R309-520 | AMD | 11/16/2015 | 2015-19/52 | |
| <u>prison release</u> | | | | | | |
| Pardons (Board Of), Administration | 39420 | R671-205 | AMD | 08/11/2015 | 2015-13/43 | |
| | 39547 | R671-205 | NSC | 08/17/2015 | Not Printed | |
| <u>prisons</u> | | | | | | |
| Corrections, Administration | 39971 | R251-702 | 5YR | 12/04/2015 | Not Printed | |
| | 39972 | R251-708 | 5YR | 12/04/2015 | Not Printed | |
| | 39498 | R251-709 | 5YR | 07/02/2015 | 2015-15/32 | |
| | 39973 | R251-711 | 5YR | 12/04/2015 | Not Printed | |
| | 39820 | R251-712 | 5YR | 10/13/2015 | 2015-21/109 | |
| <u>privacy</u> | | | | | | |
| Insurance, Administration | 39969 | R590-205 | 5YR | 12/04/2015 | Not Printed | |
| Public Safety, Driver License | 39178 | R708-36 | 5YR | 03/10/2015 | 2015-7/77 | |
| Technology Services, Administration | 39968 | R895-8 | 5YR | 12/01/2015 | 2015-24/67 | |
| <u>private activity bonds</u> | | | | | | |
| Governor, Economic Development | 39263 | R357-8 | NEW | 07/08/2015 | 2015-9/53 | |
| <u>private investigators</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39058 | R722-330 | 5YR | 01/07/2015 | 2015-3/74 | |
| | 39410 | R722-330 | AMD | 07/22/2015 | 2015-12/27 | |
| <u>private investigators licenses</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 38947 | R722-330 | AMD | 01/07/2015 | 2014-23/40 | |
| <u>private landowners</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39806 | R657-56 | 5YR | 10/05/2015 | 2015-21/114 | |
| <u>private probation provider</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39737 | R156-50 | 5YR | 09/14/2015 | 2015-19/116 | |
| <u>Private Proposal Program</u> | | | | | | |
| Governor, Economic Development | 39529 | R357-4 | NSC | 08/17/2015 | Not Printed | |
| <u>private security officers</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39293 | R156-63a | AMD | 06/22/2015 | 2015-10/22 | |
| | 39368 | R156-63a | AMD | 07/23/2015 | 2015-11/22 | |
| <u>probation</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39737 | R156-50 | 5YR | 09/14/2015 | 2015-19/116 | |
| <u>procurement</u> | | | | | | |
| Administrative Services, Facilities Construction and Management | 39033 | R23-1 | R&R | 03/03/2015 | 2015-2/4 | |

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| | 39642 | R23-1-1504 | NSC | 09/30/2015 | Not Printed |
| | 39061 | R23-2 | REP | 03/16/2015 | 2015-3/4 |
| | 39752 | R23-3 | AMD | 11/09/2015 | 2015-19/4 |
| Governor, Economic Development | 39529 | R357-4 | NSC | 08/17/2015 | Not Printed |
| Regents (Board Of), Administration | 39010 | R765-571 | NEW | 04/28/2015 | 2015-1/39 |
| <u>procurement rules</u> | | | | | |
| Administrative Services, Purchasing and General Services | 39271 | R33-26 | AMD | 06/10/2015 | 2015-9/4 |
| | 39906 | R33-26 | AMD | 12/23/2015 | 2015-22/13 |
| | 39042 | R33-26-202 | AMD | 03/31/2015 | 2015-2/33 |
| | 39454 | R33-26-202 | AMD | 08/21/2015 | 2015-14/11 |
| <u>professional</u> | | | | | |
| Education, Administration | 39598 | R277-515 | AMD | 10/08/2015 | 2015-17/60 |
| | 39600 | R277-517 | REP | 10/08/2015 | 2015-17/67 |
| | 39290 | R277-517-5 | AMD | 06/08/2015 | 2015-9/19 |
| <u>professional competency</u> | | | | | |
| Education, Administration | 39378 | R277-502 | AMD | 07/08/2015 | 2015-11/75 |
| | 39597 | R277-514 | REP | 10/08/2015 | 2015-17/58 |
| <u>professional conduct</u> | | | | | |
| Commerce, Real Estate | 39292 | R162-57a | 5YR | 04/21/2015 | 2015-10/103 |
| | 39777 | R162-57a-5 | AMD | 12/09/2015 | 2015-20/46 |
| <u>professional education</u> | | | | | |
| Education, Administration | 39008 | R277-504 | AMD | 02/09/2015 | 2015-1/13 |
| | 39219 | R277-504 | AMD | 05/08/2015 | 2015-7/8 |
| <u>professional employer organization</u> | | | | | |
| Insurance, Administration | 39769 | R590-246-4 | NSC | 10/20/2015 | Not Printed |
| <u>professional engineers</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39609 | R156-22 | AMD | 10/22/2015 | 2015-18/63 |
| | 39856 | R156-22-302c | NSC | 11/09/2015 | Not Printed |
| <u>professional land surveyors</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39609 | R156-22 | AMD | 10/22/2015 | 2015-18/63 |
| | 39856 | R156-22-302c | NSC | 11/09/2015 | Not Printed |
| <u>professional learning</u> | | | | | |
| Education, Administration | 39486 | R277-500 | 5YR | 07/01/2015 | 2015-14/141 |
| | 39491 | R277-500 | AMD | 08/26/2015 | 2015-14/46 |
| <u>professional practices</u> | | | | | |
| Education, Administration | 39382 | R277-200 | NEW | 07/08/2015 | 2015-11/33 |
| | 39585 | R277-200 | AMD | 10/08/2015 | 2015-17/15 |
| <u>professional structural engineers</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39609 | R156-22 | AMD | 10/22/2015 | 2015-18/63 |
| | 39856 | R156-22-302c | NSC | 11/09/2015 | Not Printed |
| <u>program</u> | | | | | |
| Capitol Preservation Board (State), Administration | 39266 | R131-9 | EXD | 04/08/2015 | 2015-9/87 |
| <u>program benefits</u> | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39414 | R414-306-2 | AMD | 08/01/2015 | 2015-12/16 |
| <u>programs</u> | | | | | |
| Education, Administration | 39335 | R277-114 | 5YR | 05/01/2015 | 2015-10/104 |
| | 39285 | R277-114 | R&R | 06/08/2015 | 2015-9/10 |
| <u>promotions</u> | | | | | |
| Agriculture and Food, Marketing and Development | 39762 | R65-3 | REP | 11/23/2015 | 2015-20/20 |
| | 39763 | R65-4 | REP | 11/23/2015 | 2015-20/23 |

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| <u>property tax</u> | | | | | | |
| Auditor, Administration | 39136 | R123-6 | AMD | 04/08/2015 | 2015-5/8 | |
| Tax Commission, Property Tax | 39622 | R884-24P-33 | AMD | 10/22/2015 | 2015-18/116 | |
| | 39815 | R884-24P-53 | AMD | 01/01/2016 | 2015-21/101 | |
| | 39623 | R884-24P-66 | AMD | 10/22/2015 | 2015-18/125 | |
| <u>protests</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 39470 | R33-16 | AMD | 08/21/2015 | 2015-14/9 | |
| | 38978 | R33-16-401 | AMD | 01/28/2015 | 2014-24/12 | |
| <u>PSS program</u> | | | | | | |
| Human Services, Substance Abuse and Mental Health | 39865 | R523-2 | REP | 12/22/2015 | 2015-22/75 | |
| | 39866 | R523-5 | NEW | 12/22/2015 | 2015-22/97 | |
| <u>psychologists</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 38957 | R156-61 | AMD | 06/15/2015 | 2014-24/19 | |
| | 38957 | R156-61 | CPR | 06/15/2015 | 2015-9/80 | |
| <u>public access</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39806 | R657-56 | 5YR | 10/05/2015 | 2015-21/114 | |
| <u>public assistance</u> | | | | | | |
| Workforce Services, Employment Development | 39649 | R986-900 | 5YR | 09/03/2015 | 2015-19/124 | |
| | 39557 | R986-900-902 | AMD | 10/01/2015 | 2015-16/64 | |
| <u>public buildings</u> | | | | | | |
| Administrative Services, Facilities Construction and Management | 39033 | R23-1 | R&R | 03/03/2015 | 2015-2/4 | |
| | 39642 | R23-1-1504 | NSC | 09/30/2015 | Not Printed | |
| | 39752 | R23-3 | AMD | 11/09/2015 | 2015-19/4 | |
| Capitol Preservation Board (State), Administration | 39025 | R131-2 | AMD | 02/24/2015 | 2015-2/41 | |
| <u>public education</u> | | | | | | |
| Education, Administration | 39839 | R277-438 | AMD | 12/08/2015 | 2015-21/24 | |
| <u>public information</u> | | | | | | |
| Human Resource Management, Administration | 39315 | R477-2 | AMD | 07/01/2015 | 2015-10/44 | |
| Technology Services, Administration | 39724 | R895-1 | 5YR | 09/11/2015 | 2015-19/119 | |
| | 39725 | R895-1 | NSC | 09/30/2015 | Not Printed | |
| <u>public investments</u> | | | | | | |
| Money Management Council, Administration | 39899 | R628-12 | EXT | 10/30/2015 | 2015-22/163 | |
| | 39900 | R628-13 | EXT | 10/30/2015 | 2015-22/163 | |
| | 39347 | R628-15 | EXD | 05/06/2015 | 2015-11/191 | |
| | 39348 | R628-15 | EMR | 05/06/2015 | 2015-11/180 | |
| | 39396 | R628-15 | NEW | 07/13/2015 | 2015-11/126 | |
| | 39901 | R628-16 | EXT | 10/30/2015 | 2015-22/163 | |
| <u>public library</u> | | | | | | |
| Heritage and Arts, Library | 39853 | R458-2 | 5YR | 10/20/2015 | 2015-22/161 | |
| <u>public meetings</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39975 | R657-39 | 5YR | 12/07/2015 | Not Printed | |
| <u>public notification</u> | | | | | | |
| Environmental Quality, Drinking Water | 39204 | R309-220 | 5YR | 03/13/2015 | 2015-7/62 | |
| <u>public schools</u> | | | | | | |
| Education, Administration | 39485 | R277-410 | 5YR | 07/01/2015 | 2015-14/140 | |
| | 39490 | R277-410 | AMD | 08/26/2015 | 2015-14/43 | |
| | 39376 | R277-490 | AMD | 07/08/2015 | 2015-11/72 | |
| <u>public treasurers</u> | | | | | | |
| Money Management Council, Administration | 39810 | R628-4 | 5YR | 10/05/2015 | 2015-21/110 | |

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| Public Service Commission, Administration | 39234 | R746-100-3 | AMD | 05/27/2015 | 2015-8/19 | |
| | 39566 | R746-100-3 | AMD | 10/08/2015 | 2015-17/88 | |
| | 39235 | R746-100-11 | AMD | 05/27/2015 | 2015-8/21 | |
| | 39246 | R746-200-7 | AMD | 05/27/2015 | 2015-8/22 | |
| | 39311 | R746-312 | 5YR | 04/29/2015 | 2015-10/107 | |
| | 39367 | R746-360 | AMD | 07/08/2015 | 2015-11/155 | |
| <u>pumps</u> | | | | | | |
| Environmental Quality, Drinking Water | 39193 | R309-540 | 5YR | 03/13/2015 | 2015-7/69 | |
| <u>pupil accounting</u> | | | | | | |
| Education, Administration | 39374 | R277-419 | AMD | 07/08/2015 | 2015-11/58 | |
| | 39787 | R277-606 | NEW | 11/23/2015 | 2015-20/66 | |
| <u>purchasing</u> | | | | | | |
| Governor, Economic Development | 39529 | R357-4 | NSC | 08/17/2015 | Not Printed | |
| <u>qualified entities</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39892 | R722-900 | AMD | 12/22/2015 | 2015-22/155 | |
| <u>quality control</u> | | | | | | |
| Agriculture and Food, Regulatory Services | 39223 | R70-101 | 5YR | 03/16/2015 | 2015-7/57 | |
| | 39407 | R70-101 | R&R | 07/22/2015 | 2015-12/6 | |
| <u>quality improvement</u> | | | | | | |
| Health, Administration | 39574 | R380-200 | R&R | 12/30/2015 | 2015-17/75 | |
| <u>quality standards</u> | | | | | | |
| Environmental Quality, Drinking Water | 39200 | R309-200 | 5YR | 03/13/2015 | 2015-7/60 | |
| <u>quarantines</u> | | | | | | |
| Agriculture and Food, Animal Industry | 39422 | R58-2 | AMD | 08/12/2015 | 2015-13/14 | |
| <u>rabbits</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39431 | R657-6 | 5YR | 06/08/2015 | 2015-13/63 | |
| | 39717 | R657-6 | AMD | 11/10/2015 | 2015-19/78 | |
| <u>racetracks</u> | | | | | | |
| Transportation, Operations, Traffic and Safety | 39095 | R920-4 | EMR | 01/29/2015 | 2015-4/33 | |
| <u>radiation</u> | | | | | | |
| Environmental Quality, Radiation Control | 39047 | R313-34 | AMD | 05/05/2015 | 2015-2/87 | |
| <u>radiation safety</u> | | | | | | |
| Environmental Quality, Radiation Control | 39047 | R313-34 | AMD | 05/05/2015 | 2015-2/87 | |
| <u>radioactive material</u> | | | | | | |
| Environmental Quality, Radiation Control | 39277 | R313-12-3 | AMD | 06/16/2015 | 2015-9/21 | |
| | 39274 | R313-19-34 | AMD | 06/16/2015 | 2015-9/32 | |
| | 39276 | R313-36-3 | AMD | 06/16/2015 | 2015-9/52 | |
| | 38908 | R313-37 | NEW | 06/29/2015 | 2014-21/21 | |
| | 38908 | R313-37 | CPR | 06/29/2015 | 2015-5/98 | |
| <u>radioactive material license</u> | | | | | | |
| Environmental Quality, Radiation Control | 39274 | R313-19-34 | AMD | 06/16/2015 | 2015-9/32 | |
| <u>radioactive materials</u> | | | | | | |
| Environmental Quality, Radiation Control | 39082 | R313-15-1208 | AMD | 03/17/2015 | 2015-3/21 | |
| | 39278 | R313-21-22 | AMD | 08/26/2015 | 2015-9/34 | |
| | 39278 | R313-21-22 | CPR | 08/26/2015 | 2015-14/118 | |
| | 39279 | R313-22 | AMD | 08/26/2015 | 2015-9/40 | |
| | 39279 | R313-22 | CPR | 08/26/2015 | 2015-14/124 | |
| | 39083 | R313-38-3 | AMD | 03/17/2015 | 2015-3/22 | |

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| <u>range management</u> | | | | | | |
| School and Institutional Trust Lands, Administration | 39429 | R850-50 | AMD | 08/11/2015 | 2015-13/48 | |
| <u>rates</u> | | | | | | |
| Labor Commission, Industrial Accidents | 39835 | R612-400-1 | AMD | 12/08/2015 | 2015-21/97 | |
| | 39822 | R612-400-5 | AMD | 12/08/2015 | 2015-21/98 | |
| Public Service Commission, Administration | 39852 | R746-407 | 5YR | 10/19/2015 | 2015-22/162 | |
| <u>raw milk</u> | | | | | | |
| Agriculture and Food, Regulatory Services | 39779 | R70-330 | AMD | 11/23/2015 | 2015-20/26 | |
| <u>reading</u> | | | | | | |
| Education, Administration | 39592 | R277-406 | AMD | 10/08/2015 | 2015-17/39 | |
| <u>real estate appraisals</u> | | | | | | |
| Commerce, Real Estate | 39571 | R162-2g | AMD | 10/22/2015 | 2015-17/6 | |
| <u>real estate business</u> | | | | | | |
| Commerce, Real Estate | 39572 | R162-2f | 5YR | 08/12/2015 | 2015-17/101 | |
| | 39776 | R162-2f | AMD | 12/16/2015 | 2015-20/40 | |
| | 38972 | R162-2f-206 | AMD | 01/21/2015 | 2014-24/28 | |
| | 39305 | R162-2f-401j | AMD | 06/22/2015 | 2015-10/25 | |
| <u>reciprocity</u> | | | | | | |
| Environmental Quality, Radiation Control | 38907 | R313-19 | AMD | 02/17/2015 | 2014-21/18 | |
| | 39280 | R313-19-13 | AMD | 08/26/2015 | 2015-9/27 | |
| | 39280 | R313-19-13 | CPR | 08/26/2015 | 2015-14/114 | |
| <u>records</u> | | | | | | |
| Education, Administration | 38956 | R277-487 | AMD | 01/07/2015 | 2014-23/6 | |
| | 39375 | R277-487 | AMD | 07/08/2015 | 2015-11/67 | |
| Pardons (Board Of), Administration | 39107 | R671-303-1 | AMD | 04/07/2015 | 2015-5/90 | |
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| Administrative Services, Records Committee | 39400 | R35-1 | AMD | 07/31/2015 | 2015-11/7 | |
| | 39401 | R35-2 | AMD | 07/31/2015 | 2015-11/9 | |
| | 39402 | R35-4 | AMD | 07/31/2015 | 2015-11/10 | |
| | 39403 | R35-5 | AMD | 07/31/2015 | 2015-11/11 | |
| | 39404 | R35-6 | AMD | 07/31/2015 | 2015-11/12 | |
| <u>recreation</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39064 | R657-38 | AMD | 03/16/2015 | 2015-3/39 | |
| | 39807 | R657-38 | 5YR | 10/05/2015 | 2015-21/113 | |
| <u>recreation therapy</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39859 | R156-40 | AMD | 12/22/2015 | 2015-22/26 | |
| <u>recreational therapy</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39859 | R156-40 | AMD | 12/22/2015 | 2015-22/26 | |
| <u>redeemable coupon program</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39019 | R722-370 | NEW | 02/24/2015 | 2015-2/100 | |
| <u>refugee resettlement programs</u> | | | | | | |
| Workforce Services, Employment Development | 39643 | R986-300 | 5YR | 09/03/2015 | 2015-19/121 | |
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| Natural Resources, Wildlife Resources | 39975 | R657-39 | 5YR | 12/07/2015 | Not Printed | |
| <u>regionalization</u> | | | | | | |
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| <u>registration</u> | | | | | | |
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| Commerce, Consumer Protection | 39525 | R152-22-3 | AMD | 09/21/2015 | 2015-16/7 | |
| | 39524 | R152-49 | NEW | 09/21/2015 | 2015-16/8 | |

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| | 38971 | R162-2e-401 | AMD | 01/28/2015 | 2014-24/26 |
| | 39292 | R162-57a | 5YR | 04/21/2015 | 2015-10/103 |
| | 39777 | R162-57a-5 | AMD | 12/09/2015 | 2015-20/46 |
| Workforce Services, Unemployment Insurance | 39792 | R994-403-118e | NSC | 10/20/2015 | Not Printed |
| <u>registry</u> | | | | | |
| Health, Disease Control and Prevention, Health Promotion | 39052 | R384-300 | NEW | 03/12/2015 | 2015-3/24 |
| <u>regulated contaminants</u> | | | | | |
| Environmental Quality, Drinking Water | 39200 | R309-200 | 5YR | 03/13/2015 | 2015-7/60 |
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| Education, Rehabilitation | 39220 | R280-200 | AMD | 05/08/2015 | 2015-7/13 |
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| <u>reinstatement</u> | | | | | |
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| Insurance, Administration | 39904 | R590-267 | AMD | 01/01/2016 | 2015-22/139 |
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| | 39587 | R277-202 | AMD | 10/08/2015 | 2015-17/24 |
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| | 39513 | R33-7 | NSC | 07/30/2015 | Not Printed |
| | 39958 | R33-7 | NSC | 12/18/2015 | Not Printed |
| | 39365 | R33-7-702 | AMD | 07/09/2015 | 2015-11/6 |
| | 39432 | R33-7-702 | AMD | 08/07/2015 | 2015-13/6 |
| <u>research</u> | | | | | |
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| Human Services, Administration | 39270 | R495-820 | NEW | 06/18/2015 | 2015-9/57 |

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| <u>residential mortgage</u> | | | | | | |
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| | 39477 | R162-2c | AMD | 09/04/2015 | 2015-14/26 | |
| | 38999 | R162-2c-201 | AMD | 02/10/2015 | 2015-1/8 | |
| <u>resorts</u> | | | | | | |
| Alcoholic Beverage Control, Administration | 39059 | R81-4E | 5YR | 01/08/2015 | 2015-3/69 | |
| <u>respite</u> | | | | | | |
| Human Services, Aging and Adult Services | 40002 | R510-401 | 5YR | 12/23/2015 | Not Printed | |
| <u>rest areas</u> | | | | | | |
| Transportation, Operations, Maintenance | 39004 | R918-7 | NEW | 02/20/2015 | 2015-1/42 | |
| | 39150 | R918-7 | AMD | 04/23/2015 | 2015-6/36 | |
| <u>restitution</u> | | | | | | |
| Pardons (Board Of), Administration | 39756 | R671-403 | AMD | 11/30/2015 | 2015-20/107 | |
| <u>reverse auction</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 38975 | R33-6-101 | AMD | 01/28/2015 | 2014-24/5 | |
| | 39366 | R33-6-109 | AMD | 07/09/2015 | 2015-11/5 | |
| <u>revocation procedures</u> | | | | | | |
| Environmental Quality, Environmental Response and Remediation | 39146 | R311-500 | 5YR | 02/18/2015 | 2015-6/45 | |
| <u>revocations</u> | | | | | | |
| Public Safety, Peace Officer Standards and Training | 39738 | R728-409 | AMD | 11/12/2015 | 2015-19/98 | |
| <u>right of petition</u> | | | | | | |
| Corrections, Administration | 39819 | R251-104 | 5YR | 10/13/2015 | 2015-21/108 | |
| <u>right-of-way</u> | | | | | | |
| Transportation, Preconstruction | 39297 | R930-8 | NEW | 08/24/2015 | 2015-10/93 | |
| | 39297 | R930-8 | CPR | 08/24/2015 | 2015-14/135 | |
| <u>risk adjuster plan operation</u> | | | | | | |
| Insurance, Administration | 39754 | R590-260 | AMD | 11/09/2015 | 2015-19/71 | |
| <u>roads</u> | | | | | | |
| Environmental Quality, Air Quality | 39120 | R307-307 | 5YR | 02/05/2015 | 2015-5/108 | |
| Transportation Commission, Administration | 39910 | R940-6 | 5YR | 11/03/2015 | 2015-23/72 | |
| <u>rules</u> | | | | | | |
| Education, Administration | 39488 | R277-99 | NEW | 08/26/2015 | 2015-14/40 | |
| Public Service Commission, Administration | 39246 | R746-200-7 | AMD | 05/27/2015 | 2015-8/22 | |
| <u>rules and procedures</u> | | | | | | |
| Education, Administration | 39770 | R277-100 | 5YR | 09/28/2015 | 2015-20/129 | |
| | 39785 | R277-100 | R&R | 11/23/2015 | 2015-20/49 | |
| Health, Disease Control and Prevention, Epidemiology | 39170 | R386-703 | AMD | 05/15/2015 | 2015-7/24 | |
| | 39765 | R386-703 | 5YR | 09/23/2015 | 2015-20/130 | |
| Health, Disease Control and Prevention, Immunization | 39171 | R396-100 | NSC | 03/24/2015 | Not Printed | |
| Human Resource Management, Administration | 39324 | R477-1 | AMD | 07/01/2015 | 2015-10/39 | |
| Public Service Commission, Administration | 39234 | R746-100-3 | AMD | 05/27/2015 | 2015-8/19 | |
| | 39566 | R746-100-3 | AMD | 10/08/2015 | 2015-17/88 | |
| | 39235 | R746-100-11 | AMD | 05/27/2015 | 2015-8/21 | |
| | 39851 | R746-341 | 5YR | 10/19/2015 | 2015-22/161 | |

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| | 38936 | R746-341-5 | AMD | 01/07/2015 | 2014-23/43 |
| | 39852 | R746-407 | 5YR | 10/19/2015 | 2015-22/162 |
| <u>rural</u> | | | | | |
| Health, Family Health and Preparedness, Primary Care and Rural Health | 39613 | R434-45 | NEW | 11/23/2015 | 2015-18/75 |
| <u>rural business</u> | | | | | |
| Governor, Economic Development | 39527 | R357-2 | NSC | 08/17/2015 | Not Printed |
| <u>rural conventional roads</u> | | | | | |
| Transportation, Operations, Traffic and Safety | 39495 | R920-2 | NEW | 08/24/2015 | 2015-14/109 |
| <u>rural economic development</u> | | | | | |
| Governor, Economic Development | 39526 | R357-1 | NSC | 08/17/2015 | Not Printed |
| <u>Rural Fast Track Program</u> | | | | | |
| Governor, Economic Development | 39526 | R357-1 | NSC | 08/17/2015 | Not Printed |
| <u>safety</u> | | | | | |
| Environmental Quality, Radiation Control | 39082 | R313-15-1208 | AMD | 03/17/2015 | 2015-3/21 |
| Labor Commission, Boiler and Elevator Safety | 39296 | R616-3-3 | AMD | 06/22/2015 | 2015-10/86 |
| | 39138 | R616-4 | 5YR | 02/12/2015 | 2015-5/112 |
| Labor Commission, Occupational Safety and Health | 39855 | R614-1 | AMD | 12/28/2015 | 2015-22/141 |
| | 39381 | R614-1-7 | AMD | 07/08/2015 | 2015-11/119 |
| <u>sand</u> | | | | | |
| School and Institutional Trust Lands, Administration | 39252 | R850-23 | 5YR | 04/01/2015 | 2015-8/38 |
| <u>sanitarian</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39306 | R156-20a | 5YR | 04/27/2015 | 2015-10/101 |
| | 39351 | R156-20a | AMD | 07/09/2015 | 2015-11/20 |
| <u>scenic byways</u> | | | | | |
| Transportation, Program Development | 39448 | R926-13 | 5YR | 06/16/2015 | 2015-14/144 |
| | 39449 | R926-14 | 5YR | 06/16/2015 | 2015-14/145 |
| <u>scholarships</u> | | | | | |
| Education, Administration | 39583 | R277-602 | 5YR | 08/13/2015 | 2015-17/104 |
| | 39601 | R277-602 | AMD | 10/08/2015 | 2015-17/70 |
| Regents (Board Of), Administration | 39157 | R765-609 | 5YR | 02/25/2015 | 2015-6/48 |
| <u>school certification</u> | | | | | |
| Commerce, Real Estate | 39571 | R162-2g | AMD | 10/22/2015 | 2015-17/6 |
| <u>school community councils</u> | | | | | |
| Education, Administration | 39580 | R277-491 | 5YR | 08/13/2015 | 2015-17/102 |
| | 39594 | R277-491 | R&R | 10/08/2015 | 2015-17/49 |
| <u>school employees</u> | | | | | |
| Education, Administration | 39492 | R277-516 | AMD | 08/26/2015 | 2015-14/51 |
| | 39599 | R277-516 | AMD | 10/08/2015 | 2015-17/64 |
| | 39289 | R277-516-3 | AMD | 06/08/2015 | 2015-9/18 |
| <u>school enrollment</u> | | | | | |
| Education, Administration | 39374 | R277-419 | AMD | 07/08/2015 | 2015-11/58 |
| | 39080 | R277-419-9 | EMR | 01/15/2015 | 2015-3/63 |
| <u>school personnel</u> | | | | | |
| Education, Administration | 39462 | R277-107 | 5YR | 06/25/2015 | 2015-14/140 |
| | 39489 | R277-107 | AMD | 08/26/2015 | 2015-14/41 |
| <u>school reports</u> | | | | | |
| Education, Administration | 39007 | R277-497 | AMD | 02/09/2015 | 2015-1/11 |
| | 39581 | R277-497 | 5YR | 08/13/2015 | 2015-17/103 |
| | 39595 | R277-497 | AMD | 10/08/2015 | 2015-17/53 |

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| Transportation, Operations, Traffic and Safety | 39481 | R920-1 | AMD | 08/24/2015 | 2015-14/108 | |
| <u>schools</u> | | | | | | |
| Education, Administration | 39337 | R277-474 | 5YR | 05/01/2015 | 2015-10/105 | |
| | 39287 | R277-474 | AMD | 06/08/2015 | 2015-9/13 | |
| | 39579 | R277-477 | 5YR | 08/13/2015 | 2015-17/102 | |
| | 39593 | R277-477 | R&R | 10/08/2015 | 2015-17/41 | |
| | 39840 | R277-477 | AMD | 12/08/2015 | 2015-21/27 | |
| | 39789 | R277-920 | NEW | 11/23/2015 | 2015-20/70 | |
| Governor, Energy Development (Office of) | 38931 | R362-3 | AMD | 01/07/2015 | 2014-22/24 | |
| <u>science</u> | | | | | | |
| Education, Administration | 39578 | R277-444 | 5YR | 08/13/2015 | 2015-17/101 | |
| | 39791 | R277-444 | R&R | 12/01/2015 | 2015-20/56 | |
| <u>screening</u> | | | | | | |
| Health, Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health | 39446 | R388-804 | AMD | 09/23/2015 | 2015-13/24 | |
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| Environmental Quality, Drinking Water | 39211 | R309-705 | 5YR | 03/13/2015 | 2015-7/72 | |
| <u>sealed bidding</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 38975 | R33-6-101 | AMD | 01/28/2015 | 2014-24/5 | |
| | 39366 | R33-6-109 | AMD | 07/09/2015 | 2015-11/5 | |
| <u>search and rescue</u> | | | | | | |
| Public Safety, Emergency Management | 39783 | R704-1 | AMD | 12/01/2015 | 2015-20/112 | |
| <u>secondary disinfectants</u> | | | | | | |
| Environmental Quality, Drinking Water | 39189 | R309-520 | 5YR | 03/13/2015 | 2015-7/67 | |
| | 39641 | R309-520 | AMD | 11/16/2015 | 2015-19/52 | |
| <u>secondary education</u> | | | | | | |
| Regents (Board Of), Administration | 39157 | R765-609 | 5YR | 02/25/2015 | 2015-6/48 | |
| <u>securities</u> | | | | | | |
| Commerce, Securities | 39104 | R164-2 | 5YR | 02/02/2015 | 2015-4/37 | |
| | 38926 | R164-15-2 | AMD | 03/10/2015 | 2014-22/20 | |
| <u>securities regulation</u> | | | | | | |
| Commerce, Securities | 39104 | R164-2 | 5YR | 02/02/2015 | 2015-4/37 | |
| | 38926 | R164-15-2 | AMD | 03/10/2015 | 2014-22/20 | |
| | 39300 | R164-32 | NEW | 06/22/2015 | 2015-10/26 | |
| Money Management Council, Administration | 39347 | R628-15 | EXD | 05/06/2015 | 2015-11/191 | |
| | 39348 | R628-15 | EMR | 05/06/2015 | 2015-11/180 | |
| | 39396 | R628-15 | NEW | 07/13/2015 | 2015-11/126 | |
| <u>securities regulations</u> | | | | | | |
| Money Management Council, Administration | 39901 | R628-16 | EXT | 10/30/2015 | 2015-22/163 | |
| <u>security</u> | | | | | | |
| Environmental Quality, Radiation Control | 38908 | R313-37 | NEW | 06/29/2015 | 2014-21/21 | |
| | 38908 | R313-37 | CPR | 06/29/2015 | 2015-5/98 | |
| <u>security guards</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39293 | R156-63a | AMD | 06/22/2015 | 2015-10/22 | |
| | 39368 | R156-63a | AMD | 07/23/2015 | 2015-11/22 | |
| | 39294 | R156-63b | AMD | 06/22/2015 | 2015-10/24 | |
| | 39369 | R156-63b | AMD | 07/23/2015 | 2015-11/25 | |
| <u>security measures</u> | | | | | | |
| Corrections, Administration | 39972 | R251-708 | 5YR | 12/04/2015 | Not Printed | |
| | 39498 | R251-709 | 5YR | 07/02/2015 | 2015-15/32 | |

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| <u>seed act</u> | | | | | |
| Agriculture and Food, Plant Industry | 39999 | R68-8 | 5YR | 12/17/2015 | Not Printed |
| <u>seizure of property</u> | | | | | |
| Tax Commission, Collections | 39565 | R867-2B | 5YR | 08/06/2015 | 2015-17/106 |
| <u>self reporting</u> | | | | | |
| Education, Administration | 39492 | R277-516 | AMD | 08/26/2015 | 2015-14/51 |
| | 39289 | R277-516-3 | AMD | 06/08/2015 | 2015-9/18 |
| <u>self-reporting</u> | | | | | |
| Education, Administration | 39599 | R277-516 | AMD | 10/08/2015 | 2015-17/64 |
| <u>seminars</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39884 | R523-13 | NEW | 12/22/2015 | 2015-22/124 |
| | 39883 | R523-24 | REP | 12/22/2015 | 2015-22/136 |
| <u>sentences</u> | | | | | |
| Pardons (Board Of), Administration | 39570 | R671-311 | AMD | 10/15/2015 | 2015-17/86 |
| | 39722 | R671-311 | NSC | 11/30/2015 | Not Printed |
| <u>sentencing</u> | | | | | |
| Pardons (Board Of), Administration | 39794 | R671-405 | EMR | 10/01/2015 | 2015-20/126 |
| | 39795 | R671-405 | AMD | 11/30/2015 | 2015-20/110 |
| <u>sentinel events</u> | | | | | |
| Health, Administration | 39574 | R380-200 | R&R | 12/30/2015 | 2015-17/75 |
| <u>septic tanks</u> | | | | | |
| Environmental Quality, Water Quality | 39106 | R317-4 | 5YR | 02/03/2015 | 2015-5/111 |
| | 39821 | R317-4 | AMD | 01/01/2016 | 2015-21/66 |
| <u>server training</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39882 | R523-12 | NEW | 12/22/2015 | 2015-22/121 |
| | 39881 | R523-23 | REP | 12/22/2015 | 2015-22/133 |
| <u>service continuum</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39860 | R523-1 | NEW | 12/22/2015 | 2015-22/67 |
| | 39873 | R523-20 | REP | 12/22/2015 | 2015-22/128 |
| <u>settlements</u> | | | | | |
| Labor Commission, Adjudication | 39380 | R602-2-4 | AMD | 07/08/2015 | 2015-11/117 |
| <u>sewage treatment</u> | | | | | |
| Environmental Quality, Water Quality | 39512 | R317-101 | AMD | 09/24/2015 | 2015-15/5 |
| <u>sex and kidnap crimes</u> | | | | | |
| Corrections, Administration | 39760 | R251-110 | NSC | 10/20/2015 | Not Printed |
| <u>sex crimes</u> | | | | | |
| Corrections, Administration | 39608 | R251-110 | 5YR | 08/21/2015 | 2015-18/134 |
| <u>sex education</u> | | | | | |
| Education, Administration | 39337 | R277-474 | 5YR | 05/01/2015 | 2015-10/105 |
| | 39287 | R277-474 | AMD | 06/08/2015 | 2015-9/13 |
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| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39890 | R722-360 | AMD | 12/22/2015 | 2015-22/152 |

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| <u>sex offender treatment</u> | | | | | | |
| Corrections, Administration | 39539 | R251-109 | 5YR | 07/23/2015 | 2015-16/80 | |
| <u>sharing</u> | | | | | | |
| Education, Administration | 39077 | R277-111 | 5YR | 01/15/2015 | 2015-3/71 | |
| | 39078 | R277-111 | AMD | 03/10/2015 | 2015-3/13 | |
| <u>signs</u> | | | | | | |
| Transportation, Preconstruction, Right-of-Way Acquisition | 39511 | R933-2 | AMD | 09/23/2015 | 2015-15/19 | |
| | 39757 | R933-2 | NSC | 10/20/2015 | Not Printed | |
| <u>skills tests</u> | | | | | | |
| Public Safety, Driver License | 39180 | R708-37 | 5YR | 03/10/2015 | 2015-7/78 | |
| <u>slaughter</u> | | | | | | |
| Agriculture and Food, Animal Industry | 39073 | R58-11 | 5YR | 01/13/2015 | 2015-3/67 | |
| | 39775 | R58-11 | AMD | 11/23/2015 | 2015-20/14 | |
| <u>slow sand filtration</u> | | | | | | |
| Environmental Quality, Drinking Water | 39191 | R309-530 | 5YR | 03/13/2015 | 2015-7/68 | |
| <u>small business</u> | | | | | | |
| Governor, Economic Development | 38944 | R357-11 | NEW | 03/23/2015 | 2014-23/14 | |
| | 39534 | R357-11 | NSC | 08/17/2015 | Not Printed | |
| <u>Small Business Jobs Act</u> | | | | | | |
| Governor, Economic Development | 39346 | R357-10 | NEW | 07/08/2015 | 2015-11/105 | |
| <u>small employer stop-loss</u> | | | | | | |
| Insurance, Administration | 39805 | R590-268 | AMD | 12/09/2015 | 2015-21/90 | |
| <u>small game</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39163 | R657-21 | 5YR | 03/03/2015 | 2015-7/76 | |
| <u>small purchases</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 39327 | R33-4 | AMD | 06/23/2015 | 2015-10/11 | |
| | 39472 | R33-4 | AMD | 08/21/2015 | 2015-14/6 | |
| | 39523 | R33-4 | NSC | 08/24/2015 | Not Printed | |
| | 39957 | R33-4 | NSC | 12/18/2015 | Not Printed | |
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| Environmental Quality, Air Quality | 39114 | R307-204 | 5YR | 02/05/2015 | 2015-5/104 | |
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| Human Services, Administration | 39361 | R495-861 | AMD | 07/16/2015 | 2015-11/116 | |
| Human Services, Administration, Administrative Hearings | 39521 | R497-100 | 5YR | 07/20/2015 | 2015-16/82 | |
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| | 39542 | R512-200 | AMD | 09/22/2015 | 2015-16/54 | |
| | 39626 | R512-201 | AMD | 10/22/2015 | 2015-18/88 | |
| | 39627 | R512-202 | AMD | 10/22/2015 | 2015-18/90 | |
| | 39409 | R512-300 | AMD | 07/22/2015 | 2015-12/20 | |
| <u>social workers</u> | | | | | | |
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| <u>solicitations</u> | | | | | | |
| Commerce, Consumer Protection | 39525 | R152-22-3 | AMD | 09/21/2015 | 2015-16/7 | |
| <u>solid fuel burning</u> | | | | | | |
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| | 38842 | R307-302 | AMD | 02/04/2015 | 2014-19/44 | |
| | 38842 | R307-302 | CPR | 02/04/2015 | 2015-1/48 | |
| | 39349 | R307-302 | 5YR | 05/06/2015 | 2015-11/185 | |

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| Environmental Quality, Drinking Water | 39188 | R309-515 | 5YR | 03/13/2015 | 2015-7/67 | |
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| | 39278 | R313-21-22 | CPR | 08/26/2015 | 2015-14/118 | |
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| Natural Resources, Forestry, Fire and State Lands | 39314 | R652-70 | AMD | 07/06/2015 | 2015-10/88 | |
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| Capitol Preservation Board (State), Administration | 39501 | R131-6 | 5YR | 07/06/2015 | 2015-15/31 | |
| <u>spas</u> | | | | | | |
| Health, Disease Control and Prevention, Environmental Services | 39723 | R392-302 | AMD | 11/25/2015 | 2015-19/66 | |
| <u>special fuel</u> | | | | | | |
| Tax Commission, Auditing | 39437 | R865-4D-21 | AMD | 08/27/2015 | 2015-13/50 | |
| <u>special income group</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39310 | R414-307 | AMD | 07/01/2015 | 2015-10/33 | |
| | 39558 | R414-307-13 | AMD | 10/01/2015 | 2015-16/16 | |
| <u>special income groups</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39629 | R414-307 | AMD | 11/01/2015 | 2015-18/70 | |
| <u>special needs students</u> | | | | | | |
| Education, Administration | 39583 | R277-602 | 5YR | 08/13/2015 | 2015-17/104 | |
| | 39601 | R277-602 | AMD | 10/08/2015 | 2015-17/70 | |
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| | 39279 | R313-22 | CPR | 08/26/2015 | 2015-14/124 | |
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| | 39472 | R33-4 | AMD | 08/21/2015 | 2015-14/6 | |
| | 39523 | R33-4 | NSC | 08/24/2015 | Not Printed | |
| | 39957 | R33-4 | NSC | 12/18/2015 | Not Printed | |
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| Public Service Commission, Administration | 39568 | R746-510 | 5YR | 08/11/2015 | 2015-17/105 | |
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| Commerce, Occupational and Professional Licensing | 39639 | R156-41-602 | AMD | 11/10/2015 | 2015-19/7 | |
| <u>sponsorships</u> | | | | | | |
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| | 39150 | R918-7 | AMD | 04/23/2015 | 2015-6/36 | |
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| | 39362 | R657-41 | AMD | 07/09/2015 | 2015-11/129 | |
| | 39811 | R657-41 | 5YR | 10/05/2015 | 2015-21/113 | |

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| <u>stack height</u> | | | | | | |
| Environmental Quality, Air Quality | 39742 | R307-410 | AMD | 12/15/2015 | 2015-19/44 | |
| <u>standard procurement process</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 38976 | R33-7 | AMD | 01/28/2015 | 2014-24/6 | |
| | 39513 | R33-7 | NSC | 07/30/2015 | Not Printed | |
| | 39958 | R33-7 | NSC | 12/18/2015 | Not Printed | |
| | 39365 | R33-7-702 | AMD | 07/09/2015 | 2015-11/6 | |
| | 39432 | R33-7-702 | AMD | 08/07/2015 | 2015-13/6 | |
| <u>standards</u> | | | | | | |
| Education, Administration | 39598 | R277-515 | AMD | 10/08/2015 | 2015-17/60 | |
| | 39600 | R277-517 | REP | 10/08/2015 | 2015-17/67 | |
| | 39290 | R277-517-5 | AMD | 06/08/2015 | 2015-9/19 | |
| | 39494 | R277-700 | AMD | 08/26/2015 | 2015-14/59 | |
| Health, Disease Control and Prevention, Health Promotion | 39797 | R384-415 | NEW | 12/29/2015 | 2015-20/76 | |
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| Administrative Services, Purchasing and General Services | 39959 | R33-13 | NSC | 12/18/2015 | Not Printed | |
| <u>state employees</u> | | | | | | |
| Administrative Services, Finance | 39301 | R25-7 | AMD | 06/22/2015 | 2015-10/6 | |
| | 39903 | R25-7-6 | AMD | 12/22/2015 | 2015-22/12 | |
| | 39360 | R25-10 | AMD | 07/08/2015 | 2015-11/4 | |
| | 39942 | R25-15 | EMR | 11/12/2015 | 2015-23/57 | |
| | 39160 | R25-25-7 | AMD | 04/21/2015 | 2015-6/10 | |
| <u>state lands</u> | | | | | | |
| Heritage and Arts, Indian Affairs | 39721 | R456-1 | EXT | 09/09/2015 | 2015-19/127 | |
| <u>state parole inmates</u> | | | | | | |
| Governor, Criminal and Juvenile Justice (State Commission on) | 39053 | R356-1 | EXT | 01/02/2015 | 2015-3/75 | |
| | 39344 | R356-1 | EXD | 05/05/2015 | 2015-11/191 | |
| | 39802 | R356-1 | EMR | 10/01/2015 | 2015-20/121 | |
| | 39450 | R356-1 | NEW | 11/04/2015 | 2015-14/66 | |
| <u>state probationary inmates</u> | | | | | | |
| Governor, Criminal and Juvenile Justice (State Commission on) | 39053 | R356-1 | EXT | 01/02/2015 | 2015-3/75 | |
| | 39344 | R356-1 | EXD | 05/05/2015 | 2015-11/191 | |
| | 39802 | R356-1 | EMR | 10/01/2015 | 2015-20/121 | |
| | 39450 | R356-1 | NEW | 11/04/2015 | 2015-14/66 | |
| <u>state records committee</u> | | | | | | |
| Administrative Services, Records Committee | 39400 | R35-1 | AMD | 07/31/2015 | 2015-11/7 | |
| | 39401 | R35-2 | AMD | 07/31/2015 | 2015-11/9 | |
| | 39402 | R35-4 | AMD | 07/31/2015 | 2015-11/10 | |
| | 39403 | R35-5 | AMD | 07/31/2015 | 2015-11/11 | |
| | 39404 | R35-6 | AMD | 07/31/2015 | 2015-11/12 | |
| <u>state residency</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39483 | R414-302-8 | AMD | 09/01/2015 | 2015-14/76 | |

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state surplus property

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| Administrative Services, Purchasing and General Services | 39084 | R33-26 | NSC | 01/28/2015 | Not Printed |
| | 39271 | R33-26 | AMD | 06/10/2015 | 2015-9/4 |
| | 39906 | R33-26 | AMD | 12/23/2015 | 2015-22/13 |
| | 39042 | R33-26-202 | AMD | 03/31/2015 | 2015-2/33 |
| | 39454 | R33-26-202 | AMD | 08/21/2015 | 2015-14/11 |

state vehicle use

| | | | | | |
|---|-------|-------|-----|------------|------------|
| Administrative Services, Fleet Operations | 39920 | R27-3 | 5YR | 11/06/2015 | 2015-23/62 |
|---|-------|-------|-----|------------|------------|

statewide online education program

| | | | | | |
|---------------------------|-------|----------|-----|------------|-------------|
| Education, Administration | 39993 | R277-726 | 5YR | 12/15/2015 | Not Printed |
|---------------------------|-------|----------|-----|------------|-------------|

statewide registry

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| Human Services, Substance Abuse and Mental Health | 38917 | R523-8 | NEW | 01/06/2015 | 2014-22/33 |
| | 39874 | R523-8 | REP | 12/22/2015 | 2015-22/109 |
| | 39875 | R523-9 | NEW | 12/22/2015 | 2015-22/115 |

stationary sources

| | | | | | |
|------------------------------------|-------|----------|-----|------------|-----------|
| Environmental Quality, Air Quality | 39168 | R307-210 | AMD | 06/04/2015 | 2015-7/17 |
|------------------------------------|-------|----------|-----|------------|-----------|

statutory interpretation

| | | | | | |
|----------------------|-------|---------|-----|------------|------------|
| Commerce, Securities | 39300 | R164-32 | NEW | 06/22/2015 | 2015-10/26 |
|----------------------|-------|---------|-----|------------|------------|

stock brokers

| | | | | | |
|--|-------|---------|-----|------------|-------------|
| Money Management Council, Administration | 39901 | R628-16 | EXT | 10/30/2015 | 2015-22/163 |
|--|-------|---------|-----|------------|-------------|

storage

| | | | | | |
|--|-------|--------|-----|------------|------------|
| Capitol Preservation Board (State), Administration | 39501 | R131-6 | 5YR | 07/06/2015 | 2015-15/31 |
|--|-------|--------|-----|------------|------------|

storage tanks

| | | | | | |
|---------------------------------------|-------|----------|-----|------------|-----------|
| Environmental Quality, Drinking Water | 39194 | R309-545 | 5YR | 03/13/2015 | 2015-7/70 |
|---------------------------------------|-------|----------|-----|------------|-----------|

stoves

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|------------------------------------|-------|----------|-----|------------|-------------|
| Environmental Quality, Air Quality | 38842 | R307-302 | AMD | 02/04/2015 | 2014-19/44 |
| | 38842 | R307-302 | CPR | 02/04/2015 | 2015-1/48 |
| | 39349 | R307-302 | 5YR | 05/06/2015 | 2015-11/185 |

student

| | | | | | |
|---------------------------|-------|----------|-----|------------|------------|
| Education, Administration | 39372 | R277-417 | NEW | 07/08/2015 | 2015-11/55 |
| | 39784 | R277-417 | AMD | 11/23/2015 | 2015-20/54 |
| | 39373 | R277-418 | NEW | 07/08/2015 | 2015-11/57 |

student achievement

| | | | | | |
|---------------------------|-------|----------|-----|------------|------------|
| Education, Administration | 39340 | R277-404 | AMD | 06/23/2015 | 2015-10/28 |
|---------------------------|-------|----------|-----|------------|------------|

student achievements

| | | | | | |
|---------------------------|-------|----------|-----|------------|------------|
| Education, Administration | 39838 | R277-404 | AMD | 12/08/2015 | 2015-21/19 |
|---------------------------|-------|----------|-----|------------|------------|

student eligibility

| | | | | | |
|--|-------|---------------|-----|------------|-------------|
| Workforce Services, Unemployment Insurance | 39792 | R994-403-118e | NSC | 10/20/2015 | Not Printed |
|--|-------|---------------|-----|------------|-------------|

student loans

| | | | | | |
|------------------------------------|-------|----------|-----|------------|-------------|
| Regents (Board Of), Administration | 39605 | R765-649 | 5YR | 08/18/2015 | 2015-18/135 |
|------------------------------------|-------|----------|-----|------------|-------------|

student participation

| | | | | | |
|---------------------------|-------|----------|-----|------------|-------------|
| Education, Administration | 39831 | R277-494 | 5YR | 10/15/2015 | 2015-21/109 |
| | 39841 | R277-494 | AMD | 12/08/2015 | 2015-21/31 |

students

| | | | | | |
|---------------------------|-------|----------|-----|------------|------------|
| Education, Administration | 38956 | R277-487 | AMD | 01/07/2015 | 2014-23/6 |
| | 39375 | R277-487 | AMD | 07/08/2015 | 2015-11/67 |

students' rights

| | | | | | |
|---------------------------|-------|----------|-----|------------|-------------|
| Education, Administration | 39771 | R277-616 | 5YR | 09/28/2015 | 2015-20/129 |
|---------------------------|-------|----------|-----|------------|-------------|

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|--|-------|-------------|-----|------------|-------------|
| | 39786 | R277-616 | AMD | 11/23/2015 | 2015-20/68 |
| <u>subcontractors</u> | | | | | |
| Transportation, Operations, Construction | 39458 | R916-6 | 5YR | 06/22/2015 | 2015-14/144 |
| | 39455 | R916-6 | NSC | 07/13/2015 | Not Printed |
| <u>substance abuse</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39882 | R523-12 | NEW | 12/22/2015 | 2015-22/121 |
| | 39873 | R523-20 | REP | 12/22/2015 | 2015-22/128 |
| | 39881 | R523-23 | REP | 12/22/2015 | 2015-22/133 |
| <u>substance disorder</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39860 | R523-1 | NEW | 12/22/2015 | 2015-22/67 |
| <u>substance use disorder</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39865 | R523-2 | REP | 12/22/2015 | 2015-22/75 |
| | 39866 | R523-5 | NEW | 12/22/2015 | 2015-22/97 |
| <u>substance use disorder counselors</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 38964 | R156-60d | AMD | 01/22/2015 | 2014-24/17 |
| <u>subsurface tracer studies</u> | | | | | |
| Environmental Quality, Radiation Control | 39083 | R313-38-3 | AMD | 03/17/2015 | 2015-3/22 |
| <u>suicide prevention</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39885 | R523-14 | NEW | 12/22/2015 | 2015-22/127 |
| <u>supervision</u> | | | | | |
| Commerce, Occupational and Professional Licensing | 39630 | R156-1 | AMD | 10/22/2015 | 2015-18/56 |
| | 39857 | R156-1-308a | NSC | 11/09/2015 | Not Printed |
| <u>supplemental water rights</u> | | | | | |
| Natural Resources, Water Rights | 39152 | R655-16 | 5YR | 02/24/2015 | 2015-6/47 |
| <u>supplies</u> | | | | | |
| Education, Administration | 39336 | R277-459 | 5YR | 05/01/2015 | 2015-10/104 |
| | 39286 | R277-459 | AMD | 06/08/2015 | 2015-9/12 |
| <u>support</u> | | | | | |
| Human Services, Aging and Adult Services | 40002 | R510-401 | 5YR | 12/23/2015 | Not Printed |
| <u>surface water treatment</u> | | | | | |
| Environmental Quality, Drinking Water | 39185 | R309-505 | 5YR | 03/13/2015 | 2015-7/65 |
| <u>surface water treatment plant monitoring</u> | | | | | |
| Environmental Quality, Drinking Water | 39203 | R309-215 | 5YR | 03/13/2015 | 2015-7/61 |
| <u>surveys</u> | | | | | |
| Environmental Quality, Radiation Control | 39047 | R313-34 | AMD | 05/05/2015 | 2015-2/87 |
| | 39017 | R313-35 | AMD | 05/22/2015 | 2015-2/89 |
| | 39017 | R313-35 | CPR | 05/22/2015 | 2015-8/30 |
| | 39276 | R313-36-3 | AMD | 06/16/2015 | 2015-9/52 |
| | 39083 | R313-38-3 | AMD | 03/17/2015 | 2015-3/22 |
| Judicial Performance Evaluation Commission, Administration | 39244 | R597-3-2 | AMD | 05/27/2015 | 2015-8/13 |
| | 39243 | R597-3-3 | AMD | 05/27/2015 | 2015-8/15 |
| <u>tailings</u> | | | | | |
| Environmental Quality, Air Quality | 39115 | R307-205 | 5YR | 02/05/2015 | 2015-5/105 |
| Environmental Quality, Radiation Control | 39149 | R313-24-1 | NSC | 03/06/2015 | Not Printed |
| | 39275 | R313-24-4 | AMD | 06/16/2015 | 2015-9/49 |

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| <u>tax credit</u> | | | | | |
| Governor, Economic Development | 39094 | R357-3 | R&R | 04/13/2015 | 2015-4/12 |
| | 39528 | R357-3 | NSC | 08/17/2015 | Not Printed |
| | 39887 | R357-3 | AMD | 12/28/2015 | 2015-22/29 |
| | 39346 | R357-10 | NEW | 07/08/2015 | 2015-11/105 |
| <u>tax credits</u> | | | | | |
| Environmental Quality, Air Quality | 39353 | R307-121 | AMD | 09/03/2015 | 2015-11/86 |
| | 39354 | R307-122 | NEW | 09/03/2015 | 2015-11/89 |
| | 39637 | R307-122 | NSC | 09/30/2015 | Not Printed |
| Governor, Economic Development | 39527 | R357-2 | NSC | 08/17/2015 | Not Printed |
| | 39533 | R357-9 | NSC | 08/17/2015 | Not Printed |
| <u>tax exemptions</u> | | | | | |
| Environmental Quality, Air Quality | 38998 | R307-120 | AMD | 03/05/2015 | 2015-1/17 |
| <u>tax returns</u> | | | | | |
| Tax Commission, Auditing | 39426 | R865-9I-37 | NSC | 06/24/2015 | Not Printed |
| <u>taxation</u> | | | | | |
| Tax Commission, Auditing | 39437 | R865-4D-21 | AMD | 08/27/2015 | 2015-13/50 |
| | 39425 | R865-6F-28 | NSC | 06/24/2015 | Not Printed |
| | 39618 | R865-13G-18 | AMD | 10/22/2015 | 2015-18/108 |
| | 39438 | R865-20T-10 | AMD | 08/27/2015 | 2015-13/51 |
| | 39564 | R865-21U | 5YR | 08/06/2015 | 2015-17/106 |
| Tax Commission, Collections | 39565 | R867-2B | 5YR | 08/06/2015 | 2015-17/106 |
| Tax Commission, Motor Vehicle Enforcement | 39619 | R877-23V-7 | AMD | 10/22/2015 | 2015-18/109 |
| | 39620 | R877-23V-7 | AMD | 10/22/2015 | 2015-18/112 |
| | 39621 | R877-23V-20 | AMD | 10/22/2015 | 2015-18/115 |
| Tax Commission, Property Tax | 39622 | R884-24P-33 | AMD | 10/22/2015 | 2015-18/116 |
| | 39815 | R884-24P-53 | AMD | 01/01/2016 | 2015-21/101 |
| | 39623 | R884-24P-66 | AMD | 10/22/2015 | 2015-18/125 |
| <u>teacher licensing</u> | | | | | |
| Education, Administration | 39383 | R277-201 | NEW | 07/08/2015 | 2015-11/37 |
| | 39586 | R277-201 | AMD | 10/08/2015 | 2015-17/19 |
| | 39008 | R277-504 | AMD | 02/09/2015 | 2015-1/13 |
| | 39219 | R277-504 | AMD | 05/08/2015 | 2015-7/8 |
| Professional Practices Advisory Commission, Administration | 39389 | R686-100 | REP | 07/08/2015 | 2015-11/134 |
| | 39221 | R686-100-7 | AMD | 05/08/2015 | 2015-7/42 |
| <u>teachers</u> | | | | | |
| Education, Administration | 39336 | R277-459 | 5YR | 05/01/2015 | 2015-10/104 |
| | 39286 | R277-459 | AMD | 06/08/2015 | 2015-9/12 |
| <u>technology</u> | | | | | |
| Governor, Economic Development | 38944 | R357-11 | NEW | 03/23/2015 | 2014-23/14 |
| | 39534 | R357-11 | NSC | 08/17/2015 | Not Printed |
| <u>telecommunications</u> | | | | | |
| Public Service Commission, Administration | 39851 | R746-341 | 5YR | 10/19/2015 | 2015-22/161 |
| | 38936 | R746-341-5 | AMD | 01/07/2015 | 2014-23/43 |
| | 39367 | R746-360 | AMD | 07/08/2015 | 2015-11/155 |
| <u>telecommuting</u> | | | | | |
| Human Resource Management, Administration | 39320 | R477-8-3 | AMD | 07/01/2015 | 2015-10/64 |
| <u>telephones</u> | | | | | |
| Corrections, Administration | 39971 | R251-702 | 5YR | 12/04/2015 | Not Printed |
| Public Service Commission, Administration | 39851 | R746-341 | 5YR | 10/19/2015 | 2015-22/161 |
| | 38936 | R746-341-5 | AMD | 01/07/2015 | 2014-23/43 |
| <u>temporary beer event permits</u> | | | | | |
| Alcoholic Beverage Control, Administration | 39475 | R81-10B | REP | 11/02/2015 | 2015-14/18 |

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| <u>terms and conditions</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 38977 | R33-12 | AMD | 01/28/2015 | 2014-24/9 | |
| <u>terms of office</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39975 | R657-39 | 5YR | 12/07/2015 | Not Printed | |
| <u>therapeutic schools</u> | | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 39979 | R501-15 | 5YR | 12/07/2015 | Not Printed | |
| <u>therapists</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39538 | R156-60 | AMD | 09/21/2015 | 2015-16/9 | |
| <u>third party liability</u> | | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39483 | R414-302-8 | AMD | 09/01/2015 | 2015-14/76 | |
| <u>tickets</u> | | | | | | |
| Administrative Services, Fleet Operations | 39921 | R27-7 | 5YR | 11/06/2015 | 2015-23/62 | |
| <u>time</u> | | | | | | |
| Labor Commission, Adjudication | 39567 | R602-1-4 | AMD | 10/09/2015 | 2015-17/85 | |
| Labor Commission, Industrial Accidents | 39830 | R612-200-1 | AMD | 12/08/2015 | 2015-21/92 | |
| <u>time cut</u> | | | | | | |
| Pardons (Board Of), Administration | 39570 | R671-311 | AMD | 10/15/2015 | 2015-17/86 | |
| | 39722 | R671-311 | NSC | 11/30/2015 | Not Printed | |
| <u>timeshare</u> | | | | | | |
| Commerce, Real Estate | 39292 | R162-57a | 5YR | 04/21/2015 | 2015-10/103 | |
| | 39777 | R162-57a-5 | AMD | 12/09/2015 | 2015-20/46 | |
| <u>title escrow filings</u> | | | | | | |
| Insurance, Title and Escrow Commission | 39632 | R592-15 | AMD | 11/02/2015 | 2015-18/95 | |
| <u>title insurance</u> | | | | | | |
| Insurance, Title and Escrow Commission | 39652 | R592-1 | 5YR | 09/04/2015 | 2015-19/118 | |
| | 39653 | R592-2 | 5YR | 09/04/2015 | 2015-19/119 | |
| | 39801 | R592-2 | REP | 12/09/2015 | 2015-20/97 | |
| | 39412 | R592-6 | AMD | 08/11/2015 | 2015-12/23 | |
| | 39631 | R592-11 | AMD | 11/02/2015 | 2015-18/93 | |
| <u>title lenders</u> | | | | | | |
| Financial Institutions, Nondepository Lenders | 39442 | R343-10 | NEW | 08/12/2015 | 2015-13/22 | |
| | 39503 | R343-10 | NSC | 08/17/2015 | Not Printed | |
| <u>tobacco products</u> | | | | | | |
| Tax Commission, Auditing | 39438 | R865-20T-10 | AMD | 08/27/2015 | 2015-13/51 | |
| <u>tourist-oriented directional signs</u> | | | | | | |
| Transportation, Operations, Traffic and Safety | 39495 | R920-2 | NEW | 08/24/2015 | 2015-14/109 | |
| <u>traffic control</u> | | | | | | |
| Transportation, Operations, Traffic and Safety | 39481 | R920-1 | AMD | 08/24/2015 | 2015-14/108 | |
| <u>traffic signs</u> | | | | | | |
| Transportation, Operations, Traffic and Safety | 39481 | R920-1 | AMD | 08/24/2015 | 2015-14/108 | |
| <u>training</u> | | | | | | |
| Corrections, Administration | 39540 | R251-301 | 5YR | 07/23/2015 | 2015-16/80 | |
| Human Services, Substance Abuse and Mental Health | 39884 | R523-13 | NEW | 12/22/2015 | 2015-22/124 | |
| | 39883 | R523-24 | REP | 12/22/2015 | 2015-22/136 | |
| Public Service Commission, Administration | 39568 | R746-510 | 5YR | 08/11/2015 | 2015-17/105 | |

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| Education, Rehabilitation | 39790 | R280-203 | AMD | 11/23/2015 | 2015-20/73 | |
| <u>transmission and distribution pipelines</u> | | | | | | |
| Environmental Quality, Drinking Water | 39195 | R309-550 | 5YR | 03/13/2015 | 2015-7/70 | |
| | 39508 | R309-550-10 | AMD | 09/10/2015 | 2015-15/4 | |
| <u>transparency</u> | | | | | | |
| Administrative Services, Administrative Rules | 39727 | R15-2 | 5YR | 09/11/2015 | 2015-19/113 | |
| Administrative Services, Finance | 39360 | R25-10 | AMD | 07/08/2015 | 2015-11/4 | |
| Health, Center for Health Data, Health Care Statistics | 39247 | R428-15 | NSC | 04/07/2015 | Not Printed | |
| <u>transportation</u> | | | | | | |
| Administrative Services, Finance | 39301 | R25-7 | AMD | 06/22/2015 | 2015-10/6 | |
| | 39903 | R25-7-6 | AMD | 12/22/2015 | 2015-22/12 | |
| | 39160 | R25-25-7 | AMD | 04/21/2015 | 2015-6/10 | |
| Environmental Quality, Radiation Control | 38907 | R313-19 | AMD | 02/17/2015 | 2014-21/18 | |
| | 39280 | R313-19-13 | AMD | 08/26/2015 | 2015-9/27 | |
| | 39280 | R313-19-13 | CPR | 08/26/2015 | 2015-14/114 | |
| | 38908 | R313-37 | NEW | 06/29/2015 | 2014-21/21 | |
| | 38908 | R313-37 | CPR | 06/29/2015 | 2015-5/98 | |
| Transportation, Operations, Construction | 39183 | R916-4 | EXT | 03/10/2015 | 2015-7/81 | |
| | 39101 | R916-4 | AMD | 03/27/2015 | 2015-4/26 | |
| | 39506 | R916-4 | 5YR | 07/09/2015 | 2015-15/34 | |
| Transportation, Program Development | 39504 | R926-8 | 5YR | 07/07/2015 | 2015-15/35 | |
| | 39505 | R926-8 | NSC | 07/30/2015 | Not Printed | |
| | 39448 | R926-13 | 5YR | 06/16/2015 | 2015-14/144 | |
| | 39449 | R926-14 | 5YR | 06/16/2015 | 2015-14/145 | |
| Transportation Commission, Administration | 39910 | R940-6 | 5YR | 11/03/2015 | 2015-23/72 | |
| <u>transportation commission</u> | | | | | | |
| Transportation Commission, Administration | 39910 | R940-6 | 5YR | 11/03/2015 | 2015-23/72 | |
| <u>transportation conformity</u> | | | | | | |
| Environmental Quality, Air Quality | 39122 | R307-310 | 5YR | 02/05/2015 | 2015-5/109 | |
| | 38997 | R307-311 | NEW | 03/05/2015 | 2015-1/22 | |
| <u>transportation safety</u> | | | | | | |
| Transportation, Motor Carrier | 39172 | R909-1 | EMR | 03/06/2015 | 2015-7/53 | |
| | 39479 | R909-1 | AMD | 08/24/2015 | 2015-14/106 | |
| <u>trauma</u> | | | | | | |
| Health, Family Health and Preparedness, Emergency Medical Services | 39468 | R426-9 | AMD | 08/21/2015 | 2015-14/87 | |
| <u>trauma center designation</u> | | | | | | |
| Health, Family Health and Preparedness, Emergency Medical Services | 39468 | R426-9 | AMD | 08/21/2015 | 2015-14/87 | |
| <u>traveler services</u> | | | | | | |
| Transportation, Operations, Maintenance | 39004 | R918-7 | NEW | 02/20/2015 | 2015-1/42 | |
| | 39150 | R918-7 | AMD | 04/23/2015 | 2015-6/36 | |
| <u>treatment providers</u> | | | | | | |
| Corrections, Administration | 39539 | R251-109 | 5YR | 07/23/2015 | 2015-16/80 | |
| <u>Trichomoniasis</u> | | | | | | |
| Agriculture and Food, Animal Industry | 39086 | R58-21 | 5YR | 01/21/2015 | 2015-4/37 | |
| <u>trucking industries</u> | | | | | | |
| Tax Commission, Auditing | 39425 | R865-6F-28 | NSC | 06/24/2015 | Not Printed | |
| <u>trucks</u> | | | | | | |
| Transportation, Motor Carrier | 39172 | R909-1 | EMR | 03/06/2015 | 2015-7/53 | |
| | 39479 | R909-1 | AMD | 08/24/2015 | 2015-14/106 | |

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| <u>trust account records</u> | | | | | |
| Commerce, Real Estate | 39572 | R162-2f | 5YR | 08/12/2015 | 2015-17/101 |
| | 39776 | R162-2f | AMD | 12/16/2015 | 2015-20/40 |
| | 38972 | R162-2f-206 | AMD | 01/21/2015 | 2014-24/28 |
| | 39305 | R162-2f-401j | AMD | 06/22/2015 | 2015-10/25 |
| <u>trust fund</u> | | | | | |
| Administrative Services, Finance | 39942 | R25-15 | EMR | 11/12/2015 | 2015-23/57 |
| <u>trust lands funds</u> | | | | | |
| Education, Administration | 39579 | R277-477 | 5YR | 08/13/2015 | 2015-17/102 |
| | 39593 | R277-477 | R&R | 10/08/2015 | 2015-17/41 |
| | 39840 | R277-477 | AMD | 12/08/2015 | 2015-21/27 |
| <u>trustees</u> | | | | | |
| Money Management Council, Administration | 39900 | R628-13 | EXT | 10/30/2015 | 2015-22/163 |
| <u>tuberculosis</u> | | | | | |
| Health, Disease Control and Prevention; HIV/AIDS, Tuberculosis Control/Refugee Health | 39446 | R388-804 | AMD | 09/23/2015 | 2015-13/24 |
| <u>turkey</u> | | | | | |
| Natural Resources, Wildlife Resources | 38949 | R657-69 | AMD | 01/08/2015 | 2014-23/39 |
| <u>UCJIS</u> | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39892 | R722-900 | AMD | 12/22/2015 | 2015-22/155 |
| <u>unassignable</u> | | | | | |
| Capitol Preservation Board (State), Administration | 39501 | R131-6 | 5YR | 07/06/2015 | 2015-15/31 |
| <u>underserved</u> | | | | | |
| Health, Family Health and Preparedness, Primary Care and Rural Health | 39342 | R434-100 | 5YR | 05/04/2015 | 2015-11/187 |
| <u>unemployed workers</u> | | | | | |
| Workforce Services, Unemployment Insurance | 39577 | R994-207 | 5YR | 08/13/2015 | 2015-17/107 |
| <u>unemployment compensation</u> | | | | | |
| Workforce Services, Unemployment Insurance | 39239 | R994-204 | 5YR | 03/25/2015 | 2015-8/40 |
| | 39240 | R994-205 | 5YR | 03/25/2015 | 2015-8/41 |
| | 39241 | R994-206 | 5YR | 03/25/2015 | 2015-8/41 |
| | 39577 | R994-207 | 5YR | 08/13/2015 | 2015-17/107 |
| | 39440 | R994-312-103 | AMD | 08/11/2015 | 2015-13/59 |
| | 39792 | R994-403-118e | NSC | 10/20/2015 | Not Printed |
| <u>unemployment experience rating</u> | | | | | |
| Workforce Services, Unemployment Insurance | 39242 | R994-304 | 5YR | 03/25/2015 | 2015-8/42 |
| <u>unfair marketing practices</u> | | | | | |
| Insurance, Administration | 39603 | R590-154 | AMD | 10/08/2015 | 2015-17/82 |
| <u>unincorporated county</u> | | | | | |
| Transportation, Operations, Traffic and Safety | 39495 | R920-2 | NEW | 08/24/2015 | 2015-14/109 |
| <u>uninsured motorist database</u> | | | | | |
| Public Safety, Driver License | 39179 | R708-32 | 5YR | 03/10/2015 | 2015-7/77 |
| <u>universal service fund</u> | | | | | |
| Public Service Commission, Administration | 39367 | R746-360 | AMD | 07/08/2015 | 2015-11/155 |
| <u>uranium mills</u> | | | | | |
| Environmental Quality, Radiation Control | 39149 | R313-24-1 | NSC | 03/06/2015 | Not Printed |
| | 39275 | R313-24-4 | AMD | 06/16/2015 | 2015-9/49 |
| <u>urbanized areas</u> | | | | | |
| Transportation, Operations, Traffic and Safety | 39495 | R920-2 | NEW | 08/24/2015 | 2015-14/109 |

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| <u>used oil</u> | | | | | | |
| Environmental Quality, Solid and Hazardous Waste | 39302 | R315-15-1 | NSC | 05/11/2015 | Not Printed | |
| | 39303 | R315-15-3 | NSC | 05/06/2015 | Not Printed | |
| | 39304 | R315-15-5 | NSC | 05/11/2015 | Not Printed | |
| | 39307 | R315-15-6 | NSC | 05/11/2015 | Not Printed | |
| | 39308 | R315-15-13 | NSC | 05/11/2015 | Not Printed | |
| | 39459 | R315-15-18 | AMD | 11/12/2015 | 2015-14/65 | |
| <u>Utah 911 Advisory Committee</u> | | | | | | |
| Communications Authority (Utah), 911 Committee (Utah) | 39406 | R173-1 | AMD | 09/29/2015 | 2015-11/30 | |
| <u>Utah 911 Committee</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, 911 Committee (Utah) | 39022 | R720-1 | AMD | 05/06/2015 | 2015-2/98 | |
| <u>Utah Communications Authority</u> | | | | | | |
| Communications Authority (Utah), 911 Committee (Utah) | 39406 | R173-1 | AMD | 09/29/2015 | 2015-11/30 | |
| <u>Utah Housing Opportunity Restricted Account</u> | | | | | | |
| Commerce, Real Estate | 39575 | R162-2a | 5YR | 08/13/2015 | 2015-17/100 | |
| | 39576 | R162-2a | NSC | 08/28/2015 | Not Printed | |
| <u>Utah procurement rules</u> | | | | | | |
| Administrative Services, Purchasing and General Services | 38974 | R33-1-1 | AMD | 01/28/2015 | 2014-24/4 | |
| <u>Utah Public Financial Website</u> | | | | | | |
| Administrative Services, Finance | 39360 | R25-10 | AMD | 07/08/2015 | 2015-11/4 | |
| <u>utilities</u> | | | | | | |
| Transportation, Preconstruction | 39297 | R930-8 | NEW | 08/24/2015 | 2015-10/93 | |
| | 39297 | R930-8 | CPR | 08/24/2015 | 2015-14/135 | |
| <u>utility accommodation</u> | | | | | | |
| Transportation, Preconstruction | 39297 | R930-8 | NEW | 08/24/2015 | 2015-10/93 | |
| | 39297 | R930-8 | CPR | 08/24/2015 | 2015-14/135 | |
| <u>utility facilities</u> | | | | | | |
| Transportation, Preconstruction | 39297 | R930-8 | NEW | 08/24/2015 | 2015-10/93 | |
| | 39297 | R930-8 | CPR | 08/24/2015 | 2015-14/135 | |
| <u>utility service shutoff</u> | | | | | | |
| Public Service Commission, Administration | 39246 | R746-200-7 | AMD | 05/27/2015 | 2015-8/22 | |
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| Human Resource Management, Administration | 39319 | R477-7 | AMD | 07/01/2015 | 2015-10/56 | |
| | 39886 | R477-7 | AMD | 01/01/2016 | 2015-22/63 | |
| <u>variances</u> | | | | | | |
| Environmental Quality, Air Quality | 39750 | R307-102-1 | AMD | 12/15/2015 | 2015-19/25 | |
| <u>very low birth weight infant</u> | | | | | | |
| Health, Family Health and Preparedness, Maternal and Child Health | 38802 | R433-1 | NEW | 02/12/2015 | 2014-18/20 | |
| | 38802 | R433-1 | CPR | 02/12/2015 | 2015-1/50 | |
| <u>very low birth weight infant reporting</u> | | | | | | |
| Health, Family Health and Preparedness, Maternal and Child Health | 38802 | R433-1 | NEW | 02/12/2015 | 2014-18/20 | |
| | 38802 | R433-1 | CPR | 02/12/2015 | 2015-1/50 | |

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| <u>very low birth weight infant treatment capability</u> | | | | | | |
| Health, Family Health and Preparedness, Maternal and Child Health | 38802 | R433-1 | NEW | 02/12/2015 | 2014-18/20 | |
| | 38802 | R433-1 | CPR | 02/12/2015 | 2015-1/50 | |
| <u>veterans benefits</u> | | | | | | |
| Regents (Board Of), Administration | 39023 | R765-611 | NEW | 02/25/2015 | 2015-2/101 | |
| <u>veterinarian</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39233 | R156-28-304 | AMD | 05/27/2015 | 2015-8/6 | |
| <u>veterinarians</u> | | | | | | |
| Environmental Quality, Radiation Control | 39017 | R313-35 | AMD | 05/22/2015 | 2015-2/89 | |
| | 39017 | R313-35 | CPR | 05/22/2015 | 2015-8/30 | |
| <u>veterinary medicine</u> | | | | | | |
| Commerce, Occupational and Professional Licensing | 39233 | R156-28-304 | AMD | 05/27/2015 | 2015-8/6 | |
| <u>victim compensation</u> | | | | | | |
| Crime Victim Reparations, Administration | 39463 | R270-1-22 | AMD | 08/21/2015 | 2015-14/38 | |
| <u>victims of crimes</u> | | | | | | |
| Crime Victim Reparations, Administration | 39463 | R270-1-22 | AMD | 08/21/2015 | 2015-14/38 | |
| <u>VOC</u> | | | | | | |
| Environmental Quality, Air Quality | 39746 | R307-303 | AMD | 12/15/2015 | 2015-19/34 | |
| <u>vocational education</u> | | | | | | |
| Education, Rehabilitation | 39220 | R280-200 | AMD | 05/08/2015 | 2015-7/13 | |
| <u>volume cap</u> | | | | | | |
| Governor, Economic Development | 39263 | R357-8 | NEW | 07/08/2015 | 2015-9/53 | |
| <u>wages</u> | | | | | | |
| Human Resource Management, Administration | 39318 | R477-6 | AMD | 07/01/2015 | 2015-10/51 | |
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| Health, Family Health and Preparedness, Primary Care and Rural Health | 39342 | R434-100 | 5YR | 05/04/2015 | 2015-11/187 | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 39310 | R414-307 | AMD | 07/01/2015 | 2015-10/33 | |
| | 39629 | R414-307 | AMD | 11/01/2015 | 2015-18/70 | |
| | 39558 | R414-307-13 | AMD | 10/01/2015 | 2015-16/16 | |
| Labor Commission, Industrial Accidents | 39835 | R612-400-1 | AMD | 12/08/2015 | 2015-21/97 | |
| | 39822 | R612-400-5 | AMD | 12/08/2015 | 2015-21/98 | |
| <u>waste disposal</u> | | | | | | |
| Environmental Quality, Radiation Control | 39082 | R313-15-1208 | AMD | 03/17/2015 | 2015-3/21 | |
| Environmental Quality, Solid and Hazardous Waste | 39954 | R315-302-1 | NSC | 12/21/2015 | Not Printed | |
| <u>waste water</u> | | | | | | |
| Environmental Quality, Water Quality | 39821 | R317-4 | AMD | 01/01/2016 | 2015-21/66 | |
| <u>wastewater</u> | | | | | | |
| Environmental Quality, Water Quality | 39512 | R317-101 | AMD | 09/24/2015 | 2015-15/5 | |
| | 39946 | R317-102 | 5YR | 11/16/2015 | 2015-23/63 | |
| <u>wastewater treatment</u> | | | | | | |
| Environmental Quality, Water Quality | 39105 | R317-10-8 | AMD | 04/29/2015 | 2015-4/10 | |
| <u>water conservation</u> | | | | | | |
| Environmental Quality, Drinking Water | 39186 | R309-510 | 5YR | 03/13/2015 | 2015-7/66 | |
| | 39399 | R309-510 | AMD | 07/15/2015 | 2015-11/92 | |
| <u>water funding</u> | | | | | | |
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| | 39508 | R309-550-10 | AMD | 09/10/2015 | 2015-15/4 | |
| <u>water heaters</u> | | | | | | |
| Environmental Quality, Air Quality | 39355 | R307-230 | NEW | 11/03/2015 | 2015-11/90 | |
| | 39355 | R307-230 | CPR | 11/03/2015 | 2015-19/106 | |
| <u>water pollution</u> | | | | | | |
| Environmental Quality, Water Quality | 39397 | R317-2 | AMD | 11/30/2015 | 2015-11/98 | |
| | 39397 | R317-2 | CPR | 11/30/2015 | 2015-20/117 | |
| | 39105 | R317-10-8 | AMD | 04/29/2015 | 2015-4/10 | |
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| Environmental Quality, Water Quality | 39512 | R317-101 | AMD | 09/24/2015 | 2015-15/5 | |
| | 39946 | R317-102 | 5YR | 11/16/2015 | 2015-23/63 | |
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| Environmental Quality, Water Quality | 39397 | R317-2 | AMD | 11/30/2015 | 2015-11/98 | |
| | 39397 | R317-2 | CPR | 11/30/2015 | 2015-20/117 | |
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| | 39152 | R655-16 | 5YR | 02/24/2015 | 2015-6/47 | |
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| Health, Disease Control and Prevention, Environmental Services | 39723 | R392-302 | AMD | 11/25/2015 | 2015-19/66 | |
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| Environmental Quality, Drinking Water | 39208 | R309-400 | 5YR | 03/13/2015 | 2015-7/64 | |
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| Natural Resources, Wildlife Resources | 39435 | R657-9 | AMD | 08/07/2015 | 2015-13/29 | |
| | 39718 | R657-9 | AMD | 11/10/2015 | 2015-19/79 | |
| <u>watershed management</u> | | | | | | |
| Environmental Quality, Drinking Water | 39197 | R309-105 | 5YR | 03/13/2015 | 2015-7/58 | |
| <u>web accessibility</u> | | | | | | |
| Technology Services, Administration | 39427 | R895-14 | NEW | 08/07/2015 | 2015-13/52 | |
| <u>website</u> | | | | | | |
| Technology Services, Administration | 39968 | R895-8 | 5YR | 12/01/2015 | 2015-24/67 | |
| Workforce Services, Administration | 38938 | R982-700 | NEW | 01/29/2015 | 2014-23/44 | |
| <u>weights</u> | | | | | | |
| Agriculture and Food, Regulatory Services | 39563 | R70-950 | 5YR | 08/05/2015 | 2015-17/99 | |
| <u>weights and measures</u> | | | | | | |
| Agriculture and Food, Regulatory Services | 39562 | R70-910 | 5YR | 08/05/2015 | 2015-17/99 | |
| <u>welfare fraud</u> | | | | | | |
| Human Services, Recovery Services | 39949 | R527-800 | 5YR | 11/16/2015 | 2015-23/71 | |
| <u>well logging</u> | | | | | | |
| Environmental Quality, Radiation Control | 39083 | R313-38-3 | AMD | 03/17/2015 | 2015-3/22 | |
| <u>white collar crime offender registry</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39891 | R722-390 | NEW | 12/22/2015 | 2015-22/153 | |
| <u>white collar crime offenders</u> | | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 39891 | R722-390 | NEW | 12/22/2015 | 2015-22/153 | |

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| <u>white collar crime registry</u> | | | | | | |
| Attorney General, Administration | 39445 | R105-3 | NEW | 08/10/2015 | 2015-13/17 | |
| <u>wilderness</u> | | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 38942 | R652-160 | NEW | 01/27/2015 | 2014-23/36 | |
| <u>wildland fires</u> | | | | | | |
| Environmental Quality, Air Quality | 39114 | R307-204 | 5YR | 02/05/2015 | 2015-5/104 | |
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| Natural Resources, Wildlife Resources | 39217 | R657-3 | AMD | 05/08/2015 | 2015-7/29 | |
| | 39719 | R657-3 | AMD | 11/10/2015 | 2015-19/74 | |
| | 38996 | R657-5 | AMD | 02/09/2015 | 2015-1/26 | |
| | 39062 | R657-5 | AMD | 03/16/2015 | 2015-3/30 | |
| | 39808 | R657-5 | 5YR | 10/05/2015 | 2015-21/112 | |
| | 39431 | R657-6 | 5YR | 06/08/2015 | 2015-13/63 | |
| | 39717 | R657-6 | AMD | 11/10/2015 | 2015-19/78 | |
| | 39435 | R657-9 | AMD | 08/07/2015 | 2015-13/29 | |
| | 39718 | R657-9 | AMD | 11/10/2015 | 2015-19/79 | |
| | 39712 | R657-10 | AMD | 11/10/2015 | 2015-19/81 | |
| | 39509 | R657-11 | 5YR | 07/13/2015 | 2015-15/34 | |
| | 39713 | R657-11 | AMD | 11/10/2015 | 2015-19/85 | |
| | 39162 | R657-15 | 5YR | 03/03/2015 | 2015-7/75 | |
| | 39809 | R657-17 | 5YR | 10/05/2015 | 2015-21/112 | |
| | 39215 | R657-19 | AMD | 05/08/2015 | 2015-7/33 | |
| | 39163 | R657-21 | 5YR | 03/03/2015 | 2015-7/76 | |
| | 39559 | R657-24 | 5YR | 08/03/2015 | 2015-17/105 | |
| | 39063 | R657-33 | AMD | 03/16/2015 | 2015-3/31 | |
| | 39064 | R657-38 | AMD | 03/16/2015 | 2015-3/39 | |
| | 39807 | R657-38 | 5YR | 10/05/2015 | 2015-21/113 | |
| | 39974 | R657-40 | 5YR | 12/07/2015 | Not Printed | |
| | 39065 | R657-41 | AMD | 03/16/2015 | 2015-3/40 | |
| | 39362 | R657-41 | AMD | 07/09/2015 | 2015-11/129 | |
| | 39811 | R657-41 | 5YR | 10/05/2015 | 2015-21/113 | |
| | 39066 | R657-42 | AMD | 03/16/2015 | 2015-3/42 | |
| | 38995 | R657-43 | AMD | 02/09/2015 | 2015-1/33 | |
| | 39067 | R657-55 | AMD | 03/16/2015 | 2015-3/43 | |
| | 39345 | R657-55 | 5YR | 05/05/2015 | 2015-11/188 | |
| | 39739 | R657-55 | AMD | 11/10/2015 | 2015-19/89 | |
| | 39806 | R657-56 | 5YR | 10/05/2015 | 2015-21/114 | |
| | 39068 | R657-57 | AMD | 03/16/2015 | 2015-3/48 | |
| | 39069 | R657-59 | AMD | 03/16/2015 | 2015-3/50 | |
| | 39714 | R657-60 | AMD | 11/10/2015 | 2015-19/93 | |
| | 39070 | R657-62 | AMD | 03/16/2015 | 2015-3/52 | |
| | 39716 | R657-63 | AMD | 11/10/2015 | 2015-19/97 | |
| | 39434 | R657-65 | AMD | 08/07/2015 | 2015-13/33 | |
| | 39071 | R657-68 | AMD | 03/16/2015 | 2015-3/54 | |
| | 38949 | R657-69 | AMD | 01/08/2015 | 2014-23/39 | |
| | 39216 | R657-70 | NEW | 05/08/2015 | 2015-7/36 | |
| | 39436 | R657-70 | AMD | 08/07/2015 | 2015-13/36 | |
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| Natural Resources, Wildlife Resources | 39064 | R657-38 | AMD | 03/16/2015 | 2015-3/39 | |
| | 39807 | R657-38 | 5YR | 10/05/2015 | 2015-21/113 | |
| <u>wildlife law</u> | | | | | | |
| Natural Resources, Wildlife Resources | 39509 | R657-11 | 5YR | 07/13/2015 | 2015-15/34 | |
| | 39713 | R657-11 | AMD | 11/10/2015 | 2015-19/85 | |
| | 39163 | R657-21 | 5YR | 03/03/2015 | 2015-7/76 | |
| | 39714 | R657-60 | AMD | 11/10/2015 | 2015-19/93 | |
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| | 39345 | R657-55 | 5YR | 05/05/2015 | 2015-11/188 |
| | 39739 | R657-55 | AMD | 11/10/2015 | 2015-19/89 |
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| Labor Commission, Adjudication | 39380 | R602-2-4 | AMD | 07/08/2015 | 2015-11/117 |
| Labor Commission, Industrial Accidents | 39829 | R612-100-4 | AMD | 12/08/2015 | 2015-21/91 |
| | 39830 | R612-200-1 | AMD | 12/08/2015 | 2015-21/92 |
| | 39832 | R612-300-4 | AMD | 12/08/2015 | 2015-21/94 |
| | 39833 | R612-300-5 | AMD | 12/08/2015 | 2015-21/95 |
| | 39835 | R612-400-1 | AMD | 12/08/2015 | 2015-21/97 |
| | 39822 | R612-400-5 | AMD | 12/08/2015 | 2015-21/98 |
| <u>workers' compensation insurance</u> | | | | | |
| Insurance, Administration | 39313 | R590-231 | 5YR | 04/29/2015 | 2015-10/106 |
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| Environmental Quality, Radiation Control | 39016 | R313-28-31 | AMD | 03/24/2015 | 2015-2/85 |
| | 39017 | R313-35 | AMD | 05/22/2015 | 2015-2/89 |
| | 39017 | R313-35 | CPR | 05/22/2015 | 2015-8/30 |
| <u>youth adolescent treatment standards</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39863 | R523-3 | NEW | 12/22/2015 | 2015-22/77 |
| <u>youth corrections</u> | | | | | |
| Human Services, Administration | 39500 | R495-883 | 5YR | 07/06/2015 | 2015-15/33 |
| <u>youth offender substance use education series</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39863 | R523-3 | NEW | 12/22/2015 | 2015-22/77 |
| <u>youth offender substance use screening or assessments</u> | | | | | |
| Human Services, Substance Abuse and Mental Health | 39863 | R523-3 | NEW | 12/22/2015 | 2015-22/77 |
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| Human Services, Substance Abuse and Mental Health | 39863 | R523-3 | NEW | 12/22/2015 | 2015-22/77 |
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| Human Services, Juvenile Justice Services | 39759 | R547-11 | NEW | 11/24/2015 | 2015-20/95 |
| <u>zoological animals</u> | | | | | |
| Natural Resources, Wildlife Resources | 39217 | R657-3 | AMD | 05/08/2015 | 2015-7/29 |
| | 39719 | R657-3 | AMD | 11/10/2015 | 2015-19/74 |