UTAH STATE BULLETIN

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The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah State Government. The Department of Administrative Services, Division of Administrative Rules produces the *Bulletin* under authority of Section 63G-3-402.

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, 4120 State Office Building, Salt Lake City, Utah 84114-1201, telephone 801-538-3764, FAX 801-359-0759. 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)*. The *Digest* is available by E-mail or over the Internet. Visit http://www.rules.utah.gov/publicat/digest.htm for additional information.

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TABLE OF CONTENTS

SPECIAL NOTICES 1

Health
Health Care Financing, Coverage and Reimbursement Policy
Notice for September 2011 Medicaid Rate Changes 1

NOTICES OF PROPOSED RULES 3

Alcoholic Beverage Control
Administration
No. 35098 (Amendment): R81-1 Scope, Definitions, and General Provisions 4
No. 35099 (Amendment): R81-6-6 Religious Wine Permits 6
No. 35097 (New Rule): R81-10D Tavern Beer Licenses 7
Career Service Review Office
Administration
No. 35089 (Amendment): R137-1-2 Definitions 9
Commerce
Occupational and Professional Licensing
No. 35102 (Amendment): R156-38b State Construction Registry Rule 11
Real Estate
No. 35090 (Amendment): R162-2g-304d Experience Hours 17
Education
Administration
No. 35101 (Amendment): R277-404-3 Board Responsibilities 21
Health
Family Health and Preparedness, WIC Services
No. 35084 (Amendment): R406-100 Special Supplemental Nutrition Program for Women, Infants and Children 22
No. 35085 (Amendment): R406-200 Program Overview 24
No. 35086 (Amendment): R406-202-1 Certification and Eligibility 26
Health Care Financing, Coverage and Reimbursement Policy
No. 35100 (Amendment): R414-308 Application, Eligibility Determinations and Improper Medical Assistance 27
Insurance
Administration
No. 35103 (Amendment): R590-192 Unfair Accident and Health Claims Settlement Practices 32
No. 35104 (Amendment): R590-203 Health Grievance Review Process 35
No. 35105 (Amendment): R590-261 Health Benefit Plan Adverse Benefit Determination 38
Labor Commission
Administration
No. 35093 (New Rule): R600-3 Definitions Applicable to Construction Licensees 43
Adjudication
No. 35092 (Amendment): R602-2-4 Attorney Fees 45
Antidiscrimination and Labor, Fair Housing
No. 35094 (Amendment): R608-1-17 Assistance Animals 47

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION 49

Career Service Review Office
Administration
No. 35083: R137-1 Grievance Procedure Rules 49

NOTICES OF RULE EFFECTIVE DATES 51

**RULES INDEX
BY AGENCY (CODE NUMBER)
AND
BY KEYWORD (SUBJECT)..... 53**

SPECIAL NOTICES

Health
Health Care Financing, Coverage and Reimbursement Policy

Notice for September 2011 Medicaid Rate Changes

Effective September 1, 2011, Utah Medicaid will adjust its rates consistent with approved methodologies. Rate adjustments include new codes priced consistent with approved Medicaid methodologies, potential adjustments to existing codes, and nursing home rate changes to case mix components consistent with adopted payment methodology. All rate changes are posted to the web and can be viewed at: http://health.utah.gov/medicaid/stplan/bcrp.htm

End of the Special Notices Section

NOTICES OF
PROPOSED RULES

A state agency may file a **Proposed Rule** when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between July 16, 2011, 12:00 a.m., and August 01, 2011, 11:59 p.m. are included in this, the August 15, 2011 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 (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [~~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 printed. If a **Proposed Rule** is too long to print, the Division of Administrative Rules will 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 September 14, 2011. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **Rule Analysis**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **Proposed Rule**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through December 13, 2011, 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** or a **Change in Proposed Rule**, the **Proposed Rule** lapses and the agency must start the process over.

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, R15-4-5, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

Alcoholic Beverage Control, Administration
R81-1
Scope, Definitions, and General Provisions

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35098
FILED: 07/28/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule amendment is being proposed to implement S.B. 314. which was passed in the 2011 General Session, and to remove antiquated references to the state label. The rule amendment also makes nonsubstantive changes regarding statutory references subsequent to the recodification the Alcoholic Beverage Control Act that replaced Title 32A with Title 32B effective 07/01/2011.

SUMMARY OF THE RULE OR CHANGE: To implement S.B. 314, passed in the 2011 General Session, amendments are proposed to the following: in Section R81-1-2, definitions are made consistent with the new license types created in S.B. 314, and with the new warning sign language specified in S. B. 314; and in Section R81-1-22, Diplomatic Embassy Shipments and Purchases whereby references to the state label on bottles are removed because the Legislature eliminated the state label in S.B. 187 (2009 General Session). The rule amendment also makes nonsubstantive changes regarding statutory references subsequent to the recodification the Alcoholic Beverage Control Act that replaced Title 32A with Title 32B effective 07/01/2011.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-2-202

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This amendment deals with two definitions only and does not impose any costs or savings to the state budget. The state stopped using the state labels in 2009, so there is no further effect on the state budget.
♦ LOCAL GOVERNMENTS: None--This rule deals in areas that are regulated by state government and do not affect costs or savings of local governments.
♦ SMALL BUSINESSES: None--Many licensees are small businesses that are already operating under the rules that these definitions address in this amendment. There will be no additional costs or savings associated with this amended rule.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--These rules only affect licensed businesses and there is no cost or savings effect on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Statutory requirements establish compliance parameters and any resulting costs. This rule does not impose any additional compliance costs.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule amendment makes changes to definitions that are consistent with S.B. 314, and removes an antiquated reference to state labels. There will be no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Neil Cohen by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at ncohen@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2011

AUTHORIZED BY: Dennis Kellen, Director

R81. Alcoholic Beverage Control, Administration.
R81-1. Scope, Definitions, and General Provisions.
R81-1-1. Scope and Effective Date.
R81-1-2. Definitions.

Definitions of terms in the Act are used in these rules, except where the context of the terms in these rules clearly indicates a different meaning.

(1) "ACT" means the Alcoholic Beverage Control Act, Title [~~32A~~]32B.

(2) "COMMISSION" means the Utah Alcoholic Beverage Control Commission.

(3) "DECISION OFFICER" means a person who has been appointed by the commission or the director of the Department of Alcoholic Beverage Control to preside over the prehearing phase of all disciplinary actions, and, in all cases not requiring an evidentiary hearing.

(4) "DEPARTMENT" or "DABC" means the Utah Department of Alcoholic Beverage Control.

(5) "DIRECTOR" means the director of the Department of Alcoholic Beverage Control.

(6) "DISCIPLINARY ACTION" means the process by which violations of the Act and these rules are charged and adjudicated, and by which administrative penalties are imposed.

(7) "DISPENSING SYSTEM" means a dispensing system or device which dispenses liquor in controlled quantities not exceeding 1.5 ounces and has a meter which counts the number of pours served.

(8) "GUEST ROOM" means a space normally utilized by a natural person for occupancy, usually a traveler who lodges at an inn, hotel or resort.

(9) "HEARING OFFICER" or "PRESIDING OFFICER" means a person who has been appointed by the commission or the director to preside over evidentiary hearings in disciplinary actions, and who is authorized to issue written findings of fact, conclusions of law, and recommendations to the commission for final action.

(10) "LETTER OF ADMONISHMENT" is a written warning issued by a decision officer to a respondent who is alleged to have violated the Act or these rules.

(11) "MANAGER" means a person chosen or appointed to manage, direct, or administer the affairs of another person, corporation, or company.

(12) "POINT OF SALE" means that portion of a package agency, restaurant, limited restaurant, beer-only restaurant, airport lounge, on-premise banquet premises, reception center,[~~private~~] club, recreational amenity on-premise beer retailer, tavern, single event permitted area, temporary special event beer permitted area, or public service special use permitted area that has been designated by the department as an alcoholic beverage selling area. It also means that portion of an establishment that sells beer for off-premise consumption where the beer is displayed or offered for sale.

(13) "REASONABLE" means ordinary and usual thinking, speaking, or acting, which is fit and appropriate to the end in view.

(14) "RESPONDENT" means a department licensee, or permittee, or employee or agent of a licensee or permittee, or other entity against whom a letter of admonishment or notice of agency action is directed.

(15) "STAFF" or "authorized staff member" means a person duly authorized by the director of the department to perform a particular act.

(16) "UTAH ALCOHOLIC BEVERAGE CONTROL LAWS" means any Utah statutes, commission rules and municipal and county ordinances relating to the manufacture, possession, transportation, distribution, sale, supply, wholesale, warehousing, and furnishing of alcoholic beverages.

(17) "VIOLATION REPORT" means a written report from any law enforcement agency or authorized department staff member alleging a violation of the Utah Alcoholic Beverage Control Act or rules of the commission by a department licensee, or permittee, or employee or agent of a licensee or permittee or other entity.

(18) "WARNING SIGN" means a sign no smaller than [~~six~~]eight and one half inches high by [~~twelve~~]eleven inches wide, [~~with print no smaller than one-half inch bold letters and~~]clearly readable, stating: "Warning: drinking alcoholic beverages during pregnancy can cause birth defects and permanent brain damage for the child. Call the Utah Department of Health at (insert most current toll-free number) with questions or for more information" and "Warning: Driving under the influence of alcohol or drugs is a serious crime that is prosecuted aggressively in Utah." The two warning messages shall be in the same font size but different font styles that are no smaller than 36 point bold. The font size for the health department contact information shall be no smaller than 20 point bold.

R81-1-22. Diplomatic Embassy Shipments and Purchases.

(1) Purpose. The Vienna Conventions on Diplomatic and Consular Relations grant foreign diplomatic missions certain exemptions from federal, state and local taxes. The United States, by treaty, is a party to the Vienna Conventions, and is obligated under international law to grant these exemptions under these agreements to accredited diplomatic missions of those countries that grant the United States reciprocal privileges. These privileges include the purchase of alcoholic beverages duty and tax free subject to certain exceptions such as indirect taxes normally incorporated in the price of goods or services, and charges levied for specific services rendered to benefit the mission.

This rule establishes department guidelines for shipments and purchases of alcohol by a foreign diplomatic mission with an accredited embassy having full diplomatic privileges under the Vienna Conventions that establishes an embassy presence in the state of Utah (hereafter "accredited foreign diplomatic mission").

(2) Application of Rule.

(a) Shipments. An accredited foreign diplomatic mission that establishes an embassy presence in Utah may have or possess, for official diplomatic use, and not for sale or resale, alcoholic beverages that have not been purchased in the state of Utah. Such products may be shipped or transported into the state of Utah under the following conditions:

(i) The embassy must first obtain the approval of this department prior to shipping or transporting its alcoholic beverages into the state.

(ii) Alcoholic beverages shipped or transported into the state must clear U.S. Customs duty free.

[~~(iii) The department shall affix the official state label to the alcoholic beverages.~~

] (iv) The embassy shall pay the department an administrative handling fee of $1.00 per smallest unit (bottle, can, or keg). Payment of handling fees shall be made by the embassy using an official embassy check or embassy credit card.

(v) The alcoholic beverages may be used by the embassy only for official diplomatic functions, and may not be sold or resold.

(b) Purchases.

(i) Special Orders. An accredited foreign diplomatic mission that establishes an embassy presence in Utah may special order from the department alcoholic beverage products not presently sold in the state of Utah under the following procedures:

(A) The company or importer supplying the product must submit a price quotation to the department indicating the case price (in US dollars) for which it will sell the product to the state.

(B) The quoted case price must be reasonable (a minimum of $10.00 per case).

(C) The product will be marked up using the department's standard pricing formula (less the state sales tax).

(D) Special orders must be placed by the embassy at least two months in advance to allow the department sufficient time to purchase and receive the product for the embassy.

(E) The product must be paid for by the embassy using an official embassy check or embassy credit card.

(F) The product may be used by the embassy only for official diplomatic functions, and may not be sold or resold.

(ii) Presently Available Merchandise. An accredited foreign diplomatic mission that establishes an embassy presence in Utah may purchase alcoholic beverages that are presently sold in the state of Utah under the following procedures:

(A) Alcoholic beverage product purchases, other than large quantity purchases, may be made by the embassy at any state store. The store shall deduct state sales tax from the purchase price.

(B) Large quantity purchase orders must be placed by the embassy at the department's licensee warehouse. The warehouse shall deduct state sales tax from the purchase price.

(C) The products must be paid for by the embassy using an official embassy check or embassy credit card.

(D) The product may be used by the embassy only for official diplomatic functions, and may not be sold or resold.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: 2011
Notice of Continuation: May 10, 2011
Authorizing, and Implemented or Interpreted Law: 32B-2-201(10); 32B-2-202; 32B-3-203(3)(c); 32B-1-305; 32B-1-306; 32B-1-307; 32B-1-607; 32B-1-304(1)(a); 32B-6-702; 32B-6-805(3); 32B-9-204(4); 32B-4-414(1)(b) and (c)

Alcoholic Beverage Control, Administration
R81-6-6
Religious Wine Permits

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35099
FILED: 07/28/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to remove antiquated references to the "state label" which was previously eliminated from statute by S.B. 187 passed in the 2009 General Session, and to fix typographical errors.

SUMMARY OF THE RULE OR CHANGE: This rule amendment removes antiquated references to the "state label". The Legislature eliminated the use of state labels in S.B. 187 passed in the 2009 General Session.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32-2-202

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This is a housekeeping amendment to remove antiquated references to the "state label" that has not been in use since 2009 and will have no cost or savings to the state budget.
♦ LOCAL GOVERNMENTS: None--The Religious Wine Permit is a state permit and has no cost or savings effect on local governments.
♦ SMALL BUSINESSES: None--The Religious Wine Permit is for religious organizations to provide alcoholic product to a person as part of the religious organization's religious services. The rule has no effect on small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule regulates religious organizations only and will have no effect on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The housekeeping changes in this amendment will not impose any compliance costs for affected religious organizations.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This is a housekeeping amendment to strike language that should have been removed after S.B. 187 became law in 2009. It is being done now and will have no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Neil Cohen by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at ncohen@utah.gov

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THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2011

AUTHORIZED BY: Dennis Kellen, Director

R81-1. Alcoholic Beverage Control, Administration.
R81-6. Special Use Permits.
R81-6-6. Religious Wine Permits.

(1) Purpose. This rule outlines the procedures for a religious wine permit holder to purchase wine for religious purposes, and the procedures department personnel shall follow to process the purchase.

(2) Application of Rule.

(a) The permit holder may purchase any generally listed wine directly off of the shelf of any state store or package agency at a charge of cost plus freight. The cashier shall first verify that the purchasing religious organization is a holder of a permit on file in the department's licensee/permittee data base. The cashier shall determine the cost plus freight price of the wine. The wine may be purchased only with cash or a check belonging to the religious organization, and not with an individual's personal check or credit card. Checks shall be deposited in the ordinary course of business with other checks.[~~If wines are purchased by the case, the cases must be opened and the individual bottles marked with the state label.~~]

(b) The permit holder may order wine for religious purposes directly from the winery and have the winery ship the wine prepaid at a charge of cost plus freight to the department's central administrative warehouse. The warehouse shall deliver the wine to the state store or package agency nearest to the permit holder's church. [~~The state store or package agency shall open any cases and mark individual bottles with the state label.~~]The state store or package agency shall notify the permit holder when the product is available for pick-up.

(c) The permit holder may place a special order for wines not generally listed by the department only if the winery will not sell directly to the permit holder. Special orders may be placed only with the special order clerk at the department's administrative office. No special orders may be placed with a state store or package agency. The special order clerk shall verify that the purchasing religious organization is on file in the department's licensee/permittee data base, place the order, assign it a special order code number, assess a charge of cost plus freight, and have the wine delivered to the state store or package agency nearest to the permit holder's church. The state store or package agency shall notify the permit holder when the product is available for pick-up. All procedures for processing the purchase that are outlined in (a) above shall be followed by the state store or package agency to complete the sale.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [~~June 1, 2004~~]2011
Notice of Continuation: May 10, 2011
Authorizing, and Implemented or Interpreted Law: 32A-1-107

Alcoholic Beverage Control, Administration
R81-10D
Tavern Beer Licenses

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 35097
FILED: 07/28/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This new rule provides a section for the "tavern" license type which was previously combined with the on-premise beer license and implements new provisions required by S.B. 314 that was passed in the 2011 General Session.

SUMMARY OF THE RULE OR CHANGE: This rule is proposed to ensure that taverns are regulated in a similar manner as holders of other licenses. As required by S.B. 314, it also clarifies the electronic age verification procedures that taverns must abide by pursuant to Section 32B-1-407.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-2-202 and Subsection 32B-1-407(5)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule elaborates on the statutory mandates for this existing license type. Regarding the new requirement, the DABC is not required to fund the purchase of the electronic age verification devices therefore there will be no cost or savings to the state budget.
♦ LOCAL GOVERNMENTS: None--Taverns are regulated on the state level. Local governments will not be involved so there will no costs or savings to them.
♦ SMALL BUSINESSES: Many taverns are small businesses, however the purchase and use of electronic age verification devices is required by statute and the associated costs are therefore imposed by statute, so this rule does not impose any additional costs.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--The rule affects tavern license holders and not other persons, so this rule will have no fiscal impact on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs created by this rule. Any compliance costs associated with the purchase and use of the electronic age verification devices are imposed by the governing statutes: Sections 32B-1-407 and 32B-6-706.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule is written to clarify the operational guidelines for tavern licenses and to clarify the regulatory procedures for the use of the electronic age verification devices that S.B. 314 requires for taverns. These devices cost about $1,000 each and some larger businesses may require more than one. However, the rule has no fiscal impact on businesses because the fiscal burdens are established by statute.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Neil Cohen by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at ncohen@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2011

AUTHORIZED BY: Dennis Kellen, Director

R81. Alcoholic Beverage Control, Administration.
R81-10D. Tavern Beer Licenses.
R81-10D-1. Licensing.

(1) Tavern beer licenses are issued to persons as defined in Section 32B-1-102(74). The department must be immediately notified of any action or transaction that may alter the organizational structure or ownership interest of the person to whom the license is issued to ensure there is no violation of Sections 32B-5-310.

R81-10D-2. Application.

A license application shall be included in the agenda of the monthly commission meeting for consideration for issuance of a tavern beer license when the requirements of Sections 32B-1-304, 32B-5-201, -204 and 32B-6-703 and -705 have been met, and a completed application has been received by the department and the restaurant premises have been inspected by the department.

R81-10D-3. Bonds.

No part of any corporate or cash bond required by Section 32B-5-204 and 32B-6-705(4) may be withdrawn during the time the license is in effect. If the tavern beer licensee fails to maintain a valid corporate or cash bond, the license shall be immediately suspended until a valid bond is obtained. Failure to obtain a bond within 30 days of notification by the department of the delinquency shall result in the automatic revocation of the license.

R81-10D-4. Insurance.

Public liability and dram shop insurance coverage required in Section 32B-5-201(2)(j)must remain in force during the time the license is in effect. Failure of the licensee to maintain the required insurance coverage may result in a suspension or revocation of the license by the commission.

R81-10D-5. Identification Badge.

Each employee of the licensee who sells, dispenses or provides alcoholic beverages shall wear a unique identification badge visible above the waist, bearing the employee's first name, initials, or a unique number in letters or numbers not less than 3/8 inch high. The identification badge must be worn on the front portion of the employee's body. The licensee shall maintain a record of all employee badges assigned, which shall be available for inspection by any peace officer, or representative of the department. The record shall include the employee's full name and address and a driver's license or similar identification number.

R81-10D-6. Age Verification - Taverns.

(1) Authority. 32B-1-402, -405, and -407.

(2) Purpose.

(a) 32B-1-407 requires tavern licensees to verify proof of age of persons who appear to be 35 years of age or younger either by an electronic age verification device, or an acceptable alternate process established by commission rule.

(b) This rule:

(i) establishes the minimum technology specifications of electronic age verification devices; and

(ii) establishes the procedures for recording identification that cannot be electronically verified; and

(iii) establishes the security measures that must be used by the tavern licensee to ensure that information obtained is used only to verify proof of age and is not disclosed to others except to the extent authorized by Title 32B.

(3) Application of Rule.

(a) An electronic age verification device:

(i) shall contain:

(A) the technology of a magnetic stripe card reader;

(B) the technology of a two dimensional ("2d") stack symbology card reader; or

(C) an alternate technology capable of electronically verifying the proof of age;

(ii) shall be capable of reading:

(A) a valid state issued driver's license;

(B) a valid state issued identification card;

(C) a valid military identification card; or

(D) a valid passport;

(iii) shall have a screen that displays no more than:

(A) the individual's name;

(B) the individual's age;

(C) the number assigned to the individual's proof of age by the issuing authority;

(D) the individual's the birth date;

(E) the individual's gender; and

(F) the status and expiration date of the individual's proof of age; and

(iv) shall have the capability of electronically storing the following information for seven days (168 hours):

(A) the individual's name;

(B) the individual's date of birth;

(C) the individual's age;

(D) the expiration date of the proof of age identification card;

(E) the individual's gender; and

(F) the time and date the proof of age was scanned.

(b) An alternative method of verifying an individual's proof of age when proof of age cannot be scanned electronically:

(i) shall include a record or log of the information obtained from the individual's proof of age including the following information:
(A) the type of proof of age identification document presented;
(B) the number assigned to the individual's proof of age document by the issuing authority;
(C) the expiration date of the proof of age identification document;
(D) the date the proof of age identification document was presented;
(E) the individual's name; and
(F) the individual's date of birth.
(c) Any data collected either electronically or otherwise:
(i) may be used by the licensee, and employees or agents of the licensee, solely for the purpose of verifying an individual's proof of age;
(ii) may be acquired by law enforcement, or other investigative agencies for any purpose under Section 32A-5-107;
(iii) may not be retained by the licensee in a data base for mailing, advertising, or promotional activity;
(iv) may not be retained to acquire personal information to make inappropriate personal contact with the individual; and
(v) shall be retained for a period of seven days from the date on which it was acquired, after which it must be deleted.
(d) Any person who still questions the age of the individual after being presented with proof of age, shall require the individual to sign a statement of age form as provided under 32B-1-405.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: 2011
Authorizing, and Implemented or Interpreted Law: 32B-2-202; 32B-1-407(5)

Career Service Review Office, Administration
R137-1-2
Definitions

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35089
FILED: 07/19/2011

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment is mandated by legislative action pursuant to H.B. 328 in the 2011 General Session.

SUMMARY OF THE RULE OR CHANGE: The rule change is a result of H.B. 328. To comply with legislative mandates, the Career Service Review Office (CSRO) will return to operating hours of 8:00 to 5:00, Monday through Friday. Since many grievances and decisions on those grievances are required to be filed within prescribed days, the section defining working day to include Fridays must be changed to be in compliance with law. Specifically, Section R137-1-2 needs to be changed to include Friday as a working day.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 63G-4-401 and Section 67-19a-401 and Section 67-19a-402

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: Changing the days during the week that CSRO filings and decisions will be issued will have no fiscal impact on operating costs.
♦ LOCAL GOVERNMENTS: The CSRO has no interactions with the local governments.
♦ SMALL BUSINESSES: The CSRO has no interactions with small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--Employees will now be able to file on Fridays. This will generate no additional costs for them.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Employees will simply be able to file grievances on Fridays. This will generate no additional costs to them.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This change will have no impact on the CSRO operations. As said it simply sets forth the days that filings and decision will be issued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
CAREER SERVICE REVIEW OFFICE
ADMINISTRATION
ROOM 1120 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:
♦ Robert Thompson by phone at 801-538-3047, by FAX at 801-538-3139, or by Internet E-mail at bthompson@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Robert Thompson , Administrator

R137. Career Service Review Office, Administration.
R137-1. Grievance Procedure Rules.
R137-1-2. Definitions.

Terms defined in Section 63G-4-103 of the Utah Administrative Procedures Act (UAPA) are incorporated by reference within this rule. In addition, other terms which are used in this rule are defined below:

"Abandonment of Grievance" means either the voluntary withdrawal of a grievance or the failure by an employee to properly pursue a grievance through these grievance procedures.

"Administrative Review of the File" means an informal adjudicative proceeding according to Subsection 67-19a-403(3)(b).

"Administrator" means the incumbent in the position defined at Subsection 67-19a-101(1).

"Affidavit" means a signed and sworn statement offered for consideration in connection with a grievance proceeding.

"Affirmative Defense" means a responsive answer asserting facts in addition to those alleged that are legally sufficient to rebut asserted allegations.

"Appeal" means a formal request to a higher level of review of an unacceptable lower level decision.

"Appointing Authority" means the officer, board, commission, person or group of persons authorized to make appointments on personnel/human resource management matters in their respective agency.

"Burden of Moving Forward" means a party's obligation to present evidence on a particular issue at a particular time. The burden of moving forward may shift back and forth between the parties based on certain legal principles.

"Burden of Proof" means the obligation to prove affirmatively a fact or set of facts at issue between two parties. If proven, the opposing party then has a burden of proving any affirmative defense.

CSRO means the agency of state government that statutorily administers these grievance procedures according to Sections 67-19a-101 through 67-19a-406.

"Closing Argument" means a party's final summation of evidence and argument, which is presented at the conclusion of the hearing.

"Consolidation" means the combining of two or more grievances involving the same controversy for purposes of holding a joint hearing, proceeding, or administrative review.

"Continuance" means an authorized postponement or adjournment of a hearing until a later date, whether the date is specified or not.

"Declaratory Order" means a ruling that is explanatory in purpose; it is designed to clarify what before was uncertain or doubtful. A declaratory order constitutes a declaration of rights between parties to a dispute and is binding as to both present and future rights. It is an administrative interpretation or explanation of a right, statute, order or other legal matter under a statute, rule, or an order.

"Default" means an omission of or untimely failure to take or perform a required act in the processing of a grievance. It is the failure to discharge an obligation which results in a forfeiture.

"Deposition" means a form of discovery in which testimony of a witness is given under oath, subject to cross-examination, and recorded in writing, prior to the hearing.

"Discovery" means the prehearing process whereby one party may obtain from the opposing party, or from other individuals or entities, information regarding the witnesses to be called, the documents and exhibits to be used at the hearing, and the facts and information about the case.

"Evidentiary Hearing" means a proceeding of relative formality, though much less formal than a trial, in which witnesses may be heard and evidence is presented and considered. Specific issues of fact and of law are tried. Afterwards, ultimate conclusions of fact and of law are set forth in a written decision or order.

"Excusable Neglect" means the exercise of due diligence by a reasonably prudent person and constitutes a failure to take proper steps at the proper time, not in consequence of the person's own carelessness, inattention, or willful disregard in the processing of a grievance, but in consequence of some unexpected or unavoidable hindrance or accident.

"Extraordinary Circumstances" means factors not normally incident to or foreseeable during an administrative proceeding. It includes circumstances beyond a party's control that normal prudence and experience could not foresee, anticipate or provide for.

"File" means to submit a document, grievance, petition, or other paper to the CSRO as prescribed by these rules. The term "file" includes faxing and E-mailing.

"Filing Date" means the day that a document, grievance, petition, or other paper is recorded as having been received by the CSRO.

"Grievance Procedures" mean the grievance and appeal procedures codified at Sections 67-19a-101 through 67-19a-406 and promulgated through this rule.

"Grievant" means the person or party advancing one or more issues as a petitioner through these grievance procedures to the evidentiary/step 4 level.

"Group Grievance" means a grievance submitted and signed by two or more aggrieved employees. The term does not include "class action."

"Hearing" means the opportunity to be heard or present evidence in an administrative proceeding.

"Hearing Officer" means an impartial trier of facts appointed by the CSRO administrator and assigned to decide a particular grievance case at the evidentiary/step 4 level.

"Hearsay Evidence" means evidence not based upon a witness's personal knowledge as a direct observer of an event. Rather, hearsay evidence stems from the repetition of what a witness heard another person say. Hearsay's value rests upon the credibility of the declarant. Hearsay is a statement made outside of the hearing that is offered as evidence of the truth of matters asserted in the hearing.

"Initial Hearing" means a hearing conducted by the administrator to make an initial determination regarding timeliness, authority, jurisdiction, direct harm, standing and eligibility to advance a grievance issue to the evidentiary/step 4 level.

"Issuance" means the date on which a decision, order or ruling is signed and dated; it is not the date of mailing, or the date of the mailing certificate, nor the postal date. Date of issuance is the date specified according to Subsection 63G-4-401, of the UAPA.

"Joint Hearing" means the uniting of two or more grievances involving the same, similar, or related circumstances or issues to conduct a single hearing; also see "Consolidation."

"Jurisdiction" means the legal right and authority to hear and decide issues and controversies.

"Management Representative" means a person of managerial or supervisory status who is not subject to exclusion. Legal counsel is not included within the meaning of the term.

"Motion" means a request offered verbally or in writing for a ruling or to take some action.

"Motion to Dismiss" means a motion requesting that a grievance or appeal be dismissed because it does not state a claim for which the CSRO provides a remedy, or is in some other way legally insufficient.

"Notice" and "Notification" mean a proper written notice to the parties involved in a grievance procedural hearing or conference, setting forth date, time, location, and the issue to be considered.

"Pleadings" mean the formal written allegations of the parties that set forth their respective claims and defenses.

"Presiding Hearing Officer" means either the Administrator or designated evidentiary/step 4 hearing officer.

"Pro Se" means in one's own behalf. A person is represented pro se in an administrative proceeding when acting without legal counsel or other representation.

"Quash" means to cancel, annul, or vacate a subpoena.

"Relevant" means directly applying to the matter in question; pertinent, germane. It is evidence that tends to make the existence of any facts more probable or certain than they would be without the evidence; and tending to prove the precise fact at issue.

"Remand" means to send back, as for further deliberation and judgment, to the presiding official or other tribunal from which a grievance was appealed.

"Standard of Proof" means the evidentiary standard, which in CSRO adjudications is the substantial evidence standard.

"Stay" means a temporary suspension of a case or of some designated proceeding within the case. A stay is different than a continuance or extension of time and can only be granted when agreed to by the parties and when the administrator or assigned hearing officer finds a stay necessary for judicial economy and the interest of justice.

"Submit" means to commit to the discretion of another; to present for determination.

"Subpoena" means a formal legal document issued under authority to compel the appearance of a witness at an administrative proceeding, the disobedience of which may be punishable as a contempt of court.

"Subpoena Duces Tecum" means a formal legal document issued under authority to compel specific documents, books, writings, papers, or other items.

"Substantial Evidence" means evidence possessing something of substance and relevant consequence, and which furnishes substantial basis of fact from which issues tendered can be reasonable resolved. It is evidence that a reasonable mind might accept as adequate to support a conclusion, but is less than a preponderance.

"Summary Judgment" means a ruling made upon motion by a party or the presiding hearing officer when there is no dispute as to either material fact or inferences to be drawn from undisputed facts, or if only a question of law is involved. The motion may be directed toward all or part of a claim or defense.

"Transcript" means an official verbatim written record of an adjudicative proceeding or any part thereof, which has been recorded and subsequently transcribed by a certified court reporter.

"UAPA" means the Utah Administrative Procedures Act found at Sections 63G-4-102 through 63G-4-601.

"Withdraw" means to recall or retract a grievance from further consideration under these grievance procedures.

"Witness Fee" means an appearance fee and may also include a mileage rate established by statutory provision pursuant to Section 78B-1-119.

"Working Days" means for purposes of the time periods for filing a grievance, advancing an appeal or responding to an employee's grievance or appeal, all days except [~~Fridays,~~] Saturdays, Sundays and recognized State holidays.

KEY: grievance procedures
Date of Enactment or Last Substantive Amendment: [~~July 1, 2010~~]2011
Notice of Continuation: July 18, 2011
Authorizing, and Implemented or Interpreted Law: 34A-5-106; 67-19-16; 67-19-30; 67-19-31; 67-19-32; 67-19a et seq.; 63G-4 et seq.

Commerce, Occupational and Professional Licensing

R156-38b

State Construction Registry Rule

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE NO.: 35102
FILED: 08/01/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This filing: 1) implements changes made by H.B. 115 and H.B. 260, passed by the Utah Legislature in the 2011 General Session; 2) updates the rule to codify current practices of Utah Interactive, the Division's designated agent for the State Construction Registry (SCR); 3) updates statutory citations; 4) revises rule numbering; and 5) makes other technical changes.

SUMMARY OF THE RULE OR CHANGE: In Section R156-38b-102, the definition of "private project" is added to reflect statutory changes. In Section R156-38b-103, updated statute citation reference. In Section R156-38b-402, existing language is modified to reflect recent technical improvements that have improved the SCR user account creation process. In Sections R156-38b-501 through R156-38b-504, the provisions rendered obsolete or redundant by current statute are removed. The scope of provisions is broadened to

describe all SCR notices. Provisions are consolidated into basic principles for better application to an expanded number of SCR filings. Remaining provisions are renumbered and reorganized. In Section R156-38b-505, adds references to reflect current statute. In Subsection R156-38b-507(2), there is a minor wording change. Section R156-38b-508 is being deleted due to obsolete language. In Section R156-38b-509, the term "cancel" is modified to "withdraw" to reflect changes in the governing statute. Section R156-38b-510 is being deleted due to obsolete language. In Section R156-38b-601, the subsection numbering is corrected. Subsection R156-38b-602(2) is deleted due to obsolete language. In Sections R156-38b-603 and R156-38b-604, minor wording corrections are made. Section R156-38b-701 is being deleted due to redundant language. In Subsection R156-38b-702(2)(c), the word "canceled" is replaced with "withdrawn".

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 38-1-30(3)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The Division anticipates no costs or savings to the state budget as a result of this proposed rule filing. Development and administrative costs are born by the designated agent, Utah Interactive, and shall be offset by SCR filing fees.
♦ LOCAL GOVERNMENTS: The Division anticipates no costs or savings to local governments as a result of this proposed rule filing as the filing imposes no additional requirements for compliance.
♦ SMALL BUSINESSES: Original contractors who wish to maintain lien rights on private projects will be required to file a Preliminary Notice and pay a $1.25 fee. Previously, an original contractor's lien rights were held inviolate by the SCR. This cost will translate into an additional $15 annually for an original contractor who wishes to maintain lien rights on 12 projects. Protecting lien rights on 100 jobs would cost the original contractor $125. Subcontractors and suppliers will pay $1.25 to file a Preliminary Notice rather than $1. This additional cost will translate into an additional $30 annually for a subcontractor who wishes to maintain lien rights on 120 projects. Protecting lien rights on 3,000 jobs would cost a supplier an additional $750. Office staff wages and other related overhead costs will decrease due to quicker filing procedures and decreased ambiguity. Wages and other related overhead costs for title companies will decrease due to increased reliability, decreased ambiguity, and the integration of tax parcel identification numbers. Construction lenders will be required to file a notice of construction loan after recording a mortgage or trust deed on a private project. This filing requires an $8 fee and would translate into a cost of $800 for a lender who files 100 notices and $48,000 for a lender who files 6,000 notices.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Original contractors who wish to maintain lien rights on private projects will be required to file a Preliminary Notice and pay a $1.25 fee. Previously, an original contractor's lien rights were held inviolate by the SCR. This cost will translate into an additional $15 annually for an original contractor who wishes to maintain lien rights on 12 projects. Protecting lien rights on 100 jobs would cost the original contractor $125. Subcontractors and suppliers will pay $1.25 to file a Preliminary Notice rather than $1. This additional cost will translate into an additional $30 annually for a subcontractor who wishes to maintain lien rights on 120 projects. Protecting lien rights on 3,000 jobs would cost a supplier an additional $750. Office staff wages and other related overhead costs will decrease due to quicker filing procedures and decreased ambiguity. Wages and other related overhead costs for title companies will decrease due to increased reliability, decreased ambiguity, and the integration of tax parcel identification numbers. Construction lenders will be required to file a notice of construction loan after recording a mortgage or trust deed on a private project. This filing requires an $8 fee and would translate into a cost of $800 for a lender who files 100 notices and $48,000 for a lender who files 6,000 notices.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Original contractors who wish to maintain lien rights on private projects will be required to file a Preliminary Notice and pay a $1.25 fee. Previously, an original contractor's lien rights were held inviolate by the SCR. This cost will translate into an additional $15 annually for an original contractor who wishes to maintain lien rights on 12 projects. Protecting lien rights on 100 jobs would cost the original contractor $125. Subcontractors and suppliers will pay $1.25 to file a Preliminary Notice rather than $1. This additional cost will translate into an additional $30 annually for a subcontractor who wishes to maintain lien rights on 120 projects. Protecting lien rights on 3000 jobs would cost a supplier an additional $750. Office staff wages and other related overhead costs will decrease due to quicker filing procedures and decreased ambiguity. Wages and other related overhead costs for title companies will decrease due to increased reliability, decreased ambiguity, and the integration of tax parcel identification numbers. Construction lenders will be required to file a notice of construction loan after recording a mortgage or trust deed on a private project. This filing requires an $8 fee and would translate into a cost of $800 for a lender who files 100 notices and $48,000 for a lender who files 6,000 notices.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule filing implements recent statutory amendments, including setting fees required by statute, corrects statutory references, renumbers and reorganizes provisions and makes other technical amendments. No fiscal impact to businesses is anticipated from these changes.

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:
♦ Tom Harper by phone at 801-530-6288, by FAX at 801-530-6511, or by Internet E-mail at tharper@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:
♦ 09/12/2011 09:00 AM, Heber Wells Bldg, 160 E 300 S, Conference Room 210, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Mark Steinagel, Director

R156. Commerce, Occupational and Professional Licensing.
R156-38b. State Construction Registry Rule.
R156-38b-102. Definitions.

In addition to the definitions in Section 38-1-27, State Construction Registry -- Form and contents of notice of commencement, preliminary notice, and notice of completion; Title 58, Chapter 1, Division of Occupational and Professional Licensing Act; and Rule R156-1, General Rule of the Division of Occupational and Professional Licensing; which shall apply to these rules, as used in the referenced statutes or this rule:

(1) "Alternate method or process" means transmission by telefax, by U.S. mail, or by private commercial courier.

(2) "Electronic" or "Electronically" means transmission by Internet or by electronic mail and does not mean a transmission by alternate methods or process.

(3) "J2EE" means SUN Microsystem's Java 2 Platform, Enterprise Edition, for multi-tier server-oriented enterprise applications.

(4) "Merge" means to link two or more filings together under a unique project number as required by Subsection [~~38-1-31(1)(d)~~]38-1-31.5(3)(a).

(5) "Private project" means a construction project, commenced after July 31, 2011, that is not a government project.

([~~5~~]6) "SCR" means the State Construction Registry established in Sections 38-1-27 and 38-1-30 through 38-1-[~~37~~]36.

R156-38b-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Sections 38-1-27 and 38-1-30 through 38-1-[~~37~~]36 to administer the SCR.

R156-38b-402. User Identification and Password.

(1) All users are required to register with the SCR.

(2) The Division shall issue [~~and be assigned~~]a unique user ID and password to each user who successfully registers to use[~~gain access to~~] the SCR.

(3) The information gathered in the registration process shall be maintained in the SCR as the user profile.

(4) The registration process shall include the following information and any other information established by the Division in collaboration with the designated agent:

(a) first and last name of the individual registering; and

(b) [~~entity name if the individual represents an entity, and any DBA name(s);~~

~~(c) individual's position or title if the individual represents an entity;~~

~~(d) mailing address;~~

~~(e) phone number;~~

~~(f)~~]email address, if any[~~;~~

~~(g) preferred method of submitting payment to the SCR, as defined in a pre-populated pick list~~].

([~~2~~]5) The SCR shall provide the ability for a user to view and modify the user's profile.

([~~3~~]6) The SCR shall provide an industry accepted secure method for a user to recover a forgotten user ID or password.

([~~4~~]7) The SCR shall pre-populate filings with any information available in the user's profile.[

~~(5) The account will not be effective until the fee, established by the Division in collaboration with the designated agent, is received.~~]

R156-38b-501. Required Information for SCR Filing Notices.

(1) Electronic notice filings shall be input into the SCR entry screen by the person making the filing but shall not be accepted by the SCR unless the person complies with the content requirements for filing a preliminary notice.

(2) The SCR shall verify that data is submitted for each of the content requirements, but it is not responsible for the accuracy, suitability, or coherence of the data.

R156-38b-[~~501~~]502. Merging Notices of Commencement.

[~~(1) Content Requirements. The content of notices of commencement shall be in accordance with Subsection 38-1-31(2).~~

~~(2) Persons Who Must File Notices. In accordance with Subsections 38-1-31(1)(a) and (b), the following are required to file a notice of commencement:~~

~~(a) For a construction project where a building permit is issued, within 15 days after the issuance of the building permit, the local government entity issuing that building permit shall input the data and transmit the building permit information to the database electronically or by alternate method and such building permit information shall form the basis of a notice of commencement. The local government entity may not transfer this responsibility to the person who is issued or is to be issued the building permit.~~

~~(b) For a construction project where a building permit is not issued, within 15 days after commencement of physical construction work at the project site, the original contractor shall file a notice of commencement with the SCR.~~

~~(3) Persons Who May File Notices.~~

~~(a) In accordance with Subsection 38-1-31(1)(c), an owner of a construction project or original contractor may but is not required to file a notice of commencement with the designated agent within the prescribed time set forth in Subsection 38-1-31(1)(a) or (b).~~

~~(b) The parties identified in R156-38b-501(3)(a) may authorize a third party to file a notice of commencement on its behalf, as established in Subsection 38-1-27(9).~~

~~(4) Methodology.~~

~~(a) Electronic notice of commencement filings shall be input into the SCR by the person making the filing and shall not be accepted by the SCR unless the person complies with the content requirements for filing a notice of commencement.~~

~~(b) Alternate method notice of commencement filings shall be in accordance with this Section and Section R156-38-505.~~

] ([e]1) Checking for Existing Notices. In order to prevent duplicate filings of notices of commencement on government projects, [~~a search of~~]the SCR shall [~~be performed~~]search its database for any existing notices of commencement [~~and existing filed amendments~~]before allowing a use to create[~~ereating~~] a new notice of commencement[~~ for a project~~].

([~~i~~]a) If an existing notice of commencement is identified the following procedures apply:

([~~A~~]i) For an electronic filing[~~ by the person attempting to file the new notice of commencement,~~]

(A) the SCR shall indicate that a notice of commencement may have already been filed for the project and display the possible notice or notices of commencement that may match the existing project filing.

(B) The SCR shall allow the user to review the content of any existing notices to determine whether a notice has already been filed for the project before allowing a new notice to be filed.[

~~(I) If a notice of commencement already exists for the project but the person attempting to file the notice of commencement believes the content of the filing is not accurate, the person shall be given the option of submitting amendments to the content of the notice. The SCR shall reflect the submission date of the amendments, but the filing date of the notice shall remain unchanged. If the person attempting to file the new notice of commencement believes the existing notice is accurate, the system shall permit the proposed new filing to be terminated.~~]

([~~B~~]ii) For an alternate method filing, [~~input by the designated agent for the person filing the notice of commencement,~~]the designated agent shall notify the [~~person~~]filer by electronic or alternate method as specified by the filer, that a notice of commencement has already been filed for the particular project and include a copy of the existing notice of commencement.[~~In addition, the user will be notified that the notice of commencement will be added to the construction project as an amendment to the original filing in the SCR and the appropriate fee will be charged.~~]

([~~ii~~]b) As part of the process described in Subsection R156-38b-[~~501(4)(e)(i)~~]502(1), the SCR search for an existing notice of commencement shall display, for review by the person who submitted the search parameters, all notice of commencement filings that fit the search parameters indicated by the submission that prompted the search.[~~The purpose of this requirement is to enable the person to properly identify any existing notice of commencement before a new notice of commencement is created, to avoid duplicate notice of commencement filings.~~]

([~~iii~~]c) If no existing notice of commencement is identified for the particular project, the SCR shall allow the person who submitted the filing to file a new notice of commencement.[

~~(d) Creation of New Notices.~~

~~(i) A new notice of commencement shall not be accepted into the SCR until the SCR system has checked for an existing notice in accordance with the procedures outlined in Subsection R156-38b-501(4).~~

~~(ii) In accordance with Subsection 38-1-31(1)(d), when a new notice of commencement filing is accepted into the SCR, the SCR shall assign the project a unique project number that identifies the project and can be associated with all future notices of commencement, preliminary notices, notices of completion, and requests for notification applicable to the project.~~]

([e]2) Merging of Duplicate Filings. Duplicate filings shall be avoided to the extent possible in accordance with the procedure outlined in this Subsection. The SCR shall include functionality to allow a person who has successfully filed[~~, amended or corrected~~] a notice of commencement which duplicates another notice of commencement already in the SCR to merge the notice of commencement with the existing notice of commencement filing.

([~~i~~]a) The SCR shall reflect the effective date of the merger.

([~~ii~~]b) The SCR shall provide notification of the merger to all persons who are associated with either notice of commencement filing, including those who have filed preliminary notices.

([~~iii~~]c) The effective date of a merger reflects the date the unique merger number was cross-referenced to duplicate notice of commencement filings. A merger does not dissolve or affect the filing dates, or the consequences of the filing dates, of the notices being combined.[

~~(f) Resolving Multiple or Inconsistent Property Descriptions.~~]

([~~i~~]3) The person making a notice [~~of commencement~~] filing shall be responsible for correctly identifying a project, and for the consequences of failing to correctly identify a project.[

~~(ii)~~] Neither the Division nor the designated agent shall be responsible for the consequences of a person making a notice of commencement filing that identifies a project in such a way that the SCR is unable to identify an existing notice of commencement for the project, according to the search criteria established by the Division in collaboration with the designated agent, nor for the SCR allowing the person to make a successful duplicate notice of commencement filing with a different description of the project.[

R156-38b-502. Preliminary Notices.

~~(1) A person who wishes to file a preliminary notice may authorize a third party to file the notice on the person's behalf, as established in Subsection 38-1-27(9).~~

~~(2) Content Requirements. The content of a Preliminary Notice shall be in accordance with Subsection 38-1-32(1)(d).~~

~~(3) Methodology.~~

~~(a) Electronic preliminary notice filings shall be input into the SCR entry screen by the person making the filing but shall not be accepted by the SCR unless the person complies with the content requirements for filing a preliminary notice. The SCR is responsible for requiring that some data be submitted for each of the content requirements, but it is not responsible for the accuracy, suitability or coherence of the data.~~

~~(b) Alternate method preliminary notice filings shall be in accordance with Section R156-38b-505.~~

~~(c) Preliminary notice filing submitted before notice of commencement filing.~~

~~(i) A preliminary notice for a project may not be filed until the project has an existing notice of commencement. A person who attempts to submit a preliminary notice filing before a notice of commencement has been filed may either:~~

~~(A) file the notice of commencement as an interested party to enable the filing of the preliminary notice; or~~

~~(B) wait for the notice of commencement to be filed by someone else to enable the filing of his or her preliminary notice.~~

~~(i) A person who attempts to submit a preliminary notice filing before a notice of commencement has been filed and who can identify the project, using the building permit number or other identifier adopted by the Division in collaboration with the designated agent, may request notification of the filing of a notice of commencement for the project.~~

~~(ii) A preliminary notice filing that is not accepted by the SCR because it is submitted before a notice of commencement has been filed shall be in accordance with Section R156-38b-507.~~

~~R156-38b-503. Notices of Completion.~~

~~(1) Persons Who May File Notices.~~

~~(a) In accordance with Subsection 38-1-33(1)(a)(i), the owner, original contractor, lender, title company or surety associated with the construction project may file a notice of completion.~~

~~(b) The parties identified in R156-38b-503(1)(a)(i) may authorize a third party to file the notice on its behalf, as established in Subsection 38-1-27(9).~~

~~(2) Content Requirements. The content of a Notice of Completion shall be in accordance with Section 38-1-33(1)(d).~~

~~(3) Methodology.~~

~~(a) Electronic notice of completion filings shall be input into the SCR input screen by the person making the filing but shall not be accepted by the SCR unless the person complies with the content requirements for filing a notice of completion. The SCR is responsible for requiring that some data be submitted for each of the content requirements, but it is not responsible for validating the accuracy, suitability or coherence of the data.~~

~~(b) Alternate method notice of completion filings shall be in accordance with Section R156-38b-505.~~

~~R156-38b-504. Required Notifications and Requests for Notifications.~~

~~(1) Required Notifications. The designated agent or the SCR shall send the following required notifications:~~

~~(a) notification of the filing of a notice of commencement to a person who has filed a notice of commencement for the project, as required by Subsection 38-1-31(4)(a);~~

~~(b) notification of the filing of a preliminary notice to the person who filed the preliminary notice, as required by Subsection 38-1-32(2)(a)(i);~~

~~(c) notification of the filing of a preliminary notice to each person who filed a notice of commencement for the project, as required by Subsection 38-1-32(2)(a)(ii);~~

~~(d) notification of the filing of a notice of completion to each person who filed a notice of commencement for the project, as required by Subsection 38-1-33(1)(d)(i)(A); and~~

~~(e) notification of the filing of a notice of completion to each person who filed a preliminary notice for the project, as required by Subsection 38-1-33(d)(d)(i)(B).~~

~~(2) Permissible Requests for Notifications. The following requests for notifications may be submitted to the SCR:~~

~~(a) requests by any interested person who requests notification of the filing of a notice of commencement for a project, as permitted by Subsection 38-1-31(4)(b);~~

~~(b) requests by any interested person who requests notification of the filing of a preliminary notice, as permitted by Subsection 38-1-32(2)(a)(iii); and~~

~~(c) requests by any interested person who requests notification of the filing of a notice of completion, as permitted by Subsection 38-1-33(1)(d)(i)(C).~~

~~(3) Content Requirements for Requests for Notification. The content of a request for notification shall include:~~

~~(i) identification of the project by a method designated by the Division in collaboration with the designated agent;~~

~~(ii) name of the requestor;~~

~~(iii) the filing for which notification is requested; and~~

~~(iv) an electronic or alternate method address or telefax number for a response.~~

~~(4) Methodology.~~

~~(a) Automatic Response System. The SCR shall, to the extent practicable, be designed to require or generate the necessary information to support an automatic response system and documentation of automatic response system in order to handle requests for and required sending of notifications.~~

~~(b) Necessary Information. The information to be required from filers or generated to enable an automatic response system and documentation of response system shall include:~~

~~(i) the date requests for notification were accepted;~~

~~(ii) the method by which requests for notification are to be sent;~~

~~(iii) unique identification of the construction project;~~

~~(iv) the date a notification is sent in response to a requests for notification; and~~

~~(v) the mailing address, electronic mail address, or telefax number used to respond to a request for notification.~~

~~(c) Electronic Requests. Electronic requests shall be responded to electronically unless directed otherwise by the person filing the request.~~

~~(d) Alternate Method or Process Requests. Alternate method requests shall be responded to in the method requested by the requestor.~~]

R156-38b-505. Alternate Filings.

(1) Alternate Methods of Filing. The alternate methods of filing are those established by Subsections 38-1-27(2)(e)(ii), [~~i.e.,~~]including U.S. Mail and telefax. Private commercial courier is established as an additional alternate method of receipt by the designated agent, but not dispatch from the designated agent.

(2) Content Requirements. The content requirements for alternate method filings shall be the same as for electronic filings as set forth for Notices [~~of Commencement, Preliminary Notices, and Notices of Completion~~]in Sections 38-1-30.5, 30-1-30.7, 38-1-31, 38-1-31.5, 38-1-32, 38-1-32.7, [~~and~~] 38-1-33, and 38-1-40 [~~respectively,~~]or this rule.

(3) Format Requirements. Alternate method filings shall be submitted in a standard format adopted by the Division in collaboration with the designated agent. Filings not submitted in the standard format, in the sole judgment of the designated agent, shall be rejected and dispatched to the submitter. The filing fee shall be retained by the designated agent as a processing fee for rejecting and dispatching the filing. An additional filing fee shall be due upon resubmission.

(4) Methodology.

(a) U.S. Mail. An alternate method filing by U.S. Mail shall be submitted to the designated agent's mailing address by any method of U.S. Mail.

(b) Express Mail. An alternate method filing by commercial private courier shall be submitted to the designated agent's mailing address by any commercially available method of express mail.

(c) Telefax. An alternate method filing by telefax shall be submitted to the designated agent's toll-free unique SCR fax number.

(5) Processing Requirements.

(a) Transaction Receipt. The designated agent shall confirm a successful alternate method filing and fee payment receipt by sending a transaction receipt as specified in Section R156-38b-602.

(b) Creation of Electronic Image. The designated agent shall create and maintain an electronic image of alternate method filings that are accepted into the SCR. Once an electronic image has been created and the accepted alternate method filing has been entered into the SCR, the original version of the accepted alternate method filing may be destroyed. The electronic image shall remain accessible for audit purposes.

(6) Data Entry Standards.

(a) The designated agent shall meet or exceed the following data entry standards for alternate filings:

(i) a primary operator shall manually input information required by Subsection 38-1-31[~~(2)(a)~~](1)(a)(i);

(ii) a secondary operator shall independently input the construction project permit number and original contractor name;

(iii) the designated agent shall automatically compare all entries from the primary and secondary operators for consistency;

(iv) following the above procedures, the designated agent shall visually inspect at least 5% of all notices created by alternate filing; and

(v) these standards are to be met prior to Internet publication.

R156-38b-507. Status of and Process for Filings Not Accepted by the SCR.

(1) A filing that is not accepted by the SCR shall not be considered to be filed.

(2) The SCR shall electronically indicate to a person whose electronic filing is not accepted that the filing is not accepted and the reason or reasons why it is not accepted. The SCR shall allow the person making the electronic filing attempt to correct [~~the defect or~~]any defects, if possible.

(3) The designated agent shall notify a person whose alternate method filing is not accepted that the filing is not accepted and the reason or reasons why it is not accepted. The designated agent shall allow the person making the alternate filing to correct the defect or defects.

(4) A fee payment received with a filing submitted by alternate process that is not accepted shall be retained by the designated agent as the processing fee for handling the incomplete filing.

(5) For auditing purposes, the SCR shall maintain a record of all processing fees received with filings submitted by alternate process that are not accepted.[

~~**R156-38b-508. Correction of Filings.**~~

~~(1) A person who submits a filing may submit a correction of the filing electronically or by alternate filing.~~

~~(2) A correction of filing shall not require a new fee payment unless submitted by alternate process or by a method of electronic process that requires manual input by the designated agent.~~

~~(3) A correction of filing shall not affect the date of filing for the filing being corrected. The date of filing for the correction of filing shall be as specified in Section R156-38b-506.~~

~~(4) Notification of the correction of filing shall be provided to the same persons as required for the filing being corrected.~~]

R156-38b-509. [~~Cancellation~~|Withdrawal of Filings.

(1) In accordance with Subsections 38-1-32([~~3~~]6) and 38-1-33(2), the SCR shall, upon request of a person who filed an accepted [~~preliminary~~]notice filing [~~or notice of completion,~~] allow[~~:~~

~~(i) a~~]the person [~~who completed a filing who electronically requests cancellation of the filing~~]to designate the filing as withdrawn.[~~canceled; and~~

~~(ii) a person who completed a filing who by alternate process requests cancellation of the filing to have the filing placed in a canceled by the designated agent.~~]

(2) Notification of [~~the cancellation of~~]a filing withdrawal shall be provided to the same persons as required for the original successful filing.

(3) A [~~canceled~~]withdrawn filing shall indicate that the filing is no longer given effect.

(4) A [~~canceled~~]withdrawn filing may not be restored, but must be filed as a new filing in accordance with Sections 38-1-32 or 38-1-33.[

~~**R156-38b-510. Data Contained in the SCR.**~~

~~The SCR is intended as a public repository of the information contained in the filings required or permitted by law. The SCR has the responsibility to post but not validate the accuracy, suitability or coherence of the information received in filings included within the SCR.~~]

R156-38b-601. Fee Payment Methods.

(1) Pay-as-you-go Account. Payments may be made online by a credit card transaction in the amount established by the Division in collaboration with the designated agent. For alternate method filings, users will have the option of sending in a check or credit card information with their filing.

(2) Monthly Accounts. Payments may be made by a monthly account as specified by the Division in collaboration with the designated agent, as follows:

([~~i~~]a) an account in which the designated agent charges monthly fees to a credit card or bank account designated and authorized by the registered user; or

([~~ii~~]b) an account, guaranteed by a credit card, in which the designated agent sends a monthly invoice to be paid by the registered user within 30 days.

R156-38b-602. Transaction Receipts.

(1) In accordance with Subsection 38-1-27(2)(g), the SCR shall make available a transaction receipt upon acceptance of a filing into the SCR. The receipt shall indicate:

(a) the amount of any fee payment being processed;

(b) that the filing is accepted by the SCR;

(c) the date and time of the filing's acceptance; and

(d) the content of the accepted filing.

(2) [~~It shall be the responsibility of the person making an electronic filing to print out a transaction receipt, if the person wishes a hard copy of the receipt.~~

~~(3)~~]The designated agent shall send a transaction receipt to a person who submits a filing by alternate method that is accepted.

R156-38b-603. Fee Payment Accounting.

The designated agent shall [~~be responsible for~~]keep[~~ing~~] accurate records to account for all fee payments, including filing fee payments and registration payments for access to SCR data. The designated agent shall make its accounting records available to the Division upon notification for auditing purposes.

R156-38b-604. Fee Payment Collection.

The designated agent shall [~~be responsible for~~] conduct[~~ing~~] or contract[~~ing~~] for all fee payment collection activities and shall document or require to be documented such activities. The designated agent shall make its collection activity records available to the Division upon notification, for auditing purposes.[

~~**R156-38b-701. Indexing of State Construction Registry.**~~

~~The SCR shall be indexed in accordance with Subsection 38-1-27(3)(b).~~]

R156-38b-702. Archiving Requirements.

(1) In accordance with Subsection 38-1-30(4)(a), the designated agent shall archive the SCR computer data files semi-annually for auditing purposes.

(2) In accordance with Subsection 38-1-30(4)(c), filings shall be archived as follows:

(a) one year after the day on which a notice of completion is accepted into the SCR;

(b) if no notice of completion is filed, two years after the last filing activity for a project; or

(c) one year after the day on which a filing is [~~canceled~~]withdrawn under Subsection 38-1-32([~~3~~]6)(c) or 38-1-33(2)(c).

(3) For purposes of this section, "archive" means to preserve an original or a copy of computer data files and filings separate from the active SCR.

(4) The designated agent shall maintain a transaction log of archived filings and make it available to the Division upon request for auditing purposes.

KEY: electronic preliminary lien filing, notice of commencement, preliminary notice, notice of completion
Date of Enactment or Last Substantive Amendment: [~~August 16, 2010~~]2011
Notice of Continuation: February 8, 2010
Authorizing, and Implemented or Interpreted Law: 38-1-30(3)

Commerce, Real Estate
R162-2g-304d
Experience Hours

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35090
FILED: 07/21/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to specify a requirement applicable to a mass appraiser applying for certification as a residential appraiser.

SUMMARY OF THE RULE OR CHANGE: In submitting sample appraisals for review, a mass appraiser who applies for certification as a residential appraiser must include at least one appraisal of each of the following residential property types: vacant property, a two- to four-unit dwelling, a non-complex single-family unit, and a complex single-family unit.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 61-2g-201(2)(h)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The Division already has in place the budget necessary to review appraisals that are submitted by mass appraisers seeking certification. No additional administrative burden is created by requiring those applicants to submit appraisals that represent a variety of property types. Therefore, no impact to the state budget is anticipated.
♦ LOCAL GOVERNMENTS: Local government is not required to comply with or enforce the appraisal rules. Therefore, no fiscal impact to local government is anticipated from this rule filing.

♦ SMALL BUSINESSES: Small businesses do not apply for appraiser licensure or certification. Therefore, this rule filing is inapplicable to small businesses, and no fiscal impact to small businesses is anticipated.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: An affected person must perform appraisals of several different property types. Doing so does not require the person to do anything with which a cost is associated--for example, taking specialized education or paying fees. Therefore, no cost to affected persons is anticipated.

COMPLIANCE COSTS FOR AFFECTED PERSONS: To comply, an affected person must perform appraisals of several different property types. There are no associated compliance costs.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule filing clarifies the types of appraisals a mass appraiser applicant for certification as a residential appraiser must submit along with the application. No fiscal impact to businesses is anticipated from this clarification.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
COMMERCE
REAL ESTATE
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:
♦ Jennie Jonsson by phone at 801-530-6706, by FAX at 801-526-4387, or by Internet E-mail at jjonsson@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Deanna Sabey, Director

R162. Commerce, Real Estate.
R162-2g. Real Estate Appraiser Licensing and Certification Administrative Rules.
R162-2g-304d. Experience Hours.

(1)(a) Except as provided in this Subsection (1)(b), appraisal experience shall be measured in hours according to the appraisal experience hours schedules found in Appendices 1 through 3.

(b)(i) An applicant who has experience in categories other than those shown on the appraisal experience hours schedules, or who believes the schedules do not adequately reflect the applicant's experience or the complexity or time spent on an appraisal, may petition the board on an individual basis for evaluation and approval of the experience as being substantially equivalent to that required for licensure or certification.

(ii) Upon a finding that an applicant's experience is substantially equivalent to that required for licensure or certification, the board may award the applicant an appropriate number of hours for the alternate experience.

(2) General restrictions.

(a) An applicant may not accrue more than 2,000 experience hours in any 12-month period.

(b) The board may not award credit:

(i) for appraisal experience earned more than five years prior to the date of application;

(ii) for appraisals that were performed in violation of:

(A) Utah law;

(B) the law of another jurisdiction; or

(C) the administrative rules adopted by the division and the board;

(iii) for appraisals that fail to comply with USPAP;

(iv) for appraisals of the value of a business as distinguished from the appraisal of commercial real estate; or

(v) for personal property appraisals.

(c) At least 50% of the appraisals submitted for experience credit shall be appraisals of properties located in Utah.

(d) With regard to experience hours claimed from the schedules found in Appendices 1 and 2:

(i) appraisals where only an exterior inspection of the subject property is performed shall be granted 25% of the credit awarded an appraisal that includes an interior inspection of the subject property; and

(ii) no more than 25% of the total experience required for licensure or certification may be earned from appraisals where the interior of the subject property is not inspected.

(e) A maximum of 250 experience hours may be earned from appraisal of vacant land.

(f) Appraisals on commercial or multi-unit form reports shall be awarded 75% of the credit normally awarded for the appraisal.

(g)(i) If an applicant's education was approved prior to January 1, 2008 and his or her experience was approved prior to January 1, 2011 (under a system referred to by the division and industry as a segmented application), but the applicant did not pass the applicable examination required for licensure or certification by December 31, 2010, the applicant shall, by December 31, 2011:

(A) complete all additional education, as required under the AQB standards;

(B) pass the required examination applicable to the license or certification being sought by the individual; and

(C) submit a complete application to the division.

(ii) An applicant who fails to comply with the December 31, 2011 deadline established in this Subsection (2)(g)(i) shall:

(A) complete all additional education as required under the AQB standards;

(B) pass the required examination applicable to the license or certification sought by the individual;

(C) submit recent appraisals that meet the requirements of all applicable statutes and rules for review by the experience review committee; and

(D) submit a complete application to the division according to deadlines established in Subsection R162-2g-304f(1).

(3) Specific restrictions applicable to trainees applying for licensure.

(a) A trainee and the trainee's supervisor who signs the experience log shall document on the log the specific duties that the trainee performs for each appraisal.

(b) For each duty performed, the trainee shall be awarded a percentage of the total experience hours that may be awarded for the property type being appraised:

(i) pursuant to the appraisal experience hour schedules found in Appendices 1 through 3; and

(ii) with the following limitations:

(A) participation in highest and best use analysis: 10% of total hours;

(B) participation in neighborhood description and analysis: 10% of total hours;

(C) property inspection: 20% of total hours, pursuant to this Subsection (3)(c);

(D) participation in land value estimate: 20% of total hours;

(E) participation in sales comparison property selection and analysis: 30% of total hours;

(F) participation in cost analysis: 20% of total hours;

(G) participation in income analysis: 30% of total hours;

(H) participation in the final reconciliation of value: 10% of total hours; and

(I) participation in report preparation: 20% of total hours.

(c) In order for a trainee to claim credit for an inspection pursuant to this Subsection (3)(b)(ii)(C):

(i) as to the first 100 residential appraisals or first 20 non-residential appraisals completed, as applicable to the license or certification being sought, the inspection must include:

(A) measurement of the exterior of a property that is the subject of an appraisal; and

(B) inspection of the exterior of a property that is used as a comparable in an appraisal; and

(ii) as to appraisals after the first 100 residential appraisals or first 20 non-residential appraisals completed, as applicable to the license or certification being sought, the inspection must satisfy all scope of work requirements.

(d) No more than one-third of the experience hours submitted toward licensure may come from any one of the categories identified in this Subsection (3)(b)(ii).

(4) Specific restrictions applicable to applicants for certification.

(a) An individual who obtained a license from the division through reciprocity shall provide to the division all records necessary for the division to verify that the individual satisfies the experience requirements outlined in these rules.

(b) The board may not award credit:

(i) for any appraisal where the applicant cannot prove more than 50% participation in the:

(A) data collection;

(B) verification of data;

(C) reconciliation;

(D) analysis;

(E) identification of property and property interests;

(F) compliance with USPAP standards; and

(G) preparation and development of the appraisal report; or

(ii) to more than one licensed appraiser per completed appraisal, except as provided in this Subsection (5).

(c)(i) An individual applying for certification as a state-certified residential appraiser shall document at least 75% of the hours submitted from:

(A) the residential experience hours schedule found in Appendix 1; or

(B) the residential portion of the mass appraisal hours schedule found in Appendix 3.

(ii) No more than 25% of the total hours submitted may be from:

(A) the general experience hours schedule found in Appendix 2; or

(B) properties other than 1- to 4-unit residential properties identified in the mass appraisal hours schedule found in Appendix 3.

(d) An individual applying for certification as a state-certified general appraiser shall document at least 1,500 experience hours as having been earned from:

(i) the general experience hours schedule found in Appendix 2; or

(ii) properties other than 1- to 4-unit residential properties identified in the mass appraisal hours schedule found in Appendix 3.

(5) Specific restrictions applicable to mass appraisers.

(a) Single-property appraisals performed under USPAP Standards 1 and 2 by mass appraisers shall be awarded full credit pursuant to Appendices 1 and 2.

(b) Review and supervision of appraisals by mass appraisers shall be awarded credit pursuant to this Subsection (6)(b)-(c).

(c)(i) Mass appraisers and mass appraiser trainees who perform 60% or more of the appraisal work shall be awarded full credit pursuant to Appendix 3.

(ii) Mass appraisers and mass appraiser trainees who perform between 25% and 59% of the appraisal work shall be awarded 50% credit pursuant to Appendix 3.

(iii) Mass appraisers and mass appraisal trainees who perform less than 25% of the appraisal work shall be awarded no credit for the appraisal assignment.

(d) In addition to submitting proof of required experience and samples, randomly selected from the experience log, of work conforming to USPAP Standard 6:

(i) a state-licensed appraiser applicant whose experience is earned primarily through mass appraisal shall submit proof of having performed at least five appraisals conforming to USPAP Standards 1 and 2;

(ii) a state-certified residential appraiser applicant whose experience is earned primarily through mass appraisal shall submit proof of having performed at least eight [~~one-unit~~]residential appraisals:

(A) conforming to USPAP Standards 1 and 2; and

(B) including the following property types:

(I) vacant property;

(II) two- to four-unit dwelling;

(III) non-complex single-family unit; and

(IV) complex single-family unit; and

(iii) a state-certified general appraiser applicant whose experience is earned primarily through mass appraisal shall submit

proof of having performed at least eight appraisals from Appendix 2 conforming to USPAP Standards 1 and 2.

(e) No more than 60% of the total hours submitted for licensure or certification may be earned from any combination of appraisals of:

(i) property types identified in Appendix 3(a)(i) and (ii);

(ii) property types identified in Appendix 3 (b)(i) and (ii);

(iii) property types identified in Appendix 3 (c)(i) and (ii);

(iv) property types identified in Appendix 3 (d)(i) and (ii);

(v) property types identified in Appendix 3 (e)(i) and (ii), and

(vi) property types identified in Appendix 3 (f)(i).

(f) No more than 25% of the total hours submitted for licensure or certification may be earned from appraisals of property types identified in Appendix 3(f)(iii) and (iv) combined.

(g) No more than 20% of the total hours submitted for licensure or certification may have been earned from appraisals of property types identified in Appendix 3(g).

(h)(i) Mass appraisal of property with a personal property component of less than 50% of value shall be awarded full credit pursuant to Appendix 3 for the type of property appraised.

(ii) Mass appraisal of property with a personal property component of 50% to 85% of value shall be awarded 50% credit pursuant to Appendix 3 for the type of property appraised.

(iii) Mass appraisal of property with a personal property component greater than 85% shall be awarded no credit.

(i) The appraisals submitted for review pursuant to this Subsection (5) shall be selected from the applicant's most recent work.

(6) Special circumstances - condemnation appraisals, review appraisals, supervision of appraisers, other real estate experience, and government agency experience.

(a) Condemnation appraisals. A condemnation appraisal shall be awarded an additional 50% of the hours normally awarded for the appraisal if the condemnation appraisal includes a before-and-after appraisal because of a partial taking of the property.

(b) Review appraisals.

(i) Review appraisals shall be awarded experience credit when the appraiser performs technical reviews of appraisals prepared by employees, associates, or others, provided the appraiser complies with USPAP Standards Rule 3 when the appraiser is required to comply with the rule.

(ii) Except as provided in this Subsection (6)(e)(i), the following credit shall be awarded for review of appraisals:

(A) desk review: 30% of the hours that would be awarded if a separate written review appraisal report were prepared, up to a maximum of 500 hours; and

(B) field review: 50% of the hours that would be awarded if a separate written review appraisal report were prepared, up to a maximum of 500 hours.

(c) Supervision of appraisers. Except as provided in this Subsection (6)(e)(i), supervision of appraisers shall be awarded 20% of the hours that would be awarded to the appraisal, up to a maximum of 500 hours.

(d) Other real estate experience acceptable for certification.

(i) Provided that an applicant demonstrates to the satisfaction of the board that the applicant has the ability to arrive at a fair market value of property and to properly document value conclusions, the following activities may be used to satisfy up to 50% of the experience required for certification:

(A) preliminary valuation estimates;

(B) range of value estimates or similar studies;

(C) other real estate-related experience gained by:

(I) bankers;

(II) builders;

(III) city planners and managers; or

(IV) other individuals.

(ii) A comparative market analysis by an individual licensed under Section 61-2f et seq. may be granted up to 100% experience credit toward certification if:

(A) the analysis conforms with USPAP Standards Rules 1 and 2; and

(B) the individual demonstrates to the board that the individual uses similar techniques as appraisers to value properties and effectively utilize the appraisal process.

(iii) The following activities, if performed in accordance with USPAP Standards Rules 4 and 5, may be used to satisfy up to 50% of the experience required for certification:

(A) appraisal analysis;

(B) real estate counseling or consulting services; and

(C) feasibility analysis/study.

(iv) Except as provided in this Subsection (6)(e)(i), no more than 50% of the total experience required for certification may be earned through any combination of experience described in this Subsection (6)(b)-(d).

(e) Government agency experience.

(i) An individual who obtains experience hours in conjunction with investigation by a government agency is not subject to the hour limitations of this Subsection (6).

(ii) In addition to submitting proof of required experience, an applicant whose experience is earned primarily in conjunction with investigations by government agencies and through review of appraisals, with no opinion of value developed, shall submit proof of having complied with USPAP Standards 1 and 2 in performing appraisals as follows:

(A) if applying for state-licensed appraiser with experience reviewing residential appraisals, five appraisals of one-unit dwellings;

(B) if applying for state-certified residential appraiser with experience reviewing residential appraisals, eight appraisals of one-unit dwellings; and

(C) if applying for state-certified general appraiser with experience reviewing appraisals of property types listed in Appendix 2, at least eight appraisals of property types identified in Appendix 2.

(7) The board, at its discretion, may request the division to verify the claimed experience by any of the following methods:

(a) verification with the clients;

(b) submission of selected reports to the board; and

(c) field inspection of reports identified by the applicant at the applicant's office during normal business hours.

KEY: real estate appraisals, trainee registration, licensing and certification, enforcement
Date of Enactment or Last Substantive Amendment: 2011
Authorizing, and Implemented or Interpreted Law: 61-2g-201(2)(h); 61-2g-202(1); 61-2g-205(5)(c)

Education, Administration
R277-404-3
Board Responsibilities

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35101
FILED: 08/01/2011

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to provide for specific timelines for administration of a benchmark reading assessment. This language was inadvertently omitted in the previous submission of the rule to the Division of Administrative Rules.

SUMMARY OF THE RULE OR CHANGE: New language is added to Subsection R277-404-3A(4) that provides specific timelines for administration of a benchmark reading assessment.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 53A-1-603 through 53A-1-611

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There are no anticipated costs or savings to the state budget. The new language provides specific timelines for administration of a benchmark reading assessment that was inadvertently omitted in the previous submission of the rule to the Division of Administrative Rules.
♦ LOCAL GOVERNMENTS: There are no anticipated costs or savings to local government. The new language provides specific timelines for administration of a benchmark reading assessment that was inadvertently omitted when the rule was submitted previously.
♦ SMALL BUSINESSES: There are no anticipated costs or savings to small businesses. This rule and the amendment apply to public education and do not affect businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There are no anticipated costs or savings to persons other than small businesses, businesses, or local government entities. The new language provides specific timelines for administration of a benchmark reading assessment that was inadvertently omitted when the rule was submitted previously.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. The new language provides specific timelines for administration of a benchmark reading assessment that was inadvertently omitted when the rule was previously submitted to the Division of Administrative Rules.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule and I see no fiscal impact on businesses.

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:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.
R277-404. Requirements for Assessments of Student Achievement.
R277-404-3. Board Responsibilities.

A. Beginning in the 2011-2012 school year, the Board shall implement a comprehensive assessment system for each student in grades K-12. This assessment system shall include:

(1) Criterion-Referenced tests in English language arts for grades 3 - 11; mathematics for grades 3 - 12 and science for grades 4 - 8, earth systems, biology, physics and chemistry OR summative adaptive assessments in reading, language arts, mathematics and science for grades 3-12;

(2) Direct Writing Assessment (DWA) for grades 5 and 8;

(3) Pre-post kindergarten assessment for kindergarten-age students as determined by the LEA;

(4) one benchmark reading assessment determined by USOE for 1st, 2nd and 3rd grade students at the midpoint of the year. Beginning in 2012-2013, this assessment shall be administered at [~~in~~]the beginning, midpoint and end of year;

(5) Third grade summative end of year reading assessment;

(6) Utah Alternate Assessment (UAA);

(7) English Language Proficiency Test (ELPT); and

(8) National Assessment of Educational Progress (NAEP).

B. The Board shall provide specific rules, administrative guidelines, timelines, procedures, and testing ethics training and requirements for all required assessments.

C. Schools must declare their decision to replace the Criterion-Referenced tests with the adaptive summative test no later than August 1 for the coming year.

D. The Board shall provide resources to the extent available and recommendations for:

(1) LEA implementation of the assessment system; and

(2) professional development for teachers to administer assessments and interpret assessment results.

E. All Utah public school students shall participate in the comprehensive assessment system unless the UAA or ELPT is approved for specific students consistent with federal law.

KEY: assessment, student achievement
Date of Enactment or Last Substantive Amendment: [~~July 11,~~] 2011
Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-603 through 53A-1-611; 53A-1-401(3)

Health, Family Health and Preparedness, WIC Services
R406-100
Special Supplemental Nutrition Program for Women, Infants and Children

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35084
FILED: 07/18/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the amendment is to update rule language and citations to current federal regulations and current Women, Infants and Children (WIC) policies, procedures, and methods of operation in WIC clinics.

SUMMARY OF THE RULE OR CHANGE: In Section R406-100-1, updates the revision date of federal regulation 7 CFR 246 to 01/01/2010 edition. In Section R406-100-2, corrects language to exclude all categorically ineligible participants from a 30-day extension of the certification period. Removal of requirement to conduct screenings in a particular priority order (both are current procedures). In Section R406-100-5, removes the requirement to serve Indians and migrant farmworkers at designated clinics regardless of residency status (these specially designated clinics closed in years past and do not currently exist). Addition of residents of border towns with interstate agreements and homeless individuals as special populations that may be served at designated clinics regardless of residency status. Applicants who are not residents of the clinic service area may only be served after the clinic requests and receives approval to serve the client from the state WIC Office (current procedure). In Section R406-100-7, files of women, infants and children shall be retained for four years after the end of the fiscal year they were closed, all other records may be destroyed after four years (current procedures). In Section R406-100-8, removes WIC business volume as high risk criteria (current policy).

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 7 CFR 246 and Section 26-1-15

MATERIALS INCORPORATED BY REFERENCES:

♦ Updates 7 CFR 246, published by Government Printing Office, 01/01/2010

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: None--WIC is fully federally funded, these changes do not have any expected financial impact to the state or to WIC's budget.

♦ LOCAL GOVERNMENTS: None--Local health departments are already funded by WIC to comply with these regulations. The changes are currently standard operating procedures. Some savings may be realized in storage costs due to reduced record retention periods.

♦ SMALL BUSINESSES: None--No businesses operate WIC clinics.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--No businesses operate WIC clinics.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--No businesses operate WIC clinics.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Utah Department of Health, at the request of Governor Gary Herbert, undertook a review of all administrative rules adopted by the Department. The goal of the review was to evaluate each rule for its impact on business, and in addition, to clarify and simplify rules. This filing is a result of that review. Record retention policies are reduced and the fiscal impact on commerce in Utah should be positive.

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

HEALTH
FAMILY HEALTH AND PREPAREDNESS,
WIC SERVICES
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:
♦ Chris Furner by phone at 801-538-6199, by FAX at 801-538-6729, or by Internet E-mail at CFURNER@utah.gov
♦ Rick Wardle by phone at 801-538-6897, by FAX at 801-538-6729, or by Internet E-mail at rwardle@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: David Patton, PhD, Executive Director

R406. Health, Family Health and Preparedness, WIC Services.
R406-100. Special Supplemental Nutrition Program for Women, Infants and Children.
R406-100-1. Incorporation of Federal Regulations.

The State WIC Office adopts the standards of the Special Supplemental Nutrition Program for Women, Infants and Children provided in 7 CFR 246, 01/01/2010[~~1996~~] edition, which is incorporated by reference.

R406-100-2. Processing Time Frames.

(1) The standards of 7 CFR 246.7([~~e~~]f)(2) are adopted and incorporated by reference with the following exceptions:

(a) Extensions of the processing time frames may be granted in the following circumstances:

(i) Clinics operating only 2 days a month or less.

(ii) In emergency situations when, for example, an employer in a particular geographic area engages in mass lay-offs of personnel.

(iii) In cases where there is difficulty in appointment scheduling, a time variation of 30 days may be added to or subtracted from the certification intervals for all except participants who are categorically ineligible[~~pregnant or postpartum women~~].

[~~(b) All potential Priority I applicants must be screened before potential Priority III applicants, and all potential Priority III applicants must be screened before all potential Priority VI applicants.~~
]

R406-100-3. Uncertified Waiting List.

(1) The standards of 7 CFR 246.7([~~e~~]f)(1) are adopted and incorporated by reference with the following exceptions:

(a) Uncertified Waiting List means a log of names of individuals who have applied for WIC benefits either by phone or walk in, but who have not been determined WIC eligible.

(b) When a clinic begins a priority system, the clinic must begin maintaining waiting lists by priority of individuals who visit or telephone the clinic to request program benefits. If screening appointments are not being taken, the clinic shall use the Uncertified Waiting List log. Applicants are to be placed on the highest potential priority of the uncertified log in chronological order by application date.

(c) For clinic convenience, there are three uncertified priority logs into which all potential applicants may be placed prior to certification. They are Priority I, III, and VI. Priorities II, IV, and V cannot be determined until after the certification process ha[~~d~~]s been completed.

R406-100-4. Certified Waiting List.

The standards of 7 CFR 246.7(e)(1) are adopted and incorporated by reference with the following exceptions:

(1) Certified Waiting List means chronological files of those persons who are determined by the State WIC Office to be WIC eligible, are assigned a priority, and are waiting for funds to become available so they can receive benefits.

(a) After applicants have been determined to be eligible through screening, and are certified, they are placed on the Certified Waiting List according to their highest potential priority. These files are to be placed by priority in chronological order by certification date.

(b) As case load decreases in each clinic, the clinic will send vouchering appointment letters to applicants who are certified and waiting. All individuals in the highest priorities must be served before individuals of a lower priority are served.

(c) All individuals within a priority must be served according to chronological date of their placement on the Waiting List.

R406-100-5. Residence.

The standards of 7 CFR 246.7(b)([~~1~~]2) are adopted and incorporated by reference with the following exceptions:

Each applicant must state that the address given to the clinic is the applicant's current address. The clinic's staff then determines that the address given is within the area served by the agency and within the jurisdiction of the state.

If the applicant is a member of a special population such as [~~Indians~~]homeless individuals or [~~migrant farmworkers, ~~]residents of border towns with interstate agreements, these individuals may be served by designated clinics regardless of residency status.

If an applicant applies for services at a clinic and the address given is not within the county or group of counties served from this clinic, the applicant is eligible to be served from this clinic only after the clinic requests and has received approval from the State WIC Office to serve [~~these~~]this [~~populations~~]individual or family.

R406-100-6. Inadequate Income.

The standards of 7 CFR 246.7([~~e~~]d) are adopted and incorporated by reference with the following exceptions:

(1) Each applicant must submit income verification to the clinic regarding the family's income. This is usually determined by bringing in proof of the previous month's gross income, or [~~it may be an average~~]proof of the yearly gross income.

(2) The clinic staff shall determine whether the gross income given is at or below 185% of the Income Poverty Level established by the federal government.

R406-100-7. Retention of WIC Files.

The standards of 7 CFR 246.25(a)(2), (3) are adopted and incorporated by reference with the following exceptions:

WIC files shall be maintained for federal or state auditors review for the following retention periods:

(1) Files of women participants, infants and children shall be retained for a minimum four years following the end of the fiscal year that their files were closed.

[~~(2) Files of infants and children shall be retained until the end of the fiscal year of the child's tenth birthday.~~]All other records may be destroyed after four years.

R406-100-8. Vendor Monitoring.

The standards of 7 CFR 246.12(i) are adopted and incorporated by reference with the following exceptions:

(1) The State WIC Office may conduct vendor monitoring on all high risk vendors.

(2) The State WIC Office shall determine high risk vendors based on the following criteria:

(a) vendor's redeemed prices are higher than price list;

(b) unusually large percentage of high priced food instruments by vendor;

[~~(c) WIC business volume by vendor;~~

] ([~~d~~]c) participant complaints or complaints from the clinic or other vendors;

([~~e~~]d) food instrument redemption errors;

([~~f~~]e) accumulation of five or more sanctioning points as listed in each vendor's signed contract under the heading Vendor Sanctions;

([~~g~~]f) vendor out of compliance during monitoring visit/redemption analysis;

([~~h~~]g) complaints involving possible overcharging, fraud or any violation that would cause disqualification for food stamps.

(3) The United States Department of Agriculture, Food and Nutrition Service, Instruction 806-4, which clarifies 7 CFR 246.12(f), and states that federal agencies have immunity from state claims or review. The Department of Health will not conduct on-site monitoring reviews of commissaries or require claims to be paid.

(4) Copies of Instruction 806-4 are available at the State WIC Office.

KEY: nutrition, women, children, infants
Date of Enactment or Last Substantive Amendment: [~~August 1, 1997~~]2011
Notice of Continuation: April 27, 2007
Authorizing, and Implemented or Interpreted Law: 26-1-15

Health, Family Health and Preparedness, WIC Services
R406-200
Program Overview

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35085
FILED: 07/18/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to update rule language and citations to current federal regulations and current Women, Infants and Children (WIC) policies, procedures, and methods of operation in WIC clinics.

SUMMARY OF THE RULE OR CHANGE: In Section R406-200-1, removes the Ute Indian Tribe, University of Utah Teen Mother and Child Program, and Migrant Worker health Program (agencies which have closed) as local WIC agencies. Participants must be certified approximately every six months to one year, the length of certification periods is determined by USDA federal regulation 7 CFR 246.7(g). Removal of language that WIC vouchers (checks) are issued once every 30 days (now 3 month issuance). Retailers must redeem vouchers (checks) they receive within 60 days of the first day to use (as per current vendor agreement and federal regulations). Proposed revisions to the Utah WIC Policy and Procedures Manual are posted annually to the Utah WIC web site for public comment.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 7 CFR 246 and Section 26-1-5

MATERIALS INCORPORATED BY REFERENCES:

♦ Updates 7 CFR 246, published by Government Printing Office, 01/01/2010

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: None--WIC is fully federally funded, these changes do not have any expected financial impact to the State or to WIC's budget.

♦ LOCAL GOVERNMENTS: None--Local health departments are already funded by WIC to comply with these regulations. The changes are current standard operating procedures.

♦ SMALL BUSINESSES: None--No businesses operate WIC clinics. WIC vendors are currently under agreement to comply with these rules.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--No businesses operate WIC clinics. WIC vendors are currently under agreement to comply with these rules.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--No businesses operate WIC clinics. WIC vendors are currently under agreement to comply with these rules.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Utah Department of Health, at the request of Governor Gary Herbert, undertook a review of all administrative rules adopted by the Department. The goal of the review was to evaluate each rule for its impact on business, and in addition, to clarify and simplify rules. This filing is a result of that review. Redemption period for checks is clarified and the fiscal impact on commerce in Utah should be positive.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
HEALTH
FAMILY HEALTH AND PREPAREDNESS,
WIC SERVICES
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:
♦ Chris Furner by phone at 801-538-6199, by FAX at 801-538-6729, or by Internet E-mail at CFURNER@utah.gov
♦ Rick Wardle by phone at 801-538-6897, by FAX at 801-538-6729, or by Internet E-mail at rwardle@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: David Patton, PhD, Executive Director

R406. Health, Family Health and Preparedness, WIC Services.
R406-200. Program Overview.
R406-200-1. Introduction and Background.

(1) Under the Child Nutrition Act of 1966 (42 U.S.C. Sec. 1786 et seq.), as amended, Congress has found that substantial numbers of pregnant, postpartum and breast-feeding women, infants and young children from families with inadequate income are a special risk with respect to their physical and mental health by reason of inadequate nutrition or health care, or both. The purpose of the program is to provide supplemental foods and nutrition education through clinics to eligible persons. The program serves as an adjunct to good health care, during critical times of growth and development, in order to prevent the occurrence of health problems and improve the health status of these persons.

(2) The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) is a supplemental foods and nutrition education program funded by U.S.D.A. and administered by the Utah [~~State~~]Department of Health, Division of Family Health [~~Services~~]and Preparedness, through local health departments[~~, Ute Indian Tribe, University of Utah Teen Mother and Child Program and Community Health Center Inc./Migrant Worker health Program~~].

(3) WIC provides specified nutritious food supplements and nutrition education to pregnant, postpartum and breast-feeding women, infants and children (up to five years of age) from families with inadequate income and who are determined by competent professionals (physicians, nutritionists, nurses and other trained health officials) to be at "nutritional risk".

(4) The following criteria shall be met to be eligible to receive supplemental foods:

(a) Category and Age:

(i) pregnant women for the duration of the pregnancy and up to six weeks postpartum;

(ii) breast-feeding women up to 12 months past delivery;

(iii) postpartum women up to six months past delivery;

(iv) infants and children up to five years of age.

(b) Residence: Residents of areas or members of populations served by the clinic and within the jurisdiction of the state.

(c) Income: Determined to be a member of a family or family group which has a gross income at or below 185% of the poverty guideline established by the federal government.

(d) Nutritional Risk: Certified by a competent professional authority on the staff of the clinic to be at nutritional need through a medical or nutritional assessment.

(5) Participants must be certified approximately every six months to one year to determine their eligibility for the program, unless the participant is a pregnant women. Pregnant women are certified for the duration of their pregnancy. The length of certification periods for all categories of participants is determined by U.S.D.A. regulations as listed in 7CFR 246.7(g).

(6) Upon certification for the program, eligible women, infants and children are issued [~~vouchers~~]checks to use for obtaining prescribed supplemental foods.

(7) WIC participants may exchange their [~~vouchers~~]checks for prescribed foods at retail stores which have entered into signed vendor agreements with the State WIC Office. The [~~voucher~~]check front [~~is similar to a traveler's check and~~]is [~~counter~~]signed by the WIC participant at the retailer's check-out counter. The [~~voucher~~]check is then processed like any check through normal bank clearing procedures. WIC [~~vouchers~~]checks [~~are to be issued once every 30 days and~~]must be used within the timeframe of the first and last dates to use as specified on the check. [~~30 days from the date of issue.~~] Retailers must redeem any [~~vouchers~~]checks they receive within 60 days of the first date to use.

(8) The WIC Program represents more than just a [~~voucher~~]check for food. A primary concern of the program is to deliver preventive health care. Through dietary counseling and nutrition education, participants may come to understand the relationship between good nutrition and their health. In addition, participants needing other health or social services are identified at the time of certification and referred to the appropriate agency.

(9) The "State Plan of Program Operation and Administration" is submitted annually to the U.S. Department of Agriculture, Food and Nutrition Service, for approval. Many inclusions are mandated by the WIC program regulations while others are details specific to Utah's program. The state plan outlines general details concerning the operation and administration of the WIC Program in the state of Utah. The "Utah State WIC Policy[~~ies~~] and Procedures Manual" deals specifically with areas of Program operation and administration.

(10) Copies of the state plan may be obtained from the State WIC Office.

(11) Proposed revisions to the Utah WIC Policy and Procedures Manual are posted annually to the Utah WIC web site at www.health.utah.gov/wic for public comment.

KEY: nutrition, women, infants, children
Date of Enactment or Last Substantive Amendment: [~~August 1, 1997~~]2011
Notice of Continuation: April 27, 2007
Authorizing, and Implemented or Interpreted Law: 26-1-15

Health, Family Health and Preparedness, WIC Services
R406-202-1
Certification and Eligibility

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35086
FILED: 07/18/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to update rule language to current Women, Infants and Children (WIC) procedures and technology.

SUMMARY OF THE RULE OR CHANGE: In Section R406-202-1, removes "certification forms" and replaces with "management information system" and add "which shall be used to electronically enter applications".

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 7 CFR 246 and Section 26-1-15

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--WIC is fully federally funded, these changes do not have any expected financial impact to the State or to WIC's budget. WIC already has a funded Management Information System.
♦ LOCAL GOVERNMENTS: None--The changes are current standard operating procedures.
♦ SMALL BUSINESSES: None--No businesses operate WIC clinics.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--No businesses operate WIC clinics.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--No businesses operate WIC clinics.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Utah Department of Health, at the request of Governor Gary Herbert, undertook a review of all administrative rules adopted by the Department. The goal of the review was to evaluate each rule for its impact on business, and in addition, to clarify and simplify rules. This filing is a result of that review. Electronic entry of applications are authorized and the fiscal impact on commerce in Utah should be positive.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
HEALTH
FAMILY HEALTH AND PREPAREDNESS,
WIC SERVICES
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:
♦ Chris Furner by phone at 801-538-6199, by FAX at 801-538-6729, or by Internet E-mail at CFURNER@utah.gov
♦ Rick Wardle by phone at 801-538-6897, by FAX at 801-538-6729, or by Internet E-mail at rwardle@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: David Patton, PhD, Executive Director

R406. Health, Family Health and Preparedness, WIC Services.
R406-202. Eligibility.
R406-202-1. Certification and Eligibility.

(1) The State WIC Office shall provide all clinics with:

(a) a uniform system for determining the eligibility of persons for the WIC program;

(b) uniform eligibility requirements and certification procedures;

(c) [~~certification forms~~]a management information system which shall be used to electronically enter applications, determine eligibility and document all nutritional risk, income and residency requirements for the certification process.

(2) The certification process is described as follows:

(a) When there are adequate program funds, each clinic will accept applications, determine eligibility and notify the applicants of their eligibility.

(b) When there are not funds available to provide program benefits, all applicants shall be placed on a waiting list and shall be notified, in writing, within 20 days of their application date. The application date is the date the applicant visits the clinic during clinic office hours to request program benefits.

KEY: nutrition, women, children, infants
Date of Enactment or Last Substantive Amendment: [~~1993~~]2011
Notice of Continuation: April 27, 2007
Authorizing, and Implemented or Interpreted Law: 26-1-15

Health, Health Care Financing, Coverage and Reimbursement Policy
R414-308
Application, Eligibility Determinations and Improper Medical Assistance

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35100
FILED: 08/01/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to update and clarify periodic eligibility review, change reporting requirements, and procedures that address improper medical coverage for Medicaid recipients.

SUMMARY OF THE RULE OR CHANGE: This amendment clarifies the requirements for a Medicaid recipient to complete a periodic review for continued eligibility and specifies the responsibility of the recipient to provide necessary verifications. This amendment also clarifies that the agency cannot stop eligibility while it is making a redetermination decision, and must provide advance notice of an adverse action to comply with federal due process requirements. It further clarifies the eligibility time line for a recipient who must meet a spenddown or pay another type of fee to become eligible for medical assistance. In addition, this amendment clarifies what improper medical coverage is and what a client has to repay for this occurrence. Finally, this amendment clarifies the refund policy for Medicaid recipients.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 42 CFR 435.911 and 42 CFR 435.916 and 42 CFR 435.919 and Section 26-18-3

MATERIALS INCORPORATED BY REFERENCES:
- ♦ Updates 42 CFR 435.911, published by Government Printing Office, 10/01/2010
- ♦ Removes 42 CFR 435.912, published by Government Printing Office, 10/01/2006

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The Department does not anticipate any impact to the state budget because Medicaid recipients whose medical assistance ends for failure to complete a review usually complete the review process during the next month and their medical assistance is reinstated.
♦ LOCAL GOVERNMENTS: There is no impact to local governments because they do not fund Medicaid services and do not determine Medicaid eligibility.
♦ SMALL BUSINESSES: The Department does not anticipate any impact to small businesses because Medicaid recipients whose medical assistance ends for failure to complete a review usually complete the review process during the next month and their medical assistance is reinstated. In addition, this change does not impose new requirements on small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The Department does not anticipate any impact to Medicaid providers and to Medicaid recipients because recipients whose medical assistance ends for failure to complete a review usually complete the review process during the next month and their medical assistance is reinstated. In addition, this change does not impose new requirements on providers and does not reduce Medicaid coverage for recipients.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Department does not anticipate any costs to a single Medicaid provider or to a Medicaid recipient because a recipient whose medical assistance ends for failure to complete a review usually completes the review process during the next month and the recipient's medical assistance is reinstated. In addition, this change does not impose new requirements on a provider and does not reduce Medicaid coverage for a recipient.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No costs for business are expected as Medicaid recipients' cost-sharing duties are better clarified by this rule.

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2011

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.
R414-308. Application, Eligibility Determinations and Improper Medical Assistance.
R414-308-1. Authority and Purpose.

(1) This rule is authorized by Section 26-18-3.

(2) [~~This rule establishes~~]The purpose of this rule is to establish requirements for medical assistance applications, eligibility decisions and reviews, eligibility period, verifications, change reporting, notification and improper medical assistance for the following programs:

(a) Medicaid;

(b) Qualified Medicare Beneficiaries;

(c) Specified Low-Income Medicare Beneficiaries; and

(d) Qualified Individuals.

R414-308-2. Definitions.

(1) The definitions in Rules R414-1 and R414-301 apply to this rule.

(2) In addition, the following definitions apply[~~-~~]:

(a) "Cost[~~-~~]of[~~-~~]care" means the amount of income that an institutionalized individual must pay to the medical facility for long-term care services based on the individual's income and allowed deductions.

(b) "Department" means the Utah Department of Health.

(c) "Due date" means the date that a recipient is required to report a change or provide requested verification to the eligibility agency.

(d) "Due process month" means the month that allows time for the recipient to return all verification, and for the eligibility agency to determine eligibility and notify the recipient.

(e) "Eligibility agency" means the Department of Workforce Services (DWS) that determines eligibility for Medicaid under contract with the Department.

(f) "Eligibility review" means a process by which the eligibility agency reviews current information about a recipient's circumstances to determine whether the recipient is still eligible for medical assistance.

(g) "Open enrollment" means a period of time when the eligibility agency accepts applications.[

~~(b) "Re-certification" means the process of periodically determining that an individual or household continues to be eligible for medical assistance.~~]

R414-308-5. Eligibility Decisions or Withdrawal of an Application.

(1) The eligibility agency shall determine whether[~~decides~~] the applicant[~~'s~~] is [~~eligibility~~]eligible within the time limits established in 42 CFR 435.911, [~~and 435.912, 2006~~]2010 ed., which [~~are~~]is incorporated by reference. The eligibility agency shall provide proper notice about a recipient's eligibility, changes in eligibility, and the recipient's right to request a fair hearing in accordance with the provisions of 42 CFR 431.206, 431.210, 431.211, 431.213, 431.214, 42 CFR 435.912, and 435.919.

(2) The eligibility agency shall extend[~~s~~] the time limit if the applicant asks for more time to provide requested information before the due date. The eligibility agency shall give[~~s~~] the applicant at least [~~10~~]ten more days after the original due date to provide verifications upon [~~request of~~]the applicant's request. The eligibility agency [~~can~~]may allow a longer period of time for the [~~client~~]recipient to provide verifications if the agency determines that the delay is due to circumstances beyond the [~~client~~]recipient's control[~~, an emergency, a client illness or a similar cause~~].

(3) An applicant may withdraw an application for medical assistance any time before the eligibility agency makes an eligibility decision on the application. An individual requesting an assessment of assets for a married couple under [~~Section 1924 of the Social Security Act,~~]42 U.S.C. 1396r-5[~~,~~] may withdraw the request any time before the eligibility agency [~~has~~]complete[~~d~~]s the assessment.

R414-308-6. Eligibility Period and [~~Re-Certification~~]Reviews.

(1) The eligibility period begins on the effective date of eligibility as defined in Section R414-306-4, which may be after the first day of a month, subject to the following requirements.

(a) If a recipient must pay one of the following fees to receive Medicaid, the eligibility agency shall determine eligibility and notify the recipient of the amount owed for coverage. The eligibility agency shall grant eligibility when it receives the required payment, or in the case of a spenddown or cost of care contribution for waivers, the recipient must send proof of incurred medical expenses equal to the payment. The fees a recipient may owe include:

(i) a spenddown of excess income for medically needy Medicaid coverage;

(ii) a Medicaid Work Incentive (MWI) premium;

(iii) an asset copayment for poverty level, pregnant woman coverage; and

(iv) a cost of care contribution for home and community-based waiver services.

(b) A required spenddown, MWI premium, or cost of care contribution is due each month for a recipient to receive Medicaid coverage. A recipient must pay an asset copayment before eligibility is granted for poverty level, pregnant woman coverage.

[~~(a) If a client must pay a spenddown, the agency completes the eligibility process and grants eligibility when the agency receives the required payment or proof of incurred medical expenses equal to the required payment for the month or months, including partial months, for which the client wants medical assistance.~~

~~(b) If a client must pay a Medicaid Work Incentive premium, the agency completes the eligibility process and grants eligibility when the agency receives the required payment for the month or months, including partial months, for which the client wants medical assistance.~~

~~(c) If a client must pay an asset co-payment for prenatal coverage, the agency completes the eligibility process and grants eligibility when the agency receives the required payment for the period of prenatal coverage.~~

] ([~~d~~]c) The [~~client~~]recipient must make the payment or provide proof of medical expenses[~~, if applicable,~~] within 30 calendar days from the mailing date of the application approval notice, [~~that tells~~]which states how much the [~~client~~]recipient [~~the amount~~]owe[~~d~~]s.

([e]d) For ongoing months of eligibility, the [~~client~~]recipient has until the close of business [~~of~~]on the [~~10~~]tenth day of the month after the benefit month to meet the spenddown or the cost of care contribution for waiver services, or to pay the

[~~Medicaid Work incentive~~]MWI premium. If the [~~10~~]tenth day of the month is a non-business day, the [~~client~~]recipient has until the close of business on the first business day after the [~~10~~]tenth[~~ to meet the spenddown or pay the premium~~]. Eligibility begins on the first day of the benefit month once the recipient meets the required payment. If the recipient does not meet the required payment by the due date, the recipient may reapply for retroactive benefits if that month is within the retroactive period of the new application date.

([~~f~~]e) [~~Residents who reside~~]A recipient who lives in a long-term care facility and [~~who~~]owes a cost[~~-~~]_of[~~-~~]_care contribution to the medical facility must pay the medical facility directly. The [~~resident~~]recipient may use unpaid past medical bills, or current incurred medical bills other than the charges from the medical facility, to meet some or all of the cost[~~-~~]_of[~~-~~]_care contribution subject to the limitations in Section R414-304-9. [~~The resident must pay any cost-of-care contribution not met with allowable medical bills to the medical facility. ~~]An unpaid cost[~~-~~] of[~~-~~] care contribution is not allowed as a medical bill to reduce the amount that the [~~client~~]recipient owes the facility.

([~~g~~]f) Even when the eligibility agency does not close a medical assistance case, [~~N~~]no eligibility exists in a month for which the [~~client~~]recipient fails to meet a required spenddown,[~~ or fails to pay a required Medicaid Work Incentive~~] MWI premium, or cost of care contribution for home and community-based waiver services.

(g) Eligibility for the [~~Prenatal~~]poverty level, pregnant woman program does not exist when the [~~client~~]recipient fails to pay a required asset co[~~-~~]payment[~~ for the Prenatal program~~].

(h) Eligibility for a resident of a nursing home continues even when a resident fails to pay the cost of care contribution to the nursing home.

(2) The eligibility period ends on:

(a) the last day of the [~~re-certification ~~]month in which the eligibility agency determines that the recipient is no longer eligible for medical assistance and sends proper closure notice;

(b) the last day of the month in which the eligibility agency sends proper closure notice when the recipient fails to provide required information or verification to the eligibility agency by the due date;

([~~b~~]c) the last day of the month in which the recipient asks the eligibility agency to discontinue eligibility, or if benefits have been issued for the following month, the end of that month;

[~~(c) the last day of the month the agency determines the individual is no longer eligible;~~

] (d) the last day of the month for time-limited programs, in which the time limit ends;

([~~d~~]e) [~~for the Prenatal program, ~~]the last day of the month for the poverty level, pregnant woman program, [~~that~~]which is at least 60 days after the date that the pregnancy ends, except that for [~~Prenatal~~]poverty-level, pregnant woman coverage for emergency services only, eligibility ends on the last day of the month in which the pregnancy ends; or

([~~e~~]f) the date that the individual dies.

[~~(3) Recipients must re-certify eligibility for medical assistance at least once every 12 months. The agency may require recipients to re-certify eligibility more frequently when the agency:~~

~~(a) receives information about changes in a recipient's circumstances that may affect the recipient's eligibility;~~

~~(b) has information about anticipated changes in a recipient's circumstances that may affect eligibility; or~~

~~(c) knows the recipient has fluctuating income.~~

~~(4) To receive medical assistance without interruption, a recipient must complete the re-certification process by the close of business on the date printed on the re-certification form. The client must also provide verifications by the due date specified by the agency and must continue to meet all eligibility criteria, including meeting a spenddown or paying a Medicaid Work Incentive premium if one is owed.~~

~~(a) If the recipient does not complete the re-certification process on time, eligibility ends on the last day of the re-certification month.~~

~~(b) If the recipient does not complete the re-certification process on time, but completes the recertification including providing verifications by the close of business on the last business day of the month after the review month, the agency will determine whether the recipient continues to meet all eligibility criteria.~~

~~(i) The agency will reinstate benefits effective the beginning of the month after the re-certification month if the recipient continues to meet all eligibility criteria and meets any spenddown or pays the Medicaid Work Incentive premium, if applicable. The client must meet the spenddown or pay the premium no later than the close of business on the 30th day after the date printed on the notice. Otherwise, the recipient remains ineligible for medical assistance.~~

~~(ii) If the recipient does not complete the re-certification process before the close of business of the last business day of the month following the re-certification month, eligibility will not be reinstated. The recipient will have to reapply for medical assistance.~~

~~(c) If the recipient does not meet the spenddown or pay the Medicaid Work Incentive premium on time, then eligibility ends effective the last day of the re-certification month and the recipient will have to reapply.~~

] ([~~5~~]3) For individuals selected for coverage under the Qualified Individuals Program, eligibility extends through the end of the calendar year if the individual continues to meet eligibility criteria and the program still exists.

(4) The eligibility agency completes a periodic review of a recipient's eligibility for medical assistance in accordance with the requirements of 42 CFR 435.916, at least once every 12 months.

(5) The eligibility agency may complete an eligibility review when it:

(a) has information about anticipated changes in the recipient's circumstances that may affect eligibility;

(b) knows the recipient has fluctuating income;

(c) completes a review for other assistance programs that the recipient receives; or

(d) needs to meet workload demands.

(6) The periodic eligibility review is a review of eligibility factors that may be subject to change. The eligibility agency shall require the review to determine whether a recipient is still eligible for medical assistance. The eligibility agency shall use available, reliable sources to gather information needed to complete the review.

(7) The eligibility agency may ask the recipient to respond to a request to complete the review process during the review month. If the recipient fails to respond to the request, the

eligibility agency shall end eligibility after the review month ends. If the recipient responds to the review or reapplies in the month that follows the review month, the eligibility agency shall consider the response to be a new application. The application processing period shall apply for the new request for coverage.

(a) The eligibility agency may ask the recipient for verification to redetermine eligibility.

(b) Upon receiving the verification, the eligibility agency shall redetermine eligibility and notify the recipient. If the recipient fails to return verification within the application processing period or if the recipient is determined to be ineligible, the eligibility agency shall send a denial notice to the recipient.

(c) If the case is closed for one or more calendar months, the recipient must reapply.

(8) If the recipient responds to the request during the review month, the eligibility agency may request verification from the recipient.

(a) The eligibility agency shall send a written request for the necessary verification.

(b) The recipient has at least ten calendar days from the notice date to provide the requested verification to the eligibility agency.

(9) If the recipient responds to the review and provides all verification by the due date within the review month, the eligibility agency shall determine eligibility and notify the recipient of its decision.

(a) If the eligibility agency sends proper notice of an adverse decision in the review month, the agency shall change eligibility for the following month.

(b) If the eligibility agency does not send notice of an adverse change, the agency shall extend eligibility to the following month. This additional month of eligibility is called the due process month. The eligibility agency shall notify the recipient of the adverse decision that becomes effective after the due process month.

(10) If the recipient responds to the review in the review month and the verification due date is in the following month, the eligibility agency shall extend eligibility to the following month. This additional month of eligibility is called the due process month. The recipient must provide all verification by the verification due date.

(a) If the recipient provides all requested verification by the verification due date, the eligibility agency shall determine eligibility and send proper notice of the decision.

(b) If the recipient does not provide all requested verification by the verification due date, the eligibility agency shall end eligibility after the month in which the eligibility agency sends proper notice of the closure.

(c) If the recipient returns all verification after the verification due date and before the effective closure date, the eligibility agency shall treat the date that it receives the verification as a new application date. The agency shall then determine eligibility and send notice to the recipient.

(11) The eligibility agency shall provide ten-day notice of case closure if the recipient is determined ineligible or if the recipient fails to provide all verification by the verification due date.

(12) The eligibility agency may not extend coverage under certain medical assistance programs in accordance with state and federal law. The agency shall notify the recipient before the effective closure date.

(a) If the eligibility agency determines that the recipient qualifies for a different medical assistance program, the agency shall notify the recipient. Otherwise, the agency shall end eligibility after the named time period.

(b) If the recipient provides information before the effective closure date that indicates that the recipient may qualify for another medical assistance program, the eligibility agency shall treat the information as a new application. If the recipient contacts the eligibility agency after the effective closure date, the recipient must reapply for benefits.

R414-308-8. Case Closure and Redetermination.

(1) The eligibility agency shall [~~terminates~~]end medical assistance [~~upon~~]when the recipient requests the agency to close his case, when the recipient fails to respond to a request to complete the eligibility review, when the recipient fails to provide all verification needed to determine continued eligibility, or [~~if~~]when the agency determines that the recipient is no longer eligible.

(2) [~~To maintain ongoing eligibility, a recipient must complete the re-certification process as provided in R414-308-6. Failure to complete the re-certification process makes the recipient ineligible.~~]If a recipient fails to complete the review process in accordance with Section R414-308-6, the eligibility agency shall close the case and notify the recipient.

(3) Before terminating a recipient's medical assistance, the eligibility agency [~~will~~]shall [~~decide if~~]determine whether the [~~client~~]recipient is eligible for any other available medical assistance provided under Medicaid, the Medicare Cost[~~-~~] Sharing programs, the Children's Health Insurance Program (CHIP), the Primary Care Network (PCN), and [~~the~~]Utah's Premium Partnership for Health Insurance (UPP)[~~program~~].

(a) The eligibility agency [~~does~~]may not require a recipient to complete a new application[~~,~~] to make the redetermination.[~~but~~] The agency, however, may request more information from the recipient to [~~complete the redetermination~~]determine whether the recipient is eligible for other medical assistance programs. If the recipient does not provide the necessary information by the close of business on the due date, the recipient's medical assistance ends.

(b) When [~~redetermining~~]determining eligibility for other programs, the eligibility agency [~~cannot~~]may only enroll an individual in a medical assistance program [~~that is not~~]during [~~in~~] an open enrollment period, [~~unless~~]or when that program allows a person who becomes ineligible for Medicaid to enroll during a period when enrollment[~~s are stopped~~] is closed.[~~An open enrollment period is a time when the agency accepts applications.~~] Open enrollment applies only to [~~the Primary Care Network,~~]the PCN and [~~the~~]UPP [~~P~~]programs[~~and the Children's Health Insurance Program~~].

R414-308-9. Improper Medical Coverage.

(1) Improper medical coverage occurs when:

(a) an individual receives medical assistance for which the individual is not eligible. This assistance includes benefits that an individual receives pending a fair hearing or during an undue hardship waiver when the individual fails to take actions required by the eligibility agency;

(b) an individual receives a benefit or service that is not part of the benefit package for which the individual is eligible;

(c) an individual pays too much or too little for medical assistance benefits; or

(d) the Department pays in excess or not enough for medical assistance benefits on behalf of an eligible individual.

([~~1~~]2) As [~~used~~]applied in this section, services and benefits include all amounts that the Department pays on behalf of the [~~client~~]recipient during the period in question and includes:

(a) premiums that the recipient pays [~~paid~~]to any Medicaid health plan[~~s~~] or managed care plan[~~s~~] including any payments for administration costs, Medicare, and private insurance plans;

(b) payments for prepaid mental health services; and

(c) payments made directly to service providers or to the [~~client~~]recipient.

[~~(2) A client must repay the cost of services and benefits the client receives for which the client is not eligible.~~

] ([~~a~~]3) If the eligibility agency determines that a [~~client~~]recipient [~~was~~]is ineligible for the services [~~or~~]and benefits [~~received~~]that he receives, [~~the client must repay the Department the amount the Department paid for the services or benefits~~]the recipient must repay to the Department any costs that result from the services and benefits.

(4) The eligibility agency shall reduce [~~.~~ ~~T~~]the amount that the [~~client~~]recipient must repay [~~will be reduced~~]by the amount that the [~~client paid~~]recipient pays to the eligibility agency for a Medicaid spenddown, a cost of care contribution, or a [~~Medicaid Work Incentive~~]MWI premium for the month.

(5) If a [~~woman~~]recipient who [~~has paid~~]pays an asset co[-]payment for coverage under Prenatal Medicaid is found to [~~have been~~]be ineligible for the entire period of coverage under Prenatal Medicaid, the eligibility agency shall reduce the amount [~~she~~]that the recipient must repay [~~will be reduced~~]by the amount that[~~she~~] the recipient [~~paid~~]pays to the agency in the form of the [~~P~~]prenatal asset co[-]payment[~~, if applicable~~].

([~~b~~]6) If the [~~client~~]recipient is eligible but the overpayment [~~was~~]is because the spenddown, the [~~Medicaid Work Incentive~~]MWI premium, the asset co[-]payment for prenatal services, or the cost[-]_of[-]_care contribution [~~was~~]is incorrect, the [~~client~~]recipient must repay the difference between the correct amount that the [~~client should have paid and~~]recipient should pay and the amount that [~~what~~]the [~~client actually~~]recipient has paid.

(7) If the eligibility agency determines that the recipient is ineligible due to having resources that exceed the resource limit, the recipient must pay the lesser of the cost of services or benefits that the recipient receives, or the difference between the recipient's countable resources and the resource limit for each month resources exceed the limit.

([~~3~~]8) A [~~client~~]recipient may request a refund from the Department [~~for any month in which~~]if the [~~client~~]recipient believes that:

(a) the monthly spenddown, the asset co[-]payment for prenatal services, or cost[-]_of_[-]care contribution that the [~~client paid~~]recipient pays to receive medical assistance is less than what the Department [~~paid~~]pays for medical services and benefits for the [~~client,~~]recipient; or

(b) the amount that the [~~client paid~~]recipient pays in the form of a spenddown, a [~~Medicaid Work Incentive~~]MWI premium, a cost[-]_of[-]_care contribution for long-term care services, or an asset co[-]payment for prenatal services [~~was more than it should have been~~]exceeds the payment requirement.

([~~4~~]9) Upon receiving the request[~~ for a refund~~], the Department [~~will~~]shall determine [~~if the client is owed~~]whether it owes the recipient a refund.

(a) In the case of an incorrect calculation of a spenddown, [~~Medicare Work Incentive~~]MWI premium, cost[-]_of_[-]care contribution, or asset co[-]payment for [~~prenatal~~]poverty level, pregnant woman services, the refundable amount is the difference between the incorrect amount that the [~~client paid~~]recipient pays to the Department for medical assistance and the correct amount that the [~~client~~]recipient should [~~have paid~~]pay, less the amount that the [~~client~~]recipient owes to the Department for any other past due, unpaid claims.

(b) If[~~n the case when~~] the spenddown, asset co[-]payment for [~~prenatal~~]poverty level, pregnant woman services, or a cost[-]_of[-]_care contribution for long-term care exceeds medical expenditures, the refundable amount is the difference between the correct spenddown, asset co[-]payment, or cost[-]_of[-]care contribution that the [~~client paid~~]recipient pays for medical assistance and the [~~actual~~]amount that the Department [~~paid~~]pays on behalf of the [~~client~~]recipient for services and benefits, less the amount that the [~~client~~]recipient owes to the Department for any other past due, unpaid claims. The Department shall issue[~~s~~] the refund only after the 12-month time[-]period that medical providers have to submit claims for payment.

(c) The [~~agency does~~]Department may not issue a cash refund for any portion of a spenddown or cost[-]_of[-]_care contribution that [~~was~~]is met with medical bills. Nevertheless, the Department may pay additional covered medical bills used to meet the spenddown or cost of care contribution equal to the amount of refund that the Department owes the recipient, or apply the bill amount toward a future spenddown or cost of care contribution.

([~~5~~]10) A [~~client~~]recipient who pays a premium for the [~~Medicaid Work Incentive~~]MWI program [~~cannot~~]may not receive a refund even [~~if~~]when the Department pays for services [~~paid by the Department~~]that are less than the premium that the [~~client~~]recipient pays for MWI.

([~~6~~]11) If the cost[-]_of[-]_care contribution that a [~~client~~]recipient pays a medical facility is more than the Medicaid daily rate for the number of days that the [~~client was~~]recipient is in the medical facility, the [~~client can~~]recipient may request a refund from the medical facility. The Department [~~will~~]shall refund the amount that it owe[~~d~~]s the [~~client~~]recipient only [~~if~~]when the medical facility [~~has sent~~]sends the excess cost[-]_of[-]_care contribution to the Department.

([~~7~~]12) If the sponsor of an alien does not provide correct information, the alien and the alien's sponsor are jointly liable for any overpayment of benefits. The Department shall recover[~~s~~] the overpayment from both the alien and the sponsor.

KEY: public assistance programs, applications, eligibility, Medicaid
Date of Enactment or Last Substantive Amendment: [~~November 1, 2010~~]2011
Notice of Continuation: January 31, 2008
Authorizing, and Implemented or Interpreted Law: 26-18

Insurance, Administration
R590-192
Unfair Accident and Health Claims Settlement Practices

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35103
FILED: 08/01/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of these amendments is to make changes proposed by members of the insurance industry in a hearing held 06/09/2011, during the comment period for an amendment to this rule published in the May 15, 2011, Bulletin under DAR No. 34769, and additional changes from the federal government.

SUMMARY OF THE RULE OR CHANGE: The proposed amendments to this rule are as follows: in Section R590-192-1 clarifies that the term "title" means Title 31A, of the insurance code; in Section R590-192-4 the term "Policy" is being deleted since it is no longer needed; revised the "Adverse benefit determination" definition to conform to definition in the federal Affordable Care Act of 2010; exempted grandfather plans from three requirements; clarified when continued coverage must be provided; urgent care claims require a benefit decision within 72 hours; and the enforcement date is changed to the date the amendments go into effect.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-2-201 and Section 31A-2-203 and Section 31A-22-629 and Section 31A-4-116

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The amendments to this rule will have no fiscal impact on the department since it will require no additional filings or change in the department's workload or change in expenditures or revenues. The amendments are for clarification, as well as procedural and formatting changes.
♦ LOCAL GOVERNMENTS: This rule will have no fiscal impact on local government. It only affects insurance companies licensed in Utah and their relationship with their insureds and claimants who have claims against them.
♦ SMALL BUSINESSES: There is no difference in the effect of this rule on large or small businesses. The changes allow a grandfather plan to be exempt from three requirements, which is a cost benefit to the insurer who does not need to make these changes. There is a cost savings because diagnostic and treatment codes only need to be provided when requested. There is a cost saving because continued coverage only needs to be provided for ongoing course of treatment.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Grandfather plans allow people to keep their existing coverage, which may be at a lower cost than a plan that must comply with the rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is no difference in the effect of this rule on large or small businesses. The changes allow a grandfather plan to be exempt from three requirements, which is a cost benefit to the insurer who does not need to make these changes. There is a cost savings because diagnostic and treatment codes only need to be provided when requested. There is a cost saving because continued coverage only needs to be provided for ongoing course of treatment.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The changes provide cost savings to insurers.

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:
♦ Jilene Whitby by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:
♦ 09/08/2011 09:00 AM, State Office Building, 450 N State, Room 3112, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.
R590-192. Unfair Accident and Health Claims Settlement Practices[~~Rule~~].
R590-192-1. Authority.

This rule is promulgated pursuant to Subsections 31A-2-201(1) and 31A-2-201(3)(a) in which the commissioner is empowered to administer and enforce [~~this title~~]Title 31A and to make rules to implement the provisions of [~~this title~~]Title 31A. Further authority to provide for timely settlement of claims is provided by Subsection 31A-26-301(1). Matters relating to proof

and notice of loss are promulgated pursuant to Section 31A-26-301 and Subsection 31A-21-312(5). Authority to promulgate rules defining unfair claims settlement practices or acts is provided in Subsection 31A-26-303(4). The authority to require a timely, accurate, and complete response to the commissioner is provided by Subsections 31A-2-202(4) and (6).

R590-192-4. Definitions.

For the purpose of this rule the commissioner adopts the definitions as set forth in Section 31A-1-301, 29 CFR 2560.503-1(m), and the following:

(1)(a) "Adverse benefit determination" means, for an accident and health insurance policy other than a health benefit plan, any of the following: a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit, including any such denial, reduction, termination, or failure to provide or make payment that is based on a determination of [~~a participant's or beneficiary's~~]an insured's eligibility to participate in a plan, and including, with respect to group health plans, a denial, reduction, or termination of or failure to provide or make payment, in whole or in part, for a benefit resulting from the application of any utilization review, as well as a failure to cover an item or service for which benefits are otherwise experimental or investigational or not medically necessary or appropriate; and

(b)(i) "Adverse benefit determination" means, for a health benefit plan[~~, that~~]:

(A) based on the insurer's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness of a covered benefit, the:

([~~A~~]I) denial of a benefit;

([~~B~~]II) reduction of a benefit;

([~~C~~]III) termination of a benefit; or

([~~D~~]IV) failure to provide or make payment, in whole or part, for a benefit; or

([~~E~~]B) rescission of coverage.

(ii) "Adverse benefit determination" includes:

(A) denial, reduction, termination, or failure to provide or make payment[~~, or rescission~~] that is based on a determination of an insured's eligibility to participate in a health benefit plan;

(B) failure to provide or make payment, in whole or part, for a benefit resulting from the application of a utilization review; and

([~~iii~~]C) failure to cover an item or service for which benefits are otherwise provided because it is determined to be:

([~~A~~]I) experimental;

([~~B~~]II) investigational; or

([~~C~~]III) not medically necessary or appropriate.

(2) "Claim File" means any record either in its original form or as recorded by any process which can accurately and reliably reproduce the original material regarding the claim, its investigation, adjustment and settlement.

(3) "Claim Representative" means any individual, corporation, association, organization, partnership, or other legal entity authorized to represent an insurer with respect to a claim, whether or not licensed within the State of Utah to do so.

(4) "Claimant" means an insured, or legal representative of the insured, including a member of the insured's immediate family designated by the insured, making a claim under a policy.

(5) "Ongoing" or "Concurrent care" decision means an insurer has approved an ongoing course of treatment to be provided over a period of time or number of treatments.

(6) "Days" means calendar days.

(7) "Documentation" means a document, record, or other information that is considered relevant to a claimant's claim because such document, record, or other information:

(a) was relied upon in making the benefit determination;

(b) was submitted, considered, or generated in the course of making the benefit determination, without regard to whether such document, record, or other information was relied upon in making the benefit determination; and

(c) in the case of an insurer providing disability income benefits, constitutes a statement of policy or guidance with respect to the insurer concerning the denied treatment option or benefit for the [~~claimant's~~]insured's diagnosis, without regard to whether such advice or statement was relied upon in making the benefit determination.

(8) "General business practice" means a pattern of conduct.

(9) "Investigation" means all activities of an insurer directly or indirectly related to the determination of liabilities under coverage afforded by an insurance policy.

(10) "Medical necessity" means:

(a) health care services or product that a prudent health care professional would provide to a patient for the purpose of preventing, diagnosing or treating an illness, injury, disease or its symptoms in a manner that is:

(i) in accordance with generally accepted standards of medical practice in the United States;

(ii) clinically appropriate in terms of type, frequency, extent, site, and duration;

(iii) not primarily for the convenience of the patient, physician, or other health care provider; and

(iv) covered under the contract; and

(b) when a medical question-of-fact exists, medical necessity shall include the most appropriate available supply or level of service for the individual in question, considering potential benefits and harms to the individual, and known to be effective.

(i) For an intervention not yet in widespread use, the effectiveness shall be based on scientific evidence.

(ii) For an established intervention, the effectiveness shall be based on:

(A) scientific evidence;

(B) professional standards; and

(C) expert opinion.

(11) "Notice of Loss" means that notice which is in accordance with policy provisions and insurer practices. Such notice shall include any notification, whether in writing or other means, which reasonably apprizes the insurer of the existence of or facts relating to a claim.

(12) [~~"Policy" includes a certificate issued under a group insurance contract.~~

~~(13)~~]"Pre-service claim" means any claim for a benefit under an accident and health policy with respect to which the terms of the plan condition receipt of the benefit, in whole or in part, on approval of the benefit in advance of obtaining medical care.

(1[~~4~~]3) "Post-service claim" means any claim for a benefit that is not a pre-service claim or urgent care claim.

(1[~~5~~]4) "Scientific evidence" is:

(a)(i) scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff; or

(ii) findings, studies or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes;

(b) scientific evidence shall not include published peer-reviewed literature sponsored to a significant extent by a pharmaceutical manufacturing company or medical device manufacturer or a single study without other supportable studies.

(1[~~6~~]5) "Urgent care claim" means any claim for medical care or treatment with respect to which the application of the time periods for making non-urgent care determination:

(a) could seriously jeopardize the life or health of the insured or the ability of the insured to regain maximum function; or

(b) in the opinion of a physician with knowledge of the [~~claimant's~~]insured's medical condition, would subject the [~~claimant~~]insured to severe pain that cannot be adequately managed without the care or treatment that is the subject of the claim.

R590-192-7. Notice of Loss.

(1) Notice of loss to an insurer, if required, shall be considered timely if made according to the terms of the policy, subject to the definitions and provisions of this rule.

(2) Notice of loss may be given to the insurer or its claim representative unless the insurer clearly directs otherwise by means of policy provisions or a separate written notice mailed or delivered to the [~~insured~~]claimant.

(3) Subject to policy provisions, a requirement of any notice of loss may be waived by any authorized claim representative of the insurer.

(4) The general business practice of the insurer when accepting a notice of loss or notice of claim shall be consistent for all policyholders in accordance with the terms of the policy.

R590-192-8. Notification.

(1) The insurer shall provide notification of the benefit determination to the claimant which includes:

(a) the specific reason or reasons for the benefit determination, adverse or not;

(b) reference to the specific plan provisions on which the benefit determination is based;

(c) a description of any additional material or information necessary for the claimant to perfect the claim and an explanation of why such material or information is necessary; and

(d) a description of the insurer's review procedures and the time limits applicable to such procedures, including a statement of the claimant's right to bring civil action.

(2) For a health benefit plan, except for a grandfathered health benefit plan as defined in 45 CFR 147.140, [~~the notification~~] a notice of adverse benefit determination shall provide:

(a) starting with the plan year that begins on or after July 1, 2011:

(i) sufficient information to identify the claim involved, including the date of service, the health care provider, and the claim amount, if applicable; and

(ii) notification of assistance available at the Utah Insurance Department, Office of Consumer Health Assistance, Suite 3110, State Office Building, Salt Lake City UT 84114; and

(b) starting with the plan year that begins on or after January 1, 2012:

(i) the availability, upon request, of the diagnosis code and treatment code with the corresponding meaning for each; and

(ii) the content in a culturally and linguistically appropriate manner as required by 45 CFR 147.136 (e).

(3) An insurer and the insurer's claim representative, in the case of a failure by a claimant [~~or an authorized representative of a claimant~~]to follow the individual or group health plan's procedures for filing a pre-service claim, shall notify the claimant[~~, or representative~~], of the failure and provide the proper procedures to be followed in filing a claim for benefits. This notification shall be provided to the claimant [~~or authorized representative, as appropriate,~~]as soon as possible, but not later than five days, or 24 hours for a claim involving urgent care, following the failure. Notification may be oral, unless written notification is requested by the claimant[~~, or authorized representative~~].

(4) Disability income adverse benefit determinations must:

(a) if an internal rule, guideline, protocol, or other criterion was relied upon in making the adverse determination, provide either the specific rule, guideline, protocol, or other similar criterion; or a statement that such a rule, guideline, protocol, or other similar criterion was relied upon in making the adverse determination and that a copy of such rule, guideline, protocol, or other criterion will be provided free of charge to the claimant upon request; or

(b) if the adverse benefit determination is based on a medical necessity or experimental treatment or similar exclusion or limit, provide either an explanation of the scientific or clinical judgment for the determination, applying the terms of the plan to the [~~claimant's~~]insured's medical circumstances, or a statement that such explanation will be provided free of charge upon request.

(5) Urgent care adverse benefit determination must:

(a) provide written or electronic notification to the claimant no later than three days after the oral notification; and

(b) provide a description of the expedited review process applicable to such claims.

R590-192-9. Minimum Standards for Claim Benefit Determination and Settlement.

(1) All benefit determination time limits begin once the insurer receives a claim, without regard to whether all necessary information was filed with the original claim. If the insurer requires an extension due to the claimant's failure to submit necessary information, the time for making a decision is [~~determined~~]tolled from the date the notice is sent to the claimant through:

(a) the date that the claimant provides the necessary information; or

(b) 48 hours after the end of the period afforded the claimant to provide the specified additional information.

(2) Urgent Care Claims:

(a) In a case of urgent care, an insurer shall notify the claimant of the insurer's benefit decision, adverse or not, as soon as

possible, taking into account the medical exigencies of the situation, but no later than:

(i) [~~24~~]72 hours after the receipt of the claim for [~~all~~] health benefit plans, except for a grandfathered health benefit plan as defined in 45 CFR 147.140, starting with the plan year that begins on or after January 1, 2012; or

(ii) 72 hours after the receipt of the claim for all other accident and health coverage.

(b)(i) If the claimant does not provide sufficient information for the plan to make a decision, the plan must notify the claimant as soon as possible, but not later than 24 hours after receipt of the claim, of the specific information that is required. The claimant shall be given reasonable time, but not less than 48 hours, to provide that information.

(ii) The insurer must notify the claimant of the insurer's decision as soon as possible but not later than 48 hours after the earlier of the plan's receipt of the requested information or the end of the time given to the claimant to provide the information.

(3) Concurrent Care Decision:

(a) Reduction or termination of concurrent care:

(i) Any reduction in the course of treatment is considered an adverse benefit determination.

(ii) The insurer must give the claimant notice, with sufficient time to appeal that adverse benefit determination and sufficient time to receive a decision of the appeal before any reduction or termination of care occurs.

(b) Extension of concurrent care:

(i) A claimant may request an extension of treatment beyond what has already been approved.

(ii) If the request for an extension is made at least 24 hours before the end of the approved treatment, the insurer must notify the claimant of the insurer's decision as soon as possible but no later than 24 hours after receipt of the claim.

(iii) If the request for extension does not involve urgent care, the insurer must notify the claimant of the insurer's benefit decision using the response times for a post-service claim.

(4) Pre-Service Benefit Determination:

(a) An insurer must notify the claimant of the insurer's benefit decision within 15 days of receipt of the request for care.

(b) If the insurer is unable to make a decision within that time due to circumstances beyond the insurer's control, such as late receipt of medical records, it must notify the claimant before expiration of the original 15 days that it intends to extend the time and then the insurer may take as long as 15 additional days to reach a decision.

(c) If the extension is due to failure of the claimant to submit necessary information, the extension notice of delay must give specific information about what the claimant has to provide and the claimant must be given at least 45 days to submit the requested information.

(d) once the pre-service claim determination has been made and the medical care rendered, the actual claim filed for payment will be processed according to the time requirements of a post-service claim.

(5) Post-Service Claims:

(a) An insurer must notify the claimant of the insurer's benefit decision within 30 days of receipt of the request for claim.

(b) If the insurer is unable to make a decision within that time due to circumstances beyond the insurer's control, such as late receipt of medical records, it must notify the claimant before expiration of the original 30 days that it intends to extend the time and then the insurer may take as long as 15 additional days to reach a decision.

(c) If the extension is due to failure of the claimant to submit necessary information, the extension notice of delay must give specific information about what the claimant has to provide and the claimant must be given at least 45 days to submit the requested information.

(6) A health benefit plan is required to provide continued coverage for an ongoing course of treatment pending the outcome of an internal appeal.

(7) [~~An~~]Except for a grandfathered individual health benefit plan as defined in 45 CFR 147.140, an insurer offering an individual health benefit plan shall provide only one level of internal appeal before the final determination is made.

R590-192-14. Enforcement Date.

The commissioner will begin enforcing the revised provisions of this rule on [~~July 1, 2011~~]the effective date.

KEY: insurance law
Date of Enactment or Last Substantive Amendment: [~~June 30,~~] 2011
Notice of Continuation: June 25, 2009
Authorizing, and Implemented or Interpreted Law: 31A-1-301; 31A-2-201; 31A-2-204; 31A-2-308; 31A-21-312; 31A-26-303

Insurance, Administration
R590-203
Health Grievance Review Process

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35104
FILED: 08/01/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being changed as a result of comments received from the insurance industry in a hearing held 06/09/2011 and during the comment period for an earlier amendment to this rule published in the May 15, 2011 Bulletin under DAR No. 34768.

SUMMARY OF THE RULE OR CHANGE: Amendments to the rule include: in Section R590-203-4, adds "Disability Income insurance" to the definition of "Carrier" because the rule applies to health insurance and disability income; "Urgent Care" has also been amended to refer to the opinion of the insured's attending provider; Subsection R590-203-6(1) has returned "medical necessity," which had previously been deleted; Section R590-203-9 has been eliminated since it is

no longer needed; and the enforcement date is changed to the date the amendments go into effect.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-2-201 and Section 31A-2-203 and Section 31A-22-629 and Section 31A-4-116

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The amendments to this rule will have no effect on the state or department's budget since they are mainly for clarification purposes and will not create additional filings or change in the department's revenues or expenditures.
♦ LOCAL GOVERNMENTS: The amendments to this rule will have no effect on local government since the changes are for clarification purposes only and deal solely with the relationship between a licensed insurance company and insured or other individual with a claim against the insurer.
♦ SMALL BUSINESSES: The return of "medical necessities" limits the need for independent reviews, which will be a cost savings to businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Disability income insurance is assured of the availability of independent review.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The return of "medical necessities" limits the need for independent reviews, which will be a cost savings to businesses.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule creates no costs but instead a savings for businesses.

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:
♦ Jilene Whitby by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:
♦ 09/08/2011 03:00 PM, State Office Building, 450 N State, Room 3112, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.
R590-203. Health Grievance Review Process.
R590-203-2. Purpose.

The purpose of this rule is to ensure that a carrier's grievance review procedures for individual and group health insurance and disability income insurance plans comply with 29 CFR 2560.503-1, and Sections 31A-4-116 and 31A-22-629.

R590-203-4. Definitions.

In addition to the definitions in Section 31A-1-301, the following definitions shall apply for the purposes of this rule:

(1)(a) "Adverse benefit determination" means the:

(i) denial of a benefit;

(ii) reduction of a benefit;

(iii) termination of a benefit; or

(iv) failure to provide or make payment, in whole or in part, for a benefit.

(b) "Adverse benefit determination" includes:

(i) denial, reduction, termination, or failure to provide or make payment that is based on a determination of an insured's eligibility to participate in a plan;

(ii) a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for, a benefit resulting from the application of a utilization review; and

(iii) failure to cover an item or service for which benefits are otherwise provided because it is determined to be:

(A) experimental;

(B) investigational; or

(C) not a medical necessity or appropriate.

(2) "Carrier" means any person or entity that provides health insurance or disability income insurance in this state including:

(a) an insurance company;

(b) a prepaid hospital or medical care plan;

(c) a health maintenance organization;

(d) a multiple employer welfare arrangement; and

(e) any other person or entity providing a health insurance or disability income insurance plan under Title 31A.

(3) "Consumer Representative" may be an employee of the carrier who is a consumer of a health insurance or a disability income policy, as long as the employee is not:

(a) the individual who made the adverse determination; or

(b) a subordinate to the individual who made the adverse determination.

(4) "Medical Necessity" means:

(a) health care services or products that a prudent health care professional would provide to a patient for the purpose of preventing, diagnosing or treating an illness, injury, disease or its symptoms in a manner that is:

(i) in accordance with generally accepted standards of medical practice in the United States;

(ii) clinically appropriate in terms of type, frequency, extent, site, and duration;

(iii) not primarily for the convenience of the patient, physician, or other health care provider; and

(iv) covered under the contract; and

(b) that when a medical question-of-fact exists medical necessity shall include the most appropriate available supply or level of service for the individual in question, considering potential benefits and harms to the individual, and known to be effective.

(i) For interventions not yet in widespread use, the effectiveness shall be based on scientific evidence.

(ii) For established interventions, the effectiveness shall be based on:

(A) scientific evidence;

(B) professional standards; and

(C) expert opinion.

(5)(a) "Scientific evidence" means:

(i) scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff; or

(ii) findings, studies or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes.

(b) Scientific evidence shall not include published peer-reviewed literature sponsored to a significant extent by a pharmaceutical manufacturing company or medical device manufacturer or a single study without other supportable studies.

(6)(a) "Urgent care claim" means a request for a health care service or course of treatment with respect to which the time periods for making non-urgent care request determination:

(i) could seriously jeopardize the life or health of the insured or the ability of the insured to regain maximum function; or

(ii) in the opinion of [~~a physician with knowledge of the insured's medical condition~~]the insured's attending provider, would subject the insured to severe pain that cannot be adequately managed without the health care service or treatment that is the subject of the request.

(b)(i) Except as provided in Subsection (6)(a)(ii), in determining whether a request is to be treated as an urgent care request, an individual acting on behalf of the carrier shall apply the judgment of a prudent layperson who possesses an average knowledge of health and medicine.

(ii) Any request that a physician with knowledge of the insured's medical condition determines is an urgent care request within the meaning of Subsection (6)(a) shall be treated as an urgent care claim.

R590-203-6. Independent and Expedited Adverse Benefit Determination Reviews for Health Insurance.

(1) A carrier shall provide an independent review procedure as a voluntary option for the resolution of adverse benefit determinations of medical necessity.

(2) An independent review procedure shall be conducted by an independent review organization, person, or entity other than the carrier, the plan, the plan's fiduciary, the employer, or any employee or agent of any of the foregoing, that do not have any material professional, familial, or financial conflict of interest with the health plan, any officer, director, or management employee of the health plan, the enrollee, the enrollee's health care provider, the provider's medical group or independent practice association, the health care facility where service would be provided and the developer or manufacturer of the service being provided.

(3) Independent review organizations shall be designated by the carrier, and the independent review organization chosen shall not own or control, be a subsidiary of, or in any way be owned or controlled by, or exercise control with a health insurance plan, a national, state, or local trade association of health insurance plans, and a national, state, or local trade association of health care providers.

(4) The submission to an independent review procedure is purely voluntary and left to the discretion of the claimant.

(5) A carrier's voluntary independent review procedure shall:

(a) waive any right to assert that a claimant has failed to exhaust administrative remedies because the claimant did not elect to submit a dispute of medical necessity to a voluntary level of appeal provided by the plan;

(b) agree that any statute of limitations or other defense based on timeliness is tolled during the time a voluntary appeal is pending;

(c) allow a claimant to submit a dispute of medical necessity to a voluntary level of appeal only after exhaustion of the appeals permitted under 29 CFR Subsection 2560.503-1(c)(2);

(d) upon request from any claimant, provide sufficient information relating to the voluntary level of appeal to enable the claimant to make an informed decision about whether to submit a dispute of medical necessity to the voluntary level of appeal. This information shall contain a statement that the decision to use a voluntary level of appeal will not [e]affect the claimant's rights to any other benefits under the plan and information about the applicable rules, the claimant's right to representation, and the process for selecting the decision maker.

(e) An independent review conducted in compliance with Section 31A-22-629, and this rule, can be binding on both parties. A claimant's submission to a binding independent review is purely voluntary and appropriate disclosure and notification must be given as required by 29 CFR 2560.503-1.

(6) Standards for voluntary independent review:

(a) The carrier's internal adverse benefit determination process must be exhausted unless the carrier and claimant mutually agree to waive the internal process.

(b) Any adverse benefit determination of medical necessity may be the subject of an independent review.

(c) The claimant has 180 calendar days from the date of the final internal review decision to request an independent review.

(d) A carrier shall use the same minimum standards and times of notification requirement for an independent review that are used for internal levels of review, as set forth in 29 CFR Subsection 2560.503-1(h)(3), (i)(2) and (j).

(7) A carrier shall provide an expedited review process for cases involving urgent care claims.

(8) A request for an expedited review of an adverse benefit determination of medical necessity may be submitted either orally or in writing. If the request is made orally a carrier shall, within 24 hours, send written confirmation to the claimant acknowledging the receipt of the request for an expedited review.

(9) An expedited review requires:

(a) all necessary information, including the plan's original benefit determination, be transmitted between the plan and the claimant by telephone, facsimile, or other available similarly expeditious method;

(b) a carrier to notify the claimant of the benefit review determination, as soon as possible, taking into account the medical urgency, but not later than 72 hours after receipt of the claimant's request for review of an adverse benefit determination; and

(c) a carrier to use the same minimum standard for timing and notification as set forth in 29 CFR Subsection 2560.503-1(h), 503-1(i)(2)(i), and 503-1(j).

(10) This section, R590-203-6, does not apply to disability income policies.

R590-203-9. [~~Relationship to Federal Rules.~~

~~If a carrier complies with the requirements of 29 CFR 2560.503-1, then this rule is not applicable to employer plans, except for Sections 4, 5, 6, 7, and 8 of this rule. All individual plans will remain subject to this rule in its entirety.~~

~~R590-203-10.~~] Enforcement Date.

commissioner shall begin enforcing the revisedprovisions of this rule [~~July 1, 2011~~]on the effective date.

R590-203-[~~11~~]10. Severability.

If a provision or clause of this rule or its application to any person or circumstance is for any reason held to be invalid, the remainder of the rule and the application of these provisions shall not be affected.

KEY: insurance
Date of Enactment or Last Substantive Amendment: [~~June 30,~~] 2011
Notice of Continuation: April 17, 2007
Authorizing, and Implemented or Interpreted Law: 31A-2-201; 31A-2-203; 31A-4-116; 31A-22-629

Insurance, Administration
R590-261
Health Benefit Plan Adverse Benefit Determination

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35105
FILED: 08/01/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being changed as a result of comments received from the insurance industry in a hearing held 06/09/2011, during the comment period for the proposed new rule published in the May 15, 2011, Bulletin under DAR No. 34770, and additional changes from the federal government.

SUMMARY OF THE RULE OR CHANGE: The following amendments have been made to this rule: The scope has been changed so that an insurer can decide whether to use the rule for all grandfathered health plans; formatting changes have been made, as well as standardizing language; in Section R590-261-5, the "Adverse benefit determination" definition has been revised to conform with the federal Affordable Care Act (ACA) 2010 definition and broadened to apply to all adverse benefit determinations; a definition for "Independent Review" has been added; added a new federal requirement in Section R590-261-8 that de minimis violations of internal review process do not automatically allow an independent review; added a new Section R590-261-10 that contains general independent review requirements and amended the three sections to include the steps for each type of review; allowed for a substantially similar request form as in Appendix B; added language that carrier must provide Independent Review Organization (IRO) with claim documents; IRO must send information they receive from the claimant to the carrier; change requires carrier to approve coverage within one day of reversal by IRO; added language to experimental/investigational that addresses an expedited review; and clarified that an independent review is available for a rescission.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-2-201 and Section 31A-2-212 and Section 31A-22-629

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: The changes to this rule will have no effect on the state or department's budget since the changes are mainly for clarification. There will be no additional filings required, no additional work required of department staff and no change in revenues or expenses.

♦ LOCAL GOVERNMENTS: The changes to this rule will have no effect on local government since the changes are for clarification purposes only and deal solely with the relationship between a licensed insurance company and insured or other claimant.

♦ SMALL BUSINESSES: The changes to this rule are for clarification purposes. Now that the insurer can decide whether they use the new review procedure process or remain under the old process may be a cost savings to them. As a result of the federal de minimis violation provision, fewer independent reviews may be required.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Where there is a cost savings to the insurer, as there may be here, that savings may be passed on to the insured.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The changes to this rule are for clarification purposes. Now that the insurer can decide whether they use the new review

procedure process or remain under the old process may be a cost savings to them. As a result of the federal de minimis violation provision, fewer independent reviews may be required.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The changes to this rule may result in cost savings to insurers.

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:
♦ Jilene Whitby by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:
♦ 09/08/2011 03:00 PM, State Office Building, 450 N State, Room 3112, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.
R590-261. Health Benefit Plan Adverse Benefit Determinations.
R590-261 -3. Scope.

(1) [~~This~~]Except as provided in Subsection (2), this rule applies to all health benefit plans as defined in 31A-1-301 except for a grandfathered health plan as [~~described~~]defined in 45 CFR 147.140.

(2) [~~A~~]If all grandfathered health benefit plans are administered consistently, a carrier may, for the grandfathered health benefit plans, voluntarily comply with the independent review process set forth in this rule, otherwise a grandfathered health benefit plan is subject to R590-203[~~, or may voluntarily comply with this rule upon the written consent of the policyholder~~].

(3) A self-funded health plan may voluntarily comply with the independent review process set forth in this rule.

R590-261-4. Incorporation by Reference.

The following appendices are hereby incorporated by reference within this rule and are available at www.insurance.utah.gov/legalresources/currentrules.html:

(1) Appendix A, Independent Review Organization Application and Checklist, dated 09-2011.

(2) Appendix B, Independent Review Request Form, dated 09-2011.

R590-261-5. Definitions.

In addition to the definitions in Section 31A-1-301, the following definitions apply for purposes of this rule:

(1)(a) "Adverse benefit determination" means[~~, that~~]:

(i) based on the carrier's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness of a covered benefit, the:

([~~i~~]A) denial of a benefit;

([~~ii~~]B) reduction of a benefit;

([~~iii~~]C) termination of a benefit; or

([~~iv~~]D) failure to provide or make payment, in whole or part, for a benefit; or

([~~v~~]ii) rescission of coverage.

(b) "Adverse benefit determination" includes:

(i) denial, reduction, termination, or failure to provide or make payment[~~, or rescission~~] that is based on a determination of an insured's eligibility to participate in a health benefit plan;

(ii) failure to provide or make payment, in whole or part, for a benefit resulting from the application of a utilization review; and

([e]iii) failure to cover an item or service for which benefits are otherwise provided because it is determined to be:

([~~i~~]A) experimental;

([~~ii~~]B) investigational; or

([~~iii~~]C) not medically necessary or appropriate.

(2) "Carrier" means any person or entity that provides health insurance in this state including:

(a) an insurance company;

(b) a prepaid hospital or medical care plan;

(c) a health maintenance organization;

(d) a multiple employer welfare arrangement; and

(e) any other person or entity providing a health insurance plan under Title 31A.

(3) "Claimant" means an insured or legal representative of the insured, including a member of the insured's immediate family designated by the insured, making a claim under a policy.

(4) "Clinical reviewer" means a physician or other appropriate health care provider who:

(a) is an expert in the treatment of the [~~claimant's~~]insured's medical condition that is the subject of the review

(b) is knowledgeable about the recommended health care service or treatment through recent or current actual clinical experience treating patients with the same or similar medical condition;

(c) holds an appropriate license or certification; and

(d) has no history of disciplinary actions or sanctions.

(5)[~~(a)~~] "Independent review" means a process that:

(a) is a voluntary option for the resolution of an adverse benefit determination;

(b) is conducted at the discretion of the claimant;

(c) is conducted by an independent review organization designated by the commissioner;

(d) renders an independent and impartial decision on an adverse benefit determination; and

(e) may not require the claimant to pay a fee for requesting the independent review.

(6)(a) "Rescission" means a cancellation or discontinuance of coverage under a health benefit plan that has a retroactive effect.

(b) "Rescission" does not include a cancellation or discontinuance of coverage under a health benefit plan if the cancellation or discontinuance of coverage:

(i) has only a prospective effect; or

(ii) is effective retroactively to the extent it is attributable to a failure to timely pay required premiums or contributions towards the cost of coverage.

R590-261-6. Adverse Benefit Determination Procedure Compliance.

An adverse benefit determination procedure shall be compliant with this rule and the requirements for adverse benefit determinations set forth in 29 CFR 2560.503-1 and 45 CFR 147.136.

R590-261-7. Notice of Right to Independent Review.

(1) With each notice of an [~~final~~]adverse benefit determination, the carrier shall provide written notice of the claimant's right for an independent review of the determination.

(2) The notice in Subsection (1) shall include the following, or substantially equivalent, statement:

"We have rescinded your coverage or denied your request for the provision of or payment for a health care service or course of treatment. You may have the right to have our decision reviewed by a health care professional who has no association with us if our decision involved making a judgment as to the medical necessity, appropriateness, health care setting, level of care or effectiveness of the health care service or treatment you requested. To receive additional information about an independent review, contact the Utah Insurance Commissioner by mail at Suite 3110 State Office Building, Salt Lake City UT 84114; by phone at 801 538-3077; or electronically at healthappeals.uid@utah.gov."

R590-261-8. Exhaustion of Internal Review Process.

The carrier's internal review process shall be exhausted prior to an independent review unless:

(1) the carrier agrees to waive the internal review process;

(2) the carrier has not complied with the requirements for the carrier's internal review process except for those failures to comply that are based on de minimis violations that do not cause, and are not likely to cause, prejudice or harm to the claimant and are not part of a pattern or practice of violations; or

(3) the claimant has requested an expedited independent review pursuant to Section [~~10~~]12 at the same time as requesting an expedited internal review.

R590-261-9. Independent Review Organizations.

(1) The commissioner shall compile and maintain a list of approved independent review organizations.

(2) To be considered for placement on the list of approved independent review organizations, an independent review organization shall:

(a) be accredited by a nationally recognized private accrediting entity;

(b) meet the requirements of this rule; and

(c) have written policies and procedures that ensure:

(i) that all reviews are conducted within the specified time frames;

(ii) the selection of qualified and impartial clinical reviewers;

(iii) the confidentiality of medical and treatment records and clinical review criteria; and

(iv) that any person employed by or under contract with the independent review organization adheres to the requirements of this rule.

(3) An applicant requesting placement on the list of approved independent review organizations shall submit for the commissioner's review:

(a) the application form attached to this rule as Appendix A;

(b) all documentation and information requested on the application, including proof of being accredited by a nationally recognized private accrediting entity; and

(c) the application fee.

(4) The commissioner shall terminate the approval of an independent review organization if the commissioner determines that the independent review organization has lost its accreditation or no longer satisfies the minimum requirements for approval.

(5)(a) An independent review organization may not own or control, or be owned or controlled by:

(i) a carrier;

(ii) a health benefit plan;

(iii) a health benefit plan's fiduciary;

(iv) an employer or sponsor of a health benefit plan;

(v) a trade association of:

(A) health benefit plans;

(B) carriers; or

(C) health care providers; or

(vi) an employee or agent of any one listed in Subsection (5)(a)(i) through (v).

(b) An independent review organization and the clinical reviewer assigned to conduct an independent review may not have a material professional, familial, or financial conflict of interest with:

(i) the carrier;

(ii) an officer, director, or management employee of the carrier;

(iii) the health benefit plan;

(iv) the plan administrator, plan fiduciaries, or plan employees;

(v) the insured or claimant;

(vi) the [~~claimant~~]insured's health care provider;

(vii) the health care provider's medical group or independent practice association;

(viii) a health care facility where the service would be provided; or

(ix) the developer or manufacturer of the service that would be provided.

R590-261-10. [~~Standard Independent Review~~]General Independent Review Requirements.

The requirements of this section shall apply in addition to the requirements for a standard independent review, an expedited independent review and an independent review of experimental or investigational service or treatment.

(1) The carrier shall pay the cost of the independent review organization for conducting the independent review.

(2) [~~The~~]An independent review[~~ of an adverse benefit determination~~] is available to the claimant regardless of the dollar amount of the claim involved.

(3)(a) The claimant shall have 180 calendar days after the receipt of a notice of an adverse benefit determination to file a request with the commissioner for an independent review.

(b) The claimant shall use the Independent Review Request Form attached to this rule as Appendix B, or a substantially similar form, to file the request.

(c) A request for an independent review sent to the carrier instead of the commissioner shall be forwarded to the commissioner by the carrier within one business day of receipt.

(4) The independent review decision is binding on the carrier and claimant except to the extent that other remedies are available under federal or state law.

R590-261-11. Standard Independent Review.

(1)(a) Upon receipt of a request for an independent review, the commissioner shall send a copy of the request to the carrier for [~~a preliminary~~]an eligibility review.

(b) Within five business days following receipt of the copy of the request, the carrier shall determine whether:

(i) the individual is or was [~~a covered person~~]an insured in the health benefit plan at the time of rescission or the health care service was requested or provided;

(ii) [~~the~~]if a health care service [~~that~~] is the subject of the adverse benefit determination, the health care service is a covered expense;

(iii) the claimant has exhausted the carrier's internal review process; and

(iv) the claimant has provided all the information and forms required to process an independent review.

(c)(i) Within one business day after completion of the [~~preliminary~~]eligibility review, the carrier shall notify the commissioner and claimant in writing whether:

(A) the request is complete; and

(B) the request is eligible for independent review.

(ii) If the request:

(A) is not complete, the carrier shall inform the claimant and commissioner in writing what information or materials are needed to make the request complete; or

(B) is not eligible for independent review, the carrier shall:

(I) inform the claimant and commissioner in writing the reasons for ineligibility; and[~~.~~]

([~~iii~~]II) [~~If the carrier determines that the request for independent review is ineligible, the carrier's notice of ineligibility shall~~]inform the claimant that the determination may be appealed to the commissioner.

(d)(i) The commissioner may determine that a request is eligible for independent review notwithstanding the carrier's initial determination that the request is ineligible and require that the request be referred for independent review.

(ii) In making the determination in (d)(i), the commissioner's decision shall be made in accordance with the terms of the [~~claimant's~~]insured's health benefit plan and shall be subject to all applicable provisions of this rule.

([~~5~~]2) Upon receipt of the carrier's [~~preliminary~~] determination that the request is eligible for an independent review, the commissioner shall:

(a)[~~(i)~~] assign on a random basis an independent review organization from the list of approved independent review organizations based on the nature of the health care service that is the subject of the review;

([~~ii~~]b) notify the carrier of the assignment and that the carrier shall within five business days provide to the assigned independent review organization the documents and any information considered in making the adverse benefit determination; and

([~~b~~]c) notify the claimant that the request has been accepted and that the claimant may submit additional information to the independent review organization within five business days of receipt of the commissioner's notification. The independent review organization shall forward to the carrier within one business day of receipt any information submitted by the claimant.

([~~5~~]3) Within 45 calendar days after receipt of the request for an independent review, the independent review organization shall provide written notice of its decision to uphold or reverse the adverse benefit determination to:

(a) the claimant;

(b) the carrier; and

(c) the commissioner.

[~~(6) The independent review decision is binding on the carrier and claimant except to the extent that other remedies are available under federal or state law.~~]

(4) Upon receipt of a notice reversing the adverse benefit determination, the carrier shall within one business day approve the coverage that was the subject of the adverse benefit determination.

R590-261-[~~11~~]12. Expedited Independent Review.

(1) An expedited independent review process shall be available if the adverse benefit determination:

(a) involves a medical condition of the [~~claimant~~]insured which would seriously jeopardize the life or health of the [~~claimant~~]insured or would jeopardize the [~~claimant's~~]insured's ability to regain maximum function;[~~ or~~]

(b) in the opinion of [~~a physician with knowledge of~~]the [~~claimant's~~]insured's [~~medical condition~~]attending provider, would subject the [~~claimant~~]insured to severe pain that cannot be adequately managed without the care or treatment that is the subject of the adverse benefit determination; or

(c) concerns an admission, availability of care, continued stay or health care service for which the insured received emergency services, but has not been discharged from a facility.

[~~(2)~~](a) Upon receipt of a request for an expedited independent review, the commissioner shall immediately send a copy of the request to the carrier for an eligibility review.

(b) Immediately upon receipt of the request, the carrier shall determine whether:

(i) the individual is or was an insured in the health benefit plan at the time the health care service was requested or provided;

(ii) the health care service that is the subject of the adverse benefit determination is a covered expense; and

(iii) the claimant has provided all the information and forms required to process an expedited independent review.

(c)(i) The carrier shall immediately notify the commissioner and claimant whether:

(A) the request is complete; and

(B) the request is eligible for an expedited independent review.

(ii) If the request:

(A) is not complete, the carrier shall inform the claimant and commissioner in writing what information or materials are needed to make the request complete; or

(B) is not eligible for independent review, the carrier shall:

(I) inform the claimant and commissioner in writing the reasons for ineligibility; and

(II) inform the claimant that the determination may be appealed to the commissioner.

(d)(i) The commissioner may determine that a request is eligible for an expedited independent review notwithstanding the carrier's initial determination that the request is ineligible and shall require that the request be referred for an expedited independent review.

(ii) In making the determination in (d)(i), the commissioner's decision shall be made in accordance with the terms of the insured's health benefit plan and shall be subject to all applicable provisions of this rule.

(3) Upon receipt of the carrier's determination that the request is eligible for an independent review, the commissioner shall immediately:

(a) assign an independent review organization from the list of approved independent review organizations;

(b) notify the carrier of the assignment and that the carrier shall within one business day provide to the assigned independent review organization all documents and information considered in making the adverse benefit determination; and

(c) notify the claimant that the request has been accepted and that the claimant may within one business day submit additional information to the independent review organization. The independent review organization shall forward to the carrier within one business day of receipt any information submitted by the claimant.

(4)(a) The independent review organization shall as soon as possible, but no later than 72 hours after receipt of the request for an expedited independent review, make a decision to uphold or reverse the adverse benefit determination and shall notify:

(i) the carrier;[~~and~~]

(ii) the claimant; and

(iii) the commissioner.

(b) If notice of the independent review organization's decision is not in writing, the independent review organization shall provide written confirmation of its decision within 48 hours after the date of the notification of the decision.

(5) Upon receipt of a notice reversing the adverse benefit determination, the carrier shall within one business day, approve the coverage that was the subject of the adverse benefit determination.

R590-261-[~~12~~]13. Independent Review of Experimental or Investigational Service or Treatment Adverse Benefit Determinations.

(1) [~~The claimant has 180 calendar days after the receipt of an adverse benefit determination that involves a denial of coverage based on a determination that the service or treatment recommended or requested is experimental or investigational to file a request with the commissioner for an independent review.~~

~~(2) In addition to the requirements for an independent review set forth in Sections 9 and 10, the following apply to an independent review involving experimental or investigational treatment:~~

~~(a) the~~]A request for an independent review based on experimental or investigational service or treatment shall be submitted with certification from the [~~claimant's~~]insured's physician that:

([~~i~~]a) standard health care service[~~s~~] or treatment[~~s~~] [~~have~~]has not been effective in improving the [~~claimant's~~]insured's condition;

([~~ii~~]b) standard health care service or treatment is not medically appropriate for the [~~claimant~~]insured; or

([~~iii~~]c) there is no available standard health care service or treatment covered by the carrier that is more beneficial than the recommended or requested health care service or treatment.

(2)(a) Upon receipt of a request for an independent review involving experimental or investigational service or treatment, the commissioner shall send a copy of the request to the carrier for an eligibility review.

(b) Within five business days following receipt of the copy of the request, one business day for an expedited review, the carrier shall determine whether:

(i) the individual is or was an insured in the health benefit plan at the time the health care service was requested or provided;

(ii) the health care service or treatment that is the subject of the adverse benefit determination is a covered expense except for the carrier's determination that the service or treatment is experimental or investigational for a particular medical condition and is not explicitly listed as an excluded benefit under the insured's health benefit plan;

(iii) the claimant has exhausted the carrier's internal review process unless the request is for an expedited review; and

(iv) the claimant has provided all the information and forms required to process the independent review.

(c)(i) Within one business day after completion of the eligibility review, the carrier shall notify the commissioner and claimant in writing whether:

(A) the request is complete; and

(B) the request is eligible for independent review.

(ii) If the request:

(A) is not complete, the carrier shall inform the claimant and commissioner in writing what information or materials are needed to make the request complete; or

(B) is not eligible for independent review, the carrier shall:

(I) inform the claimant and commissioner in writing the reasons for ineligibility; and

(II) shall inform the claimant that the determination may be appealed to the commissioner.

(d)(i) The commissioner may determine that a request is eligible for independent review notwithstanding the carrier's initial determination that the request is ineligible and require that the request be referred for independent review.

(ii) In making the determination in (d)(i), the commissioner's decision shall be made in accordance with the terms of the health benefit plan and shall be subject to all applicable provisions of this rule.

(3) Upon receipt of the carrier's determination that the request is eligible for an independent review, the commissioner shall:

(a) assign an independent review organization from the list of approved independent review organizations;

(b) notify the carrier of the assignment and that the carrier shall within five business days, one business day for an expedited review, provide to the assigned independent review organization the documents and any information considered in making the adverse benefit determination; and

(c) notify the claimant that the request has been accepted and that the claimant may within five business days, one business day for an expedited review, submit additional information to the independent review organization. The independent review organization shall forward to the carrier within one business day of receipt any information submitted by the claimant.

([~~b~~]4) Within one business day after receipt of the request, the independent review organization shall select one or more clinical reviewers to conduct the review.

([~~e~~]5) The clinical reviewer shall provide to the independent review organization a written opinion within 20 calendar days, five calendar days for an expedited review, after being selected.

([~~d~~]6) The independent review organization shall make a decision based on the clinical reviewer's opinion within 20 calendar days, 48 hours for an expedited review, of receiving the opinion and shall notify[~~ the~~]:

([~~i~~]a) the claimant;

([~~ii~~]b) the carrier; and

([~~iii~~]c) the commissioner.

(7) Upon receipt of a notice reversing the adverse benefit determination, the carrier shall within one business day approve the coverage that was the subject of the adverse benefit determination.

R590-261-[~~13~~]14. Disclosure Requirements.

(1) Each carrier shall include a description of the independent review procedure in or attached to the policy and certificate, and may include a description with other evidence of coverage provided to the insured.

(2) The description required in Subsection (1) shall include a statement that informs the insured:

(a) of the right to file a request for an independent review of an [~~final~~]adverse benefit determination and include the contact information for the commissioner; and

(b) that an authorization to obtain medical records [~~may~~]shall be required for the purpose of reaching a decision.

R590-261-[~~14~~]15. Records.

(1) An independent review organization shall maintain a written record of each independent review for the current year plus 5 years.

(2) The records of an independent review organization shall be available for review by the commissioner upon request.

R590-261-[~~15~~]16. Penalties.

A person found to be in violation of this rule shall be subject to penalties as provided under Section 31A-2-308.

R590-261-[~~16~~]17. Enforcement Date.

The commissioner shall begin enforcing the revised provisions of this rule [~~July 1, 2011~~]on the effective date.

R590-261-[~~17~~]18. Severability.

If any provision of this rule or its application to any person or situation is held to be invalid, that invalidity shall not affect any other provision or application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

KEY: health benefit plan insurance
Date of Enactment or Last Substantive Amendment: [~~June 30,~~]2011
Authorizing, and Implemented or Interpreted Statutes: 31A-22-629; 31A-2-201; 31A-2-212

Labor Commission, Administration
R600-3
Definitions Applicable to Construction Licensees

NOTICE OF PROPOSED RULE

(New Rule)
DAR FILE NO.: 35093
FILED: 07/22/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Pursuant to the rulemaking authority granted to the Labor Commission by S.B. 35 (2011 General Session), the purpose of this rule is to define certain terms used within S.B. 35 and to establish a procedure by which an unincorporated entity licensed to perform construction by the Division of Professional Licensing (DOPL) can challenge the presumption created by S.B. 35 that such an entity is an employer for purposes of Utah laws dealing with payment of wages, employment discrimination, and occupational safety and health.

SUMMARY OF THE RULE OR CHANGE: The proposed rule defines the following terms: a) "active manager"; b) "directly holds at least an 8% ownership interest"; c) "indirectly holds at least an 8% ownership interest"; and d) "subject to supervision or control in the performance of work." The

proposed rule also identifies two methods by which an unincorporated entity may challenge the presumption created by S.B. 35 that the entity is an employer for purposes of payment of wages, employment discrimination, and occupational safety and health: 1) by requesting a declaratory determination from the Commission; or 2) as part of an existing adjudicatory proceeding.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 34-28-2(2) and Subsection 34A-5-102(2) and Subsection 34A-6-103(2)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: By defining terms and clarifying procedures, the proposed rule should facilitate the Labor Commission's ability to resolve disputes regarding an unincorporated entity's status as an employer. However, in view of the fact that such disputes are relatively infrequent, the Commission does not anticipate appreciable costs or savings to the state budget as a result of the proposed rule.
♦ LOCAL GOVERNMENTS: The definitions and procedures of the proposed rule have no application to local government and will not result in any costs or savings to local government budgets.
♦ SMALL BUSINESSES: Pursuant to S.B. 35, unincorporated entities licensed to perform construction by DOPL are presumed to be employers of all their workers and staff. The proposed rule defines terms and establishes procedures to simplify the manner by which such entities can challenge that presumption. While the proposed rule should tend to make the above-described process simpler and therefore, less expensive to participants, such proceedings are relatively infrequent. Consequently, the Commission does not anticipate that the proposed rule will result in any appreciable cost or savings to the affected small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Individual workers who are presumed under S.B. 35 to be employees of unincorporated entities may also be affected by the proposed rule's definitions and procedures. The proposed rule defines terms and establishes procedures to simplify the manner by which such entities can challenge that presumption. While the proposed rule should tend to make the above-described process simpler and therefore less expensive to all participants, including workers, such proceedings are relatively infrequent. Consequently, the Commission does not anticipate that the proposed rule will result in any appreciable cost or savings to other persons affected by the proposed rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed rule's definitions and procedures do not impose any compliance costs on affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed rule deals with the relatively infrequent situation in which an unincorporated entity licensed by DOPL to perform construction seeks to rebut the presumption created by S.B. 35 that the unincorporated entity is an employer. The proposed rule's definitions and procedures should render these proceedings simpler and more efficient for all the participants and for the Commission. Consequently, the Commission does not anticipate that the proposed rule will have any negative fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
LABOR COMMISSION
ADMINISTRATION
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:
♦ Alan Hennebold by phone at 801-530-6937, by FAX at 801-530-6390, or by Internet E-mail at ahennebold@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Sherrie Hayashi, Commissioner

R600. Labor Commission, Administration.
R600-3. Definitions Applicable to Construction Licensees.
R600-3-1. Authority and Scope.

A. The Commission enacts this rule pursuant to authority granted by 34-28-2(2), 34A-5-102(2) and 34A-6-103(2).

B. This rule defines terms and establishes procedures by which an unincorporated entity that is a construction licensee may rebut its status as an employer for purposes of Title 34, Chapter 28, Payment of Wages; Title 34A, Chapter 5, Utah Antidiscrimination Act, and Title 34A, Chapter 6, Utah Occupational Safety and Health Act.

R600-3-2. Definitions.

A. An "active manager" is one who directs or causes the direction of the management and policies of the unincorporated entity, whether through the ownership of voting shares, by contract, or otherwise. Status as an active manager requires a documented history of voting on, approving, or otherwise deciding a substantial matter involving the business of the unincorporated entity, including without limitation:

1. Authorizing a member or any other person to do any act on behalf of the company that is not in the ordinary course of the company's business or business of the kind carried on by the company;

2. Making a distribution to members;

3. Resolving a dispute connected with the company's business;

4. Making a substantial change in the business purpose of the unincorporated entity;

5. Authorizing the unincorporated entity to acquire or merge with another entity; or

6. Authorizing a sale, lease, exchange or other disposition of a substantial asset of the unincorporated entity, other than in the usual and regular course of the business.

B. "Directly holds at least an 8% ownership interest" means that the individual owns in his or her individual capacity at least 8% of the stock, capital, or equity of the unincorporated entity, or is entitled to at least 8% of the unincorporated entity's profits.

C. "Indirectly holds at least an 8% ownership interest" means that the individual's total aggregate ownership interest from all sources, including a corporation, partnership, estate, trust or some other form of beneficial interest, totals at least 8% of the unincorporated entity's stock, capital, equity, or profits.

1. For example, if an individual owns 50% of company A which in turns owns 20% of the subject unincorporated entity, then the individual holds a 10% indirect ownership interest in the unincorporated entity.

D. "Subject to supervision or control in the performance of work" means that:

1. The unincorporated entity has the right to control what the worker does and how he or she does it, regardless of whether the unincorporated entity actually exercises that authority; or

2. The unincorporated entity has the right to control the business aspects of the work, such as:

a. How the worker is paid;

b. Whether expenses are reimbursed;

c. Who is responsible to provide tools and supplies;

d. Who arranges for administrative support, advertising, and similar functions.

R600-3-3. Procedures to Challenge Presumption that Unincorporated Entity is the Employer.

A. Declaratory Actions. An interested party may request a determination regarding an unincorporated entity's status as an employer by filing a petition for declaratory order in accordance with Rule R600-1.

B. In Connection with Other Adjudicative Proceedings.

1. In proceedings to adjudicate a claim of unpaid wages, employment discrimination, or violation of occupational safety and health standards, an unincorporated entity may submit evidence that rebuts the presumption that the unincorporated entity is an employer.

2. Notwithstanding the burden of proof required to prove the underlying claim, the unincorporated entity may only rebut the presumption that it is the employer by clear and convincing evidence.

KEY: labor commission, unincorporated entity, construction licensees
Date of Enactment or Last Substantive Amendment: 2011
Authorizing, and Implemented or Interpreted Law: 34A-1-104

Labor Commission, Adjudication
R602-2-4
Attorney Fees

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35092
FILED: 07/22/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the proposed rule change is to increase the maximum attorneys' fees in workers' compensation cases, to match the increase in benefit amounts over the last four years.

SUMMARY OF THE RULE OR CHANGE: The amendment increases the amount of attorney fees by 12.123% to reflect benefit increases over the last four years.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 34A-1-301 et seq. and Section 63G-4-102 et seq.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: This amendment does not affect the state in its capacity as an employer nor does it increase the state's cost of administering the workers' compensation system, consequently no costs or savings to the state budget are anticipated.
♦ LOCAL GOVERNMENTS: This amendment does not affect local governments in their capacity as employers, consequently no costs or savings to local government budgets are anticipated.
♦ SMALL BUSINESSES: This amendment does not affect small businesses in their capacity as employers, consequently no costs or saving to small businesses are anticipated.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: This increase of 12.123% above previous attorney fee limits is offset by a similar increase in weekly benefits that injured workers are now receiving.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The only compliance costs are the higher attorneys' fees that injured workers may be required to pay. As noted, this increase is due to (and offset by) increase in benefits paid to injured workers over the last four years.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The attorneys' fees subject to this rule are paid by the injured worker, not the employer. The change should therefore have no fiscal impact on businesses.

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

LABOR COMMISSION
ADJUDICATION
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:
♦ Alan Hennebold by phone at 801-530-6937, by FAX at 801-530-6390, or by Internet E-mail at ahennebold@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Sherrie Hayashi, Commissioner

R602. Labor Commission, Adjudication.
R602-2. Adjudication of Workers' Compensation and Occupational Disease Claims.
R602-2-4. Attorney Fees.

A. Pursuant to Section 34A-1-309, the Commission adopts the following rule to regulate and fix reasonable fees for attorneys representing applicants in workers' compensation or occupational illness claims.

1. This rule applies to all fees awarded after [~~July 1, 2007~~]October 1, 2012.

2. Fees awarded prior to the effective date of this rule are determined according to the prior version of this rule in effect on the date of the award.

B. Upon written agreement, when an attorney's services are limited to consultation, document preparation, document review, or review of settlement proposals, the attorney may charge the applicant an hourly fee of not more than $125 for time actually spent in providing such services, up to a maximum of four hours.

1. Commission approval is not required for attorneys fees charged under this subsection B. It is the applicant's responsibility to pay attorneys fees permitted by this subsection B.

2. In all other cases involving payment of applicants' attorneys fees which are not covered by this subsection B., the entire amount of such attorneys fees are subject to subsection C. or D. of this rule.

C. Except for legal services compensated under subsection B. of this rule, all legal services provided to applicants shall be compensated on a contingent fee basis.

1. For purposes of this subsection C., the following definitions and limitations apply:

a. The term "benefits" includes only death or disability compensation and interest accrued thereon.

b. Benefits are "generated" when paid as a result of legal services rendered after Adjudication Form 152 Appointment of Counsel form is signed by the applicant. A copy of this form must be filed with the Commission by the applicant's attorney.

c. In no case shall an attorney collect fees calculated on more than the first 312 weeks of any and all combinations of workers' compensation benefits.

2. Fees and costs authorized by this subsection shall be deducted from the applicant's benefits and paid directly to the attorney on order of the Commission. A retainer in advance of a Commission approved fee is not allowed.

3. Attorney fees for benefits generated by the attorney's services shall be computed as follows:

a. For all legal services rendered through final Commission action, the fee shall be 25% of weekly benefits generated for the first $25,000, plus 20% of the weekly benefits generated in excess of $25,000 but not exceeding $50,000, plus 10% of the weekly benefits generated in excess of $50,000, to a maximum of $[~~15,250~~]17,125.

b. For legal services rendered in prosecuting or defending an appeal before the Utah Court of Appeals, an attorney's fee shall be awarded amounting to 30% of the benefits in dispute before the Court of Appeals. This amount shall be added to any attorney's fee awarded under subsection C.3.a. for benefits not in dispute before the Court of Appeals. The total amount of fees awarded under subsection C.3.a. and this subsection C.3.b. shall not exceed $[~~22,000~~]24,706;

c. For legal services rendered in prosecuting or defending an appeal before the Utah Supreme Court, an attorney's fee shall be awarded amounting to 35% of the benefits in dispute before the Supreme Court. This amount shall be added to any attorney's fee awarded under subsection C.3.a. and subsection C.3.b. for benefits not in dispute before the Supreme Court. The total amount of fees awarded under subsection C.3.a, subsection C.3.b. and this subsection C.3.c shall not exceed $[~~27,000~~]30,321.

D. The following expenses, fees and costs shall be presumed to be reasonable and necessary and therefore reimbursable in a workers compensation claim:

1. Medical records and opinion costs;
2. Deposition transcription costs;
3. Vocational and Medical Expert Witness fees;
4. Hearing transcription costs;
5. Appellate filing fees; and
6. Appellate briefing expenses.

F. Other reasonable expenses, fees and costs may be awarded as reimbursable as the Commission may in its discretion decides in a particular workers compensation claim.

E. In "medical only" cases in which awards of attorneys' fees are authorized by Subsection 34A-1-309(4), the amount of such fees and costs shall be computed according to the provisions of subsection C and D.

KEY: workers' compensation, administrative procedures, hearings, settlements
Date of Enactment or Last Substantive Amendment: [~~June 22,~~] 2011

Notice of Continuation: August 15, 2007
Authorizing, and Implemented or Interpreted Law: 34A-1-301 et seq.; 63G-4-102 et seq.

Labor Commission, Antidiscrimination and Labor, Fair Housing
R608-1-17
Assistance Animals

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 35094
FILED: 07/22/2011

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule defines circumstances in which state and federal fair housing laws authorize an individual with a disability to possess an assistance animal as a reasonable accommodation. The rule also addresses the relationship of fair housing standards for use of service animals to standards found at 62A-5b-101 et seq. for use of service animals in public areas, common carriers, and similar locations.

SUMMARY OF THE RULE OR CHANGE: The rule clarifies that federal and state fair housing laws entitle an individual with a disability to have an assistance animal in a housing facility that would otherwise restrict such animals, provided that the service animal is necessary to the disabled individual's use and enjoyment of the housing. The rule allows a housing provider to verify the need for such an assistance animal, and to disallow a service animal on the grounds of undue financial or administrative burden, safety, or other such reasons. The rule also clarifies that use of a service animal as a reasonable accommodation is limited to tenants and prospective tenants and does not extend to visitors or guests.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 57-21-1 et seq. and Section 63G-4-102 et seq.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The rule will not have any appreciable effect on the state's costs in administering and enforcing fair housing laws, nor is the rule expected to have any other fiscal impact on the state budget.
♦ LOCAL GOVERNMENTS: To the extent that local governments provide housing to disabled individuals, such governments may be subject to this rule's requirements. Because the rule merely restates and clarifies the existing requirements of state and federal statutes, adoption of the rule will not result in any cost or savings to local governments.
♦ SMALL BUSINESSES: To the extent that small businesses provide housing to disabled individuals, such small businesses may be subject to this rule's requirements. Because the rule merely restates and clarifies the existing requirements of state and federal statutes, adoption of the rule will not result in any cost or savings to small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: In addition to local governments and small businesses, other entities that provide housing to disabled individuals may be subject to this rule's requirements. Because the rule merely restates and clarifies the existing requirements of state and federal statutes, adoption of the rule will not result in any cost or savings to small businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule imposes no compliance costs on affected persons. The rule's substantive provisions are already part of state and federal Fair Housing law. Consequently, housing providers and housing consumers are already subject to the requirements contained in the rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: By clarifying and explaining to housing providers and housing consumers the rules that apply to assistance animals, the proposed rule should avoid conflict and reduce the number of adjudicative proceedings on this issue. To that extent, the proposed rule will reduce litigation costs for businesses and individuals.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
LABOR COMMISSION
ANTIDISCRIMINATION AND LABOR,
FAIR HOUSING
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:
♦ Alan Hennebold by phone at 801-530-6937, by FAX at 801-530-6390, or by Internet E-mail at ahennebold@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/14/2011

THIS RULE MAY BECOME EFFECTIVE ON: 09/21/2011

AUTHORIZED BY: Sherrie Hayashi, Commissioner

R608. Labor Commission, Antidiscrimination and Labor, Fair Housing.
R608-1. Utah Fair Housing Rules.
R608-1-17. Assistance Animals.

A. General

1. Pursuant to the Utah Fair Housing Act and the federal Fair Housing Act, this rule defines the circumstances in which an individual with a disability is entitled to an assistance animal as a reasonable accommodation in a housing facility that would otherwise restrict or prohibit the presence of an animal. This rule applies only to tenants, prospective tenants and those authorized by the housing provider to live at the housing facility.

2. The proposed assistance animal must be necessary to afford the individual an equal opportunity to use and enjoy a dwelling or to participate in the housing service or program. This requires a demonstrable relationship between the individual's disability and the assistance the animal provides.

a. Housing providers are entitled to verify the existence of the individual's disability as well as the need for the assistance animal as an accommodation for that disability if either is not readily apparent. Accordingly, an individual proposing an assistance animal as a reasonable accommodation for a disability may be required to provide documentation form a physician, psychiatrist, or other qualified healthcare professional that the animal provides support that alleviates a symptom or effect of the disability.

b. Housing providers need not permit an assistance animal as an accommodation to a person with a disability if the provider demonstrates that allowing the assistance animal would impose an undue financial or administrative burden or would fundamentally alter the nature of the housing facility, program or service.

c. Housing providers are not required to provide an accommodation that poses a direct threat to the health or safety of others. Thus, if a particular assistance animal has a history of dangerous behavior, if the animal is out of control and its handler does not take effective action to control it, or if the animal is not housebroken, the provider is not required to accept the animal into the housing.

B. Relationship of this rule to other laws addressing service animals.

While federal and state fair housing laws and this rule establish the standards for assistance animals as a reasonable accommodation in housing, this rule does not apply to use of service animals in public areas, common carriers, public conveyances, public accommodations or places of amusement, which are governed by standards set forth in Utah Code Ann. Section 62A-5b-101 et seq., "Rights and Privileges of a Person with a Disability."

KEY: housing, fair housing, discrimination, time
Date of Enactment or Last Substantive Amendment: [~~October 7, 2005~~]2011
Notice of Continuation: November 30, 2006
Authorizing, and Implemented or Interpreted Law: 57-21-1 et seq.; 63G-4-102 et seq.

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 remove obsolete rules from the Utah Administrative Code. Upon reviewing a rule, an agency may: repeal the rule by filing a **Proposed Rule**; continue the rule as it is by filing a **Notice of Review and Statement of Continuation (Notice)**; or amend the rule by filing a **Proposed Rule** and by filing a **Notice**. By filing a Notice, the agency indicates that the rule is still necessary.

Notices are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. **Notices** are effective upon filing.

Notices are governed by Section 63G-3-305.

Career Service Review Office, Administration
R137-1
Grievance Procedure Rules

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 35083
FILED: 07/18/2011

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 67-19a-203 grants the Career Service Review Office rulemaking authority to carry out the statutory provisions of the state's grievance and appeal procedures.

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 over the last 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 rule subject to this review is essential to carry out the legislative intent of the state grievance and appeal procedures codified at Title 67, Chapter 19a. The grievance process is functioning well and state employees, as well as management expect it to continue. This rule is necessary to assure that the process continues to address employee grievances in a fair and judicious manner, and therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
CAREER SERVICE REVIEW OFFICE
ADMINISTRATION
ROOM 1120 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:
♦ Robert Thompson by phone at 801-538-3047, by FAX at 801-538-3139, or by Internet E-mail at bthompson@utah.gov

AUTHORIZED BY: Robert Thompson, Administrator

EFFECTIVE: 07/18/2011

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 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 file a notice of effective date any time after the close of comment plus seven days. In the case of Changes in Proposed Rules with no designated comment period, the law permits an agency to file a notice of effective date on any date including or after the thirtieth day after the rule's 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 and the agency must start the rulemaking process over.

Notices of Effective Date are governed by Subsection 63G-3-301(12), 63G-3-303, and Sections R15-4-5a and 5b.

Abbreviations
AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal & Reenact
REP = Repeal

Commerce
Occupational and Professional Licensing
No. 34885 (AMD): R156-1. General Rule of the Division of Occupational and Professional Licensing
Published: 06/15/2011
Effective: 07/26/2011

No. 34887 (AMD): R156-17b-310. Exemption from Licensure - Physicians Dispensing Cosmetic Drug or Injectable Weight Loss Drug
Published: 06/15/2011
Effective: 07/26/2011

No. 34888 (REP): R156-39a. Alternative Dispute Resolution Providers Certification Act
Published: 06/15/2011
Effective: 07/26/2011

No. 34886 (AMD): R156-46b. Division Utah Administrative Procedures Act Rule
Published: 06/15/2011
Effective: 07/26/2011

Governor
Economic Development, Pete Suazo Utah Athletic Commission
No. 34901 (AMD): R359-1-501. Promoter's Responsibilities in Arranging a Contest
Published: 06/15/2011
Effective: 07/26/2011

No. 34900 (AMD): R359-1-515. Competing in an Unsanctioned Unarmed Combat Event
Published: 06/15/2011
Effective: 07/26/2011

Health
Health Care Financing, Coverage and Reimbursement Policy
No. 34894 (REP): R414-4A. Outpatient Hospital Services: Payment of Triage Fee
Published: 06/15/2011
Effective: 08/01/2011

Family Health and Preparedness, Emergency Medical Services
No. 34902 (AMD): R426-16. Emergency Medical Services Ambulance Rates and Charges
Published: 06/15/2011
Effective: 07/26/2011

Human Services
Child and Family Services
No. 34779 (NEW): R512-205. Child Protective Services, Investigation of Domestic Violence Related Child Abuse
Published: 06/01/2011
Effective: 07/28/2011

Natural Resources
Parks and Recreation
No. 34864 (AMD): R651-201-6. Tow(ed)(ing)
Published: 06/15/2011
Effective: 07/27/2011

No. 34865 (AMD): R651-206-2. Outfitting Company Responsibilities
Published: 06/15/2011
Effective: 07/27/2011

No. 34866 (AMD): R651-224-3. Flag Required
Published: 06/15/2011
Effective: 07/27/2011

No. 34889 (AMD): R651-606-5. Time-Limit in Campsite may not be Exceeded
Published: 06/15/2011
Effective: 07/27/2011

No. 34890 (AMD): R651-611-3. Camping Fees
Published: 06/15/2011
Effective: 07/27/2011

Pardons (Board Of)
Administration
No. 34867 (AMD): R671-102. Americans with Disabilities Act Complaint Procedures Rule
Published: 06/15/2011
Effective: 07/26/2011

Public Safety
Highway Patrol
No. 34895 (AMD): R714-600. Performance Standards for Tow Truck Motor Carriers
Published: 06/15/2011
Effective: 08/01/2011

End of the Notices of Rule Effective Dates Section

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, 2011 through August 01, 2011. 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).

DAR NOTE: A processing error caused the exclusion of 110 nonsubstantive changes from the Index. These nonsubstantive changes reflect changed agency names in the Department of Health. The Division is working to correct the error.

Questions regarding the index and the information it contains should be addressed to Nancy Lancaster (801-538-3218), Mike Broschinsky (801-538-3003), or Kenneth A. Hansen (801-538-3777).

A copy of the Rules Index is available for public inspection at the Division of Administrative Rules (4120 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
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
5YR = Five-Year Review

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ADMINISTRATIVE SERVICES					
Administration					
R13-3	Americans with Disabilities Act Grievance Procedures	34347	AMD	03/10/2011	2011-3/4
R13-3-2	Definitions	34674	NSC	04/27/2011	Not Printed
Facilities Construction and Management					
R23-23	Health Reform - Health Insurance Coverage in State Contracts - Implementation	34801	EMR	05/10/2011	2011-11/105
R23-23	Health Reform - Health Insurance Coverage in State Contracts - Implementation	34803	AMD	07/11/2011	2011-11/6
R23-31	Executive Residence Commission	34802	NEW	07/11/2011	2011-11/8
Finance					
R25-7	Travel-Related Reimbursements for State Employees	34764	AMD	07/01/2011	2011-10/6
Fleet Operations					
R27-3	Vehicle Use Standards	34256	AMD	01/25/2011	2010-24/6
R27-3-4	Authorized and Unauthorized Use of State Vehicles	34786	AMD	07/12/2011	2011-11/10
R27-4-11	Capital Credit or Reservation of Vehicle Allocation for Surrendered Vehicles	34257	AMD	01/25/2011	2010-24/7
AGRICULTURE AND FOOD					
Administration					
R51-3	Government Records Access and Management Act	34491	5YR	03/03/2011	2011-7/43
R51-4	ADA Complaint Procedure	34492	5YR	03/03/2011	2011-7/43
Animal Industry					
R58-1	Admission and Inspection of Livestock, Poultry and Other Animals	34343	AMD	03/24/2011	2011-3/7
R58-2	Diseases, Inspections and Quarantines	34352	AMD	03/24/2011	2011-3/13
R58-2	Diseases, Inspections and Quarantines	34975	5YR	06/23/2011	2011-14/135
R58-4	Use of Animal Drugs and Biologicals in the State of Utah	34976	5YR	06/23/2011	2011-14/135
R58-11	Slaughter of Livestock	34694	AMD	06/21/2011	2011-9/2
R58-11-2	Definitions	34914	NSC	06/30/2011	Not Printed
R58-14	Holding Live Raccoons or Coyotes in Captivity	34974	5YR	06/23/2011	2011-14/136
R58-20	Domesticated Elk Hunting Park	34906	EMR	06/07/2011	2011-13/79
Marketing and Development					
R65-8	Management of the Junior Livestock Show Appropriation	34489	5YR	03/03/2011	2011-7/44

Plant Industry					
R68-4	Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products	34414	5YR	02/08/2011	2011-5/107
R68-7	Utah Pesticide Control Act	34488	5YR	03/02/2011	2011-7/44
R68-7	Utah Pesticide Control Act	34430	AMD	06/02/2011	2011-5/2
R68-7	Utah Pesticide Control Rule	34711	AMD	06/21/2011	2011-10/10
R68-7-10	Responsibilities of Business and Applicator	34456	NSC	06/02/2011	Not Printed
R68-7-10	Responsibilities of Business and Applicator	34498	AMD	06/02/2011	2011-7/2
R68-8	Utah Seed Law	34345	5YR	01/05/2011	2011-3/55
R68-18	Quarantine Pertaining to Karnal Bunt	34412	5YR	02/08/2011	2011-5/107
R68-21-2	Authority	34558	NSC	04/27/2011	Not Printed
Regulatory Services					
R70-330	Raw Milk for Retail	34518	5YR	03/16/2011	2011-8/29
R70-370	Butter	34519	5YR	03/16/2011	2011-8/29
R70-380	Grade A Condensed and Dry Milk Products and Condensed and Dry Whey	34517	5YR	03/16/2011	2011-8/30
R70-410	Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes	34378	5YR	01/24/2011	2011-4/35
ALCOHOLIC BEVERAGE CONTROL					
Administration					
R81-1	Scope, Definitions, and General Provisions	34787	5YR	05/10/2011	2011-11/123
R81-1-29	Disclosure of Conflicts of Interest	34337	AMD	02/24/2011	2011-2/4
R81-1-30	Factors for Granting Licenses	34336	AMD	02/24/2011	2011-2/5
R81-2	State Stores	34788	5YR	05/10/2011	2011-11/124
R81-3	Package Agencies	34789	5YR	05/10/2011	2011-11/125
R81-3-13	Operational Restrictions	34340	AMD	02/24/2011	2011-2/6
R81-4A	Restaurant Liquor Licenses	34790	5YR	05/10/2011	2011-11/125
R81-5	Private Clubs	34791	5YR	05/10/2011	2011-11/126
R81-6	Special Use Permits	34792	5YR	05/10/2011	2011-11/127
R81-7	Single Event Permits	34793	5YR	05/10/2011	2011-11/128
R81-8	Manufacturers (Distillery, Winery, Brewery)	34794	5YR	05/10/2011	2011-11/128
R81-9	Liquor Warehousing License	34795	5YR	05/10/2011	2011-11/129
R81-11	Beer Wholesalers	34796	5YR	05/10/2011	2011-11/129
R81-12	Manufacturer Representative (Distillery, Winery, Brewery)	34797	5YR	05/10/2011	2011-11/130
CAPITOL PRESERVATION BOARD (STATE)					
Administration					
R131-4	Capitol Preservation Board General Procurement Rule	34675	5YR	04/11/2011	2011-9/117
CAREER SERVICE REVIEW OFFICE					
Administration					
R137-1	Grievance Procedure Rules	35083	5YR	07/18/2011	Not Printed
COMMERCE					
Administration					
R151-3	Americans With Disabilities Act Rule	34752	AMD	06/21/2011	2011-10/20
R151-4	Department of Commerce Administrative Procedures Act Rule	34479	NEW	04/21/2011	2011-6/4
R151-14	New Automobile Franchise Act Rule	34761	5YR	05/02/2011	2011-10/117
R151-14-3	Adjudicative Proceedings	34735	NSC	05/25/2011	Not Printed
R151-35-3	Adjudicative Proceedings	34736	NSC	05/25/2011	Not Printed
R151-46b	Department of Commerce Administrative Procedures Act Rules	34480	REP	04/21/2011	2011-6/18
Consumer Protection					
R152-11-9	Direct Solicitations	34100	AMD	02/07/2011	2010-20/4

Corporations and Commercial Code					
R154-2	Utah Uniform Commercial Code, Revised Article 9 Rules	34785	5YR	05/10/2011	2011-11/131
Occupational and Professional Licensing					
R156-1	General Rule of the Division of Occupational and Professional Licensing	34885	AMD	07/26/2011	2011-12/12
R156-1-102	Definitions	34323	AMD	02/24/2011	2011-2/7
R156-3a	Architect Licensing Act Rule	34396	5YR	01/31/2011	2011-4/35
R156-9a	Uniform Athlete Agents Act Rules	34499	5YR	03/10/2011	2011-7/45
R156-9a	Uniform Athlete Agents Act Rules	34496	NSC	04/06/2011	Not Printed
R156-15	Health Facility Administrator Act Rule	34545	AMD	05/26/2011	2011-8/10
R156-17b-310	Exemption from Licensure - Physicians Dispensing Cosmetic Drug or Injectable Weight Loss Drug	34887	AMD	07/26/2011	2011-12/22
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rule	34409	AMD	03/24/2011	2011-4/6
R156-39a	Alternative Dispute Resolution Providers Certification Act	34888	REP	07/26/2011	2011-12/25
R156-46b	Division Utah Administrative Procedures Act Rule	34397	5YR	01/31/2011	2011-4/36
R156-46b	Division Utah Administrative Procedures Act Rule	34469	AMD	04/25/2011	2011-6/33
R156-46b	Division Utah Administrative Procedures Act Rule	34712	NSC	05/25/2011	Not Printed
R156-46b	Division Utah Administrative Procedures Act Rule	34886	AMD	07/26/2011	2011-12/27
R156-50	Private Probation Provider Licensing Act Rules	34282	NSC	01/06/2011	Not Printed
R156-55a	Utah Construction Trades Licensing Act Rule	34470	AMD	04/25/2011	2011-6/35
R156-55c-102	Definitions	34338	AMD	02/24/2011	2011-2/10
R156-55e-303a	Continuing Education - Standards	34673	NSC	04/27/2011	Not Printed
R156-60a	Social Worker Licensing Act Rule	34310	AMD	02/10/2011	2011-1/6
R156-60c	Professional Counselor Licensing Act Rule	34339	AMD	02/24/2011	2011-2/12
R156-60d	Substance Abuse Counselor Act Rule	34395	5YR	01/31/2011	2011-4/37
R156-63a	Security Personnel Licensing Act Contract Security Rule	34370	AMD	03/24/2011	2011-4/12
R156-63a-302f	Qualifications for Licensure - Good Moral Character - Disqualifying Convictions	34360	NSC	01/26/2011	Not Printed
R156-63b	Security Personnel Licensing Act Armored Car Rule	34542	AMD	05/26/2011	2011-8/11
R156-67	Utah Medical Practice Act Rule	34504	5YR	03/14/2011	2011-7/46
R156-69	Dentist and Dental Hygienist Practice Act Rule	34283	AMD	02/07/2011	2011-1/8
R156-69	Dentist and Dental Hygienist Practice Act Rule	34500	5YR	03/10/2011	2011-7/46
R156-72	Acupuncture Licensing Act Rules	34543	AMD	05/26/2011	2011-8/14
R156-73	Chiropractic Physician Practice Act Rule	34503	5YR	03/14/2011	2011-7/47
R156-78B	Prelitigation Panel Review Rule	34215	AMD	01/10/2011	2010-23/4
R156-83-306	Drugs Approved for Online Prescribing, Dispensing, and Facilitation	34237	AMD	01/10/2011	2010-23/14
R156-83-306	Drugs Approved for Online Prescribing, Dispensing, and Facilitation	34544	AMD	05/26/2011	2011-8/15
R156-83-306	Drugs Approved for Online Prescribing, Dispensing, and Facilitation	34913	NSC	06/30/2011	Not Printed
Real Estate					
R162-2a	Utah Housing Opportunity Restricted Account	34223	NEW	01/08/2011	2010-23/15
R162-2c	Utah Residential Mortgage Practices and Licensing Rules	34431	AMD	05/10/2011	2011-5/13
R162-2c-201	Licensing and Registration Procedures	34225	AMD	01/08/2011	2010-23/16
R162-2c-203	Utah-Specific Education Certification	34226	AMD	01/08/2011	2010-23/19
R162-2c-204	License Renewal	34227	AMD	01/08/2011	2010-23/23
R162-2c-401	Administrative Proceedings	34737	NSC	05/25/2011	Not Printed
R162-2e	Appraisal Management Company Administrative Rules	34704	AMD	06/22/2011	2011-9/5
R162-12	Utah Housing Opportunity Restricted Account	34224	REP	01/08/2011	2010-23/25
R162-103	Appraisal Education Requirements	34476	AMD	04/27/2011	2011-6/46
R162-104-14	Special Circumstances	34703	AMD	06/22/2011	2011-9/7

COMMUNITY AND CULTURE

History

R212-3	Memberships, Sales, Gifts, Bequests, Endowments	34918	5YR	06/14/2011	2011-13/83
R212-4	Ancient Human Remains	35051	5YR	07/13/2011	2011-15/129
R212-6	State Register for Historic Resources and Archaeological Sites	34717	5YR	04/26/2011	2011-10/117
R212-8	Preservation Easements	34919	5YR	06/14/2011	2011-13/83
R212-9	Board of State History as the Cultural Sites Review Committee Review Board	34716	5YR	04/26/2011	2011-10/118

Housing and Community Development

R199-8	Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance	34135	AMD	01/13/2011	2010-21/5

Olene Walker Housing Trust Fund

R235-1	Olene Walker Housing Loan Fund (OWHLF)	34463	5YR	02/24/2011	2011-6/101
R235-1	Olene Walker Housing Loan Fund (OWHLF)	34455	AMD	04/27/2011	2011-6/51

CORRECTIONS

Administration

R251-103	Undercover Roles of Offenders	34838	NSC	06/14/2011	Not Printed
R251-104	Declaratory Orders	34527	5YR	03/24/2011	2011-8/31
R251-104	Declaratory Orders	34839	NSC	06/14/2011	Not Printed
R251-108	Adjudicative Proceedings	34840	NSC	06/14/2011	Not Printed
R251-109	Sex Offender Treatment Providers	34861	NSC	06/14/2011	Not Printed
R251-110	Sex Offender Registration Program	34841	NSC	06/14/2011	Not Printed
R251-111	Government Records Access and Management	34862	NSC	06/14/2011	Not Printed
R251-114	Offender Long-Term Health Care - Notice	34858	NSC	06/14/2011	Not Printed
R251-301	Employment, Educational or Vocational Training for Community Correctional Center Offenders	34859	NSC	06/14/2011	Not Printed
R251-303	Offenders' Use of Telephones	34842	NSC	06/14/2011	Not Printed
R251-305	Visiting at Community Correctional Centers	34843	NSC	06/14/2011	Not Printed
R251-401	Supervision Fees	34844	NSC	06/14/2011	Not Printed
R251-702	Inmate Communication: Telephones	34771	5YR	05/03/2011	2011-11/131
R251-702	Inmate Communication: Telephones	34845	NSC	06/14/2011	Not Printed
R251-703	Vehicle Direction Station	34846	NSC	06/14/2011	Not Printed
R251-704	North Gate	34847	NSC	06/14/2011	Not Printed
R251-706	Inmate Visiting	34848	NSC	06/14/2011	Not Printed
R251-708	Perimeter Patrol	34772	5YR	05/03/2011	2011-11/132
R251-708	Perimeter Patrol	34849	NSC	06/14/2011	Not Printed
R251-709	Transportation of Inmates	34850	NSC	06/14/2011	Not Printed
R251-711	Admission and Intake	34773	5YR	05/03/2011	2011-11/132
R251-711	Admission and Intake	34851	NSC	06/14/2011	Not Printed
R251-712	Release	34528	5YR	03/24/2011	2011-8/31
R251-712	Release	34852	NSC	06/14/2011	Not Printed

CRIME VICTIM REPARATIONS

Administration

R270-1	Award and Reparation Standards	34990	5YR	06/29/2011	2011-14/137
R270-2	Crime Victim Reparations Adjudicative Proceedings	34991	5YR	06/29/2011	2011-14/137

EDUCATION

Administration

R277-400	School Emergency Response Plans	34331	AMD	02/22/2011	2011-2/17
R277-403-1	Definitions	34332	AMD	02/22/2011	2011-2/20
R277-404	Requirements for Assessments of Student Achievement	34812	NEW	07/11/2011	2011-11/19
R277-407	School Fees	34814	AMD	07/11/2011	2011-11/21
R277-419	Pupil Accounting	34230	AMD	01/10/2011	2010-23/26

R277-459-3	Distribution of Funds	34815	AMD	07/11/2011	2011-11/24
R277-464	Highly Impacted Schools	34828	REP	07/11/2011	2011-11/25
R277-470-12	Charter School Oversight and Monitoring	34333	AMD	02/22/2011	2011-2/21
R277-475	Patriotic Education	34816	AMD	07/11/2011	2011-11/27
R277-477	Distribution of Funds from the Interest and Dividend Account (School LAND Trust Funds) and Administration of the School LAND Trust Program	34817	AMD	07/11/2011	2011-11/29
R277-478	Block Grant Funding	34998	5YR	06/30/2011	2011-14/138
R277-479	Expenditure of Appropriation for District Services	35000	5YR	06/30/2011	2011-14/138
R277-480	Charter Schools School Building Subaccount	34818	AMD	07/11/2011	2011-11/33
R277-484	Data Standards	34819	AMD	07/11/2011	2011-11/35
R277-490	Beverley Taylor Sorenson Elementary Arts Learning Program	34820	AMD	07/11/2011	2011-11/39
R277-495	Required Policies for Electronic Devices in Public Schools	34821	AMD	07/11/2011	2011-11/41
R277-500	Educator Licensing Renewal, Timelines, and Required Fingerprint Background Checks (Effective Beginning July 1, 2012)	34822	NEW	07/11/2011	2011-11/43
R277-501-9	Rule Effective Date	34823	AMD	07/11/2011	2011-11/48
R277-503-1	Definitions	34457	NSC	03/10/2011	Not Printed
R277-510	Educator Licensing - Highly Qualified Assignment	34494	5YR	03/04/2011	2011-7/48
R277-513	Dual Certification	34537	5YR	03/30/2011	2011-8/32
R277-520	Appropriate Licensing and Assignment of Teachers	34334	AMD	02/22/2011	2011-2/22
R277-602	Special Needs Scholarships - Funding and Procedures	34335	AMD	02/22/2011	2011-2/26
R277-609	Standards for School District, School and Charter School Discipline Plans	34824	AMD	07/11/2011	2011-11/48
R277-613	School District and Charter School Bullying and Hazing Policies and Training	34825	AMD	07/11/2011	2011-11/51
R277-706	Public Education Regional Service Centers	34826	NEW	07/11/2011	2011-11/54
R277-709	Education Programs Serving Youth in Custody	34429	AMD	04/08/2011	2011-5/17
R277-710	International Baccalaureate Programs	34829	REP	07/11/2011	2011-11/56
R277-711	Educational Programs for Gifted and Talented Students	34830	REP	07/11/2011	2011-11/57
R277-712	Advanced Placement Programs	34831	REP	07/11/2011	2011-11/59
R277-713	Concurrent Enrollment of High School Students in College Courses	34827	AMD	07/11/2011	2011-11/61
R277-715	English Language Learner Family Literacy Centers	34832	REP	07/11/2011	2011-11/63
R277-716	Alternative Language Services for Utah Students	34538	5YR	03/30/2011	2011-8/32
R277-717	Mathematics, Engineering, Science Achievement (MESA)	34999	5YR	06/30/2011	2011-14/139
R277-717	Mathematics, Engineering, Science Achievement (MESA)	34833	REP	07/11/2011	2011-11/65
R277-726	Statewide Public Education Online Program	35003	EMR	06/30/2011	2011-14/129
R277-733	Adult Education Programs	34231	AMD	01/10/2011	2010-23/31
R277-760	Flow Through Funds for Students at Risk	34834	REP	07/11/2011	2011-11/67
R277-800-5	USDB or Student's District of Residence/Charter School as Designated LEA	34359	NSC	01/27/2011	Not Printed
Rehabilitation					
R280-204	Utah State Office of Rehabilitation Employee Background Check Requirement	34539	5YR	03/30/2011	2011-8/33
ENVIRONMENTAL QUALITY					
Air Quality					
R307-110-17	Section IX, Control Measures for Area and Point Sources, Part H, Emissions Limits	34351	AMD	05/04/2011	2011-3/25
R307-110-17	Section IX, Control Measures for Area and Point Sources, Part H, Emissions Limits	34775	NSC	06/01/2011	Not Printed
R307-110-28	Regional Haze	34350	AMD	04/07/2011	2011-3/26

R307-202	Emission Standards: General Burning	34868	NSC	06/14/2011	Not Printed
R307-204	Emission Standards: Smoke Management	34559	AMD	07/07/2011	2011-9/14
R307-210	Stationary Sources	34557	5YR	04/06/2011	2011-9/118
R307-214	National Emission Standards for Hazardous Air Pollutants	34428	AMD	06/01/2011	2011-5/20
R307-328	Gasoline Transfer and Storage	34349	AMD	06/07/2011	2011-3/28
R307-328	Gasoline Transfer and Storage	34349	CPR	06/07/2011	2011-9/114
R307-342	Qualification of Contractors and Test Procedures for Vapor Recovery Systems for Gasoline Delivery Tanks	34348	REP	06/07/2011	2011-3/32
Drinking Water					
R309-100-4	General	34112	AMD	02/03/2011	2010-20/51
R309-110-4	Definitions	34243	AMD	05/09/2011	2010-23/34
R309-110-4	Definitions	34243	CPR	05/09/2011	2011-7/28
R309-215-16	Groundwater Rule	34375	NSC	02/14/2011	Not Printed
R309-520	Facility Design and Operation: Disinfection	34244	AMD	05/09/2011	2010-24/8
R309-520	Facility Design and Operation: Disinfection	34244	CPR	05/09/2011	2011-7/33
R309-700-5	Loan, Credit Enhancement, Interest Buy-Down, and Hardship Grant Consideration Policy	34552	AMD	07/01/2011	2011-9/22
R309-705-6	Applicant Priority System and Selection of Terms of Assistance	34553	AMD	07/01/2011	2011-9/25
R309-800	Capacity Development Program	34450	AMD	05/23/2011	2011-6/72
Environmental Response and Remediation					
R311-200	Underground Storage Tanks: Definitions	34270	AMD	02/14/2011	2010-24/19
R311-201	Underground Storage Tanks: Certification Programs and UST Operator Training	34271	AMD	02/14/2011	2010-24/23
R311-201-11	Work Performed by Licensed Engineers or Geologists	34739	LNR	05/01/2011	2011-10/123
R311-203	Underground Storage Tanks: Technical Standards	34272	AMD	02/14/2011	2010-24/27
R311-205	Underground Storage Tanks: Site Assessment Protocol	34275	AMD	02/14/2011	2010-24/30
R311-206	Underground Storage Tanks: Financial Assurance Mechanisms	34273	AMD	02/14/2011	2010-24/33
R311-207	Accessing the Petroleum Storage Tank Trust Fund for Leaking Petroleum Storage Tanks	34274	AMD	02/14/2011	2010-24/35
R311-207-9	Third Party Consultant	34740	LNR	05/01/2011	2011-10/123
R311-212	Administration of the Petroleum Storage Tank Loan Fund	34269	AMD	02/14/2011	2010-24/38
Radiation Control					
R313-12	General Provisions	35008	5YR	07/07/2011	2011-15/129
R313-14	Violations and Escalated Enforcement	35009	5YR	07/07/2011	2011-15/130
R313-16	General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines	35010	5YR	07/07/2011	2011-15/131
R313-17	Administrative Procedures	35011	5YR	07/07/2011	2011-15/131
R313-18	Notices, Instructions and Reports to Workers by Licensees or Registrants - Inspections	35012	5YR	07/07/2011	2011-15/132
R313-25-8	Technical Analyses	34240	AMD	04/04/2011	2010-23/48
R313-25-8	Technical Analyses	34240	CPR	04/04/2011	2011-5/102
R313-25-8	Technical Analyses	34963	NSC	07/13/2011	Not Printed
R313-26	Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities	34555	5YR	04/06/2011	2011-9/118
Solid and Hazardous Waste					
R315-1	Utah Hazardous Waste Definitions and References	35036	5YR	07/13/2011	2011-15/132
R315-2	General Requirements - Identification and Listing of Hazardous Waste	35038	5YR	07/13/2011	2011-15/133
R315-3	Application and Permit Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	35039	5YR	07/13/2011	2011-15/133
R315-4	Procedures for Decisionmaking	35040	5YR	07/13/2011	2011-15/134

R315-5	Hazardous Waste Generator Requirements	35041	5YR	07/13/2011	2011-15/135
R315-6	Hazardous Waste Transporter Requirements	35042	5YR	07/13/2011	2011-15/135
R315-7	Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	35043	5YR	07/13/2011	2011-15/136
R315-8	Hazardous Waste Treatment, Storage, and Disposal Standards for Owners and Operators of Facilities	35044	5YR	07/13/2011	2011-15/137
R315-9	Emergency Controls	35045	5YR	07/13/2011	2011-15/137
R315-12	Administrative Procedures	34920	5YR	06/14/2011	2011-13/84
R315-13	Land Disposal Restrictions	35046	5YR	07/13/2011	2011-15/138
R315-14	Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities	35047	5YR	07/13/2011	2011-15/138
R315-17	End of Life Automotive Mercury Switch Removal Standards	35050	5YR	07/13/2011	2011-15/139
R315-50	Appendices	35048	5YR	07/13/2011	2011-15/140
R315-101	Cleanup Action and Risk-Based Closure Standards	35049	5YR	07/13/2011	2011-15/140
Water Quality					
R317-1-7	TMDLs	34437	AMD	04/13/2011	2011-5/26
R317-7	Underground Injection Control (UIC) Program	34951	5YR	06/20/2011	2011-14/139
R317-11	Certification Required to Design, Inspect and Maintain Underground Wastewater Disposal Systems, or Conduct Percolation and Soil Tests for Underground Wastewater Disposal Systems	34978	5YR	06/27/2011	2011-14/140
FAIR CORPORATION (UTAH STATE)					
Administration					
R325-1	Utah State Fair Competitive Exhibitor Rules	34464	5YR	02/24/2011	2011-6/101
R325-2	Utah State Fair Commercial Exhibitor Rules	34465	5YR	02/24/2011	2011-6/102
R325-3	Utah State Fair Patron Rules	34466	5YR	02/24/2011	2011-6/103
R325-4	Interim Patrons Rules (Other Than Utah State Fair)	34467	5YR	02/24/2011	2011-6/103
R325-5	Interim Renters Rules (Other Than Utah State Fair)	34468	5YR	02/24/2011	2011-6/104
FINANCIAL INSTITUTIONS					
Administration					
R331-26	Ownership of Real Estate Other Than Property Used for Institution Business or Held as an Investment by Depository Institutions Subject to the Jurisdiction of the Department of Financial Institutions	34207	NEW	02/01/2011	2010-22/61
Banks					
R333-11	Ownership by State-Chartered Banks of Real Estate Other Than Property Used for Bank Business or Held as an Investment	34206	REP	02/01/2011	2010-22/63
Industrial Loan Corporations					
R339-6	Rule Clarifying Industrial Loan Corporation Investments	34205	AMD	02/01/2011	2010-22/65
GOVERNOR					
Economic Development					
R357-5	Motion Picture Incentive Fund	34762	NEW	06/30/2011	2011-10/22
R357-6	Technology and Life Science Economic Development and Related Tax Credits	34929	EMR	06/15/2011	2011-13/80
Economic Development, Pete Suazo Utah Athletic Commission					
R359-1-102	Definitions	34279	AMD	02/22/2011	2010-24/41
R359-1-301	Qualifications for Licensure	34407	AMD	03/28/2011	2011-4/18

R359-1-501	Promoter's Responsibilities in Arranging a Contest	34366	AMD	03/28/2011	2011-4/19
R359-1-501	Promoter's Responsibilities in Arranging a Contest	34408	AMD	03/28/2011	2011-4/21
R359-1-501	Promoter's Responsibilities in Arranging a Contest	34901	AMD	07/26/2011	2011-12/43
R359-1-506	Drug Tests	34278	AMD	01/31/2011	2010-24/42
R359-1-511	Event Officials	34482	AMD	04/26/2011	2011-6/76
R359-1-512	Announcer	34483	AMD	04/26/2011	2011-6/78
R359-1-515	Competing in an Unsanctioned Unarmed Combat Event	34484	AMD	04/26/2011	2011-6/79
R359-1-515	Competing in an Unsanctioned Unarmed Combat Event	34900	AMD	07/26/2011	2011-12/45
HEALTH					
Administration					
R380-70-6	Electronic Data Interchange Standards	34497	AMD	07/05/2011	2011-7/3
Center for Health Data, Vital Records and Statistics					
R436-3	Amendment of Vital Records	34493	NSC	04/06/2011	Not Printed
Children's Health Insurance Program					
R382-1	Benefits and Administration	34560	AMD	06/16/2011	2011-9/59
Disease Control and Prevention, Environmental Services					
R392-110	Home-based Child Care Food Service	34985	5YR	06/28/2011	2011-14/140
Epidemiology and Laboratory Services, Environmental Services					
R392-200	Design, Construction, Operation, Sanitation, and Safety of Schools	34144	AMD	02/16/2011	2010-21/17
Epidemiology and Laboratory Services, Epidemiology					
R386-703	Injury Reporting Rule	34508	5YR	03/14/2011	2011-7/48
Family Health and Preparedness, Emergency Medical Services					
R426-16	Emergency Medical Services Ambulance Rates and Charges	34902	AMD	07/26/2011	2011-12/49
Health Care Financing					
R410-14	Administrative Hearing Procedures	34147	R&R	04/25/2011	2010-21/19
R410-14	Administrative Hearing Procedures	34147	CPR	04/25/2011	2011-6/96
Health Care Financing, Coverage and Reimbursement Policy					
R414-1	Utah Medicaid Program	34228	AMD	01/19/2011	2010-23/49
R414-1-5	Incorporations by Reference	34315	AMD	04/05/2011	2011-1/20
R414-1-5	Incorporations by Reference	34523	AMD	05/25/2011	2011-8/18
R414-1-29	Provider-Preventable Conditions	34992	EMR	07/01/2011	2011-14/133
R414-4A	Outpatient Hospital Services: Payment of Triage Fee	34894	REP	08/01/2011	2011-12/47
R414-14	Home Health Services	34524	AMD	05/25/2011	2011-8/9
R414-14A	Hospice Care	34509	AMD	05/16/2011	2011-7/5
R414-54-3	Services	34316	AMD	04/05/2011	2011-1/21
R414-54-3	Services	34525	AMD	05/25/2011	2011-8/22
R414-59-4	Client Eligibility Requirements	34317	AMD	04/05/2011	2011-1/22
R414-59-4	Client Eligibility Requirements	34526	AMD	05/25/2011	2011-8/23
R414-61	Home and Community-Based Services Waivers	34314	AMD	04/05/2011	2011-1/23
R414-303-11	Prenatal and Newborn Medicaid	34229	AMD	01/27/2011	2010-23/52
R414-304	Income and Budgeting	34556	AMD	06/16/2011	2011-9/64
R414-305	Resources	34683	AMD	06/16/2011	2011-9/80
R414-401-3	Assessment	34767	AMD	07/01/2011	2011-10/26
R414-501	Preadmission Authorization, Retroactive Authorization, and Continued Stay Review	34267	AMD	04/05/2011	2010-24/44
R414-501-3	Preadmission Authorization	34562	AMD	06/07/2011	2011-9/92
R414-504	Nursing Facility Payments	34766	AMD	07/01/2011	2011-10/27

Health Systems Improvement, Emergency Medical Services					
R426-7	Emergency Medical Services Prehospital Data System Rules	34358	5YR	01/12/2011	2011-3/55
R426-8	Emergency Medical Services Per Capita Grants Program Rules	34346	5YR	01/05/2011	2011-3/56
Health Systems Improvement, Licensing					
R432-101	Specialty Hospital - Psychiatric	34318	AMD	04/11/2011	2011-2/31
R432-150	Nursing Care Facility	34319	AMD	04/11/2011	2011-2/32
R432-600	Abortion Clinic Rule	34320	AMD	04/11/2011	2011-2/36
R432-700	Home Health Agency Rule	34321	AMD	04/11/2011	2011-2/37
Health Systems Improvement, Primary Care and Rural Health					
R434-50	Assistance for People with Bleeding Disorders	34327	NEW	03/01/2011	2011-2/38
HUMAN RESOURCE MANAGEMENT					
Administration					
R477-1	Definitions	34741	AMD	07/01/2011	2011-10/33
R477-2	Administration	34742	AMD	07/01/2011	2011-10/38
R477-4	Filling Positions	34743	AMD	07/01/2011	2011-10/40
R477-4-12	Career Mobility Programs	34443	AMD	04/07/2011	2011-5/27
R477-6	Compensation	34442	AMD	04/07/2011	2011-5/29
R477-6	Compensation	34744	AMD	07/01/2011	2011-10/41
R477-7	Leave	34745	AMD	07/01/2011	2011-10/45
R477-9	Employee Conduct	34747	AMD	07/01/2011	2011-10/53
R477-10	Employee Development	34748	NSC	05/25/2011	Not Printed
R477-12-3	Reduction in Force	34749	AMD	07/01/2011	2011-10/54
R477-13	Volunteer Programs	34750	AMD	07/01/2011	2011-10/56
R477-14	Substance Abuse and Drug-Free Workplace	34751	AMD	07/01/2011	2011-10/57
HUMAN SERVICES					
Administration					
R495-862	Communicable Disease Control Act	34536	5YR	03/30/2011	2011-8/33
R495-879	Parental Support for Children in Care	34288	AMD	02/07/2011	2011-1/25
Administration, Administrative Services, Licensing					
R501-21	Outpatient Treatment Programs	34212	AMD	01/24/2011	2010-22/81
Aging and Adult Services					
R510-401	Utah Caregiver Support Program (UCSP)	34390	5YR	01/26/2011	2011-4/37
Child and Family Services					
R512-1-6	Out-of-Home Care Services	34344	NSC	01/26/2011	Not Printed
R512-11	Accommodation of Moral and Religious Beliefs and Culture	34368	5YR	01/18/2011	2011-4/38
R512-203	Child Protective Services, Significant Risk Assessments	34369	5YR	01/18/2011	2011-4/38
R512-205	Child Protective Services, Investigation of Domestic Violence Related Child Abuse	34778	EMR	05/10/2011	2011-11/108
R512-205	Child Protective Services, Investigation of Domestic Violence Related Child Abuse	34779	NEW	07/28/2011	2011-11/69
R512-308	Out-of-Home Services, Guardianship Services and Placements	34471	5YR	02/28/2011	2011-6/104
Recovery Services					
R527-200	Administrative Procedures	34529	5YR	03/25/2011	2011-8/34
R527-231	Review and Adjustment of Child Support Order	34522	5YR	03/17/2011	2011-8/35
R527-250	Emancipation	34685	NEW	07/01/2011	2011-9/96
R527-800	Acquisition of Real Property, and Medical Support Cooperation Requirements	34490	5YR	03/03/2011	2011-7/49
R527-936	Third Party Liability, Medicaid	34521	5YR	03/17/2011	2011-8/35
Services for People with Disabilities					
R539-1	Eligibility	34710	NSC	05/25/2011	Not Printed

Substance Abuse and Mental Health					
R523-20-11	Division Rules of Administration	34726	AMD	07/12/2011	2011-10/59
R523-21	Division of Substance Abuse and Mental Health Rules	34540	5YR	03/30/2011	2011-8/34
R523-24	Off Premise Retailer (Clerk, Licensee and Manager) Alcohol Training and Education Seminar Rules of Administration	35037	5YR	07/13/2011	2011-15/141
Substance Abuse and Mental Health, State Hospital					
R525-8	Forensic Mental Health Facility	34720	5YR	04/26/2011	2011-10/118
INSURANCE					
Administration					
R590-93	Replacement of Life Insurance and Annuities	34026	AMD	01/10/2011	2010-18/59
R590-93	Replacement of Life Insurance and Annuities	34026	CPR	01/10/2011	2010-22/116
R590-133	Variable Contracts	34175	AMD	01/10/2011	2010-22/98
R590-144	Commercial Aviation Insurance Exemption from Rate and Form Filings	34478	5YR	03/01/2011	2011-6/105
R590-148-24	Premium Rate Schedule Increases	34312	AMD	02/08/2011	2011-1/27
R590-152	Health Discount Programs and Value Added Benefit Rule	34236	AMD	01/20/2011	2010-23/57
R590-167	Individual, Small Employer, and Group Health Benefit Plan Rule	34548	AMD	06/15/2011	2011-8/24
R590-167-4	Establishment of Classes of Business	34169	AMD	01/10/2011	2010-22/100
R590-177	Life Insurance Illustrations Rule	34477	5YR	03/01/2011	2011-6/105
R590-186	Bail Bond Surety Business	34259	AMD	02/10/2011	2010-24/47
R590-192	Unfair Accident and Health Income Replacement Claims Settlement Practices Rule	34769	AMD	06/30/2011	2011-10/61
R590-200	Diabetes Treatment and Management	34485	5YR	03/01/2011	2011-6/106
R590-203	Health Grievance Review Process and Disability Claims	34768	AMD	06/30/2011	2011-10/66
R590-206	Privacy of Consumer Financial and Health Information Rule	34921	5YR	06/15/2011	2011-13/84
R590-208	Uniform Application for Certificates of Authority	34714	5YR	04/25/2011	2011-10/119
R590-235	Medicare Prescription Drug Plan	34713	5YR	04/25/2011	2011-10/120
R590-246-4	Initial and Renewal Licensing Process	34709	AMD	06/27/2011	2011-10/70
R590-246-4	Initial and Renewal Licensing Process	34989	NSC	07/13/2011	Not Printed
R590-256-1	Authority	34875	NSC	06/23/2011	Not Printed
R590-259	Dependent Coverage to Age 26	34276	NEW	01/25/2011	2010-24/51
R590-259	Dependent Coverage to Age 26	34727	AMD	06/27/2011	2011-10/72
R590-259-13	Severability	34410	NSC	02/24/2011	Not Printed
R590-260	Utah Defined Contribution Risk Adjuster Plan of Operation	34362	NEW	03/22/2011	2011-3/36
R590-261	Health Benefit Plan Adverse Benefit Determinations	34770	NEW	06/30/2011	2011-10/73
Title and Escrow Commission					
R592-3	Filing a Schedule of Minimum Charges for Escrow Services	34448	REP	04/11/2011	2011-5/32
R592-4	Standards for Minimum Charges for Escrow Services	34449	REP	04/11/2011	2011-5/34
R592-11	Title Insurance Producer Annual and Controlled Business Reports	34932	5YR	06/15/2011	2011-13/85
R592-15	Submission of a Schedule of Minimum Charges for Escrow Services	34447	NEW	04/11/2011	2011-5/36
LABOR COMMISSION					
Adjudication					
R602-1	General Provisions	34728	AMD	06/22/2011	2011-10/77
R602-2-1	Pleadings and Discovery	34729	AMD	06/22/2011	2011-10/78
R602-4-4	Pleadings and Discovery	34732	AMD	06/22/2011	2011-10/82
R602-7	Adjudication of Discrimination Claims	34730	AMD	06/22/2011	2011-10/84
R602-8	Adjudication of Utah Occupational Safety and Health Citation Claims	34731	AMD	06/22/2011	2011-10/88

Industrial Accidents					
R612-12	Reporting Requirements for Workers' Compensation Coverage Waivers	34725	R&R	06/22/2011	2011-10/93
R612-12-2	Designation as Informal Proceedings	34294	NSC	01/06/2011	Not Printed
Occupational Safety and Health					
R614-1-4	Incorporation of Federal Standards	34260	AMD	01/27/2011	2010-24/54
LIEUTENANT GOVERNOR					
Elections					
R623-1-4	Registration/License Application Procedure	34784	AMD	07/11/2011	2011-11/70
MONEY MANAGEMENT COUNCIL					
Administration					
R628-10	Rating Requirements to be a Permitted Depository	34676	5YR	04/11/2011	2011-9/119
R628-11	Maximum Amount of Uninsured Public Funds Allowed to Be Held by Any Qualified Depository	34208	AMD	01/12/2011	2010-22/102
NATURAL RESOURCES					
Forestry, Fire and State Lands					
R652-2	Sovereign Land Management Objectives	34433	5YR	02/14/2011	2011-5/114
R652-8	Adjudicative Proceedings	34432	5YR	02/14/2011	2011-5/115
R652-9	Consistency Review	34434	5YR	02/14/2011	2011-5/115
R652-41	Rights of Entry	34435	5YR	02/14/2011	2011-5/116
R652-80	Land Exchanges	34436	5YR	02/14/2011	2011-5/116
R652-122	County Cooperative Agreements with State for Fire Protection	34394	NEW	04/28/2011	2011-4/23
R652-123	Exemptions to Wildland Fire Suppression Fund	34376	5YR	01/24/2011	2011-4/45
R652-140	Utah Forest Practices Act	34313	AMD	02/07/2011	2011-1/30
R652-150	Utah Bioprospecting Act	34763	NEW	06/21/2011	2011-10/95
Oil, Gas and Mining; Coal					
R645-106	Exemption for Coal Extraction Incidental to the Extraction of Other Minerals	34550	5YR	04/04/2011	2011-9/119
Oil, Gas and Mining; Non-Coal					
R647-2	Exploration	34473	AMD	05/25/2011	2011-6/80
R647-3	Small Mining Operations	34474	AMD	05/25/2011	2011-6/82
R647-4-101	Filing Requirements and Review Procedures	34475	AMD	05/25/2011	2011-6/83
Oil, Gas and Mining; Oil and Gas					
R649-10	Administrative Procedures	34551	5YR	04/04/2011	2011-9/120
Parks and Recreation					
R651-201	Definitions	34382	5YR	01/26/2011	2011-4/39
R651-201-6	Tow(ed)(ing)	34864	AMD	07/27/2011	2011-12/56
R651-202	Boating Advisory Council	34383	5YR	01/26/2011	2011-4/39
R651-203	Waterway Marking System	34384	5YR	01/26/2011	2011-4/40
R651-204	Regulating Waterway Markers	34385	5YR	01/26/2011	2011-4/40
R651-205	Zoned Waters	34386	5YR	01/26/2011	2011-4/41
R651-206	Carrying Passengers for Hire	34353	5YR	01/11/2011	2011-3/57
R651-206-2	Outfitting Company Responsibilities	34865	AMD	07/27/2011	2011-12/57
R651-207	Registration Fee	34388	5YR	01/26/2011	2011-4/42
R651-208	Backing Plates	34389	5YR	01/26/2011	2011-4/42
R651-210	Change of Address	34391	5YR	01/26/2011	2011-4/43
R651-211	Assigned Numbers	34392	5YR	01/26/2011	2011-4/43
R651-212	Display of Yearly Registration Decals and Month of Expiration Decals	34393	5YR	01/26/2011	2011-4/44
R651-213	Dealer Numbers and Registrations	34417	5YR	02/10/2011	2011-5/108
R651-214	Temporary Registration	34418	5YR	02/10/2011	2011-5/109
R651-215	Personal Flotation Devices	34355	5YR	01/11/2011	2011-3/57
R651-215	Personal Flotation Devices	34511	AMD	05/09/2011	2011-7/11

R651-216	Navigation Lights - Note: Figures 1 through 7 mentioned below are on file with the Utah Division of Parks and Recreation	34419	5YR	02/10/2011	2011-5/109
R651-216-2	Navigation Lights On Motorboats 40 Feet To Less than 65 Feet	34512	AMD	05/09/2011	2011-7/12
R651-217	Fire Extinguishers	34420	5YR	02/10/2011	2011-5/110
R651-217-2	Fire Extinguishers Required	34513	AMD	05/09/2011	2011-7/13
R651-218	Carburetor Backfire Flame Control	34421	5YR	02/10/2011	2011-5/110
R651-219	Additional Safety Equipment	34422	5YR	02/10/2011	2011-5/111
R651-219	Additional Safety Equipment	34514	AMD	05/09/2011	2011-7/14
R651-220	Registration and Numbering Exemptions	34423	5YR	02/10/2011	2011-5/111
R651-221	Boat Liveries - Boat Rental Companies	34424	5YR	02/10/2011	2011-5/112
R651-221	Boat Liveries - Boat Rental Companies	34515	AMD	05/09/2011	2011-7/15
R651-222	Muffling Requirements	34356	5YR	01/11/2011	2011-3/58
R651-224	Towed Devices	34357	5YR	01/11/2011	2011-3/59
R651-224-3	Flag Required	34866	AMD	07/27/2011	2011-12/59
R651-226	Regattas and Races	34425	5YR	02/10/2011	2011-5/112
R651-401	Off-Highway Vehicle and Registration Stickers	34531	5YR	03/28/2011	2011-8/36
R651-401-2	Display of OHV Registration Numbers	34416	AMD	04/07/2011	2011-5/39
R651-405	Off-Highway Implement of Husbandry Sticker Fee	34532	5YR	03/28/2011	2011-8/37
R651-406	Off-Highway Vehicle Registration Fees	34533	5YR	03/28/2011	2011-8/37
R651-601-15	Special Use Permit	34446	AMD	04/07/2011	2011-5/40
R651-606-5	Time-Limit in Campsite may not be Exceeded	34889	AMD	07/27/2011	2011-12/60
R651-608-1	Permit Requirements	34507	AMD	05/09/2011	2011-7/17
R651-611	Fee Schedule	34377	5YR	01/24/2011	2011-4/44
R651-611	Fee Schedule	34364	AMD	04/07/2011	2011-3/37
R651-611	Fee Schedule	34380	NSC	04/11/2011	Not Printed
R651-611-3	Camping Fees	34890	AMD	07/27/2011	2011-12/61
R651-801	Swimming Prohibited	34426	5YR	02/10/2011	2011-5/113
R651-802	Scuba Diving	34427	5YR	02/10/2011	2011-5/113
Water Rights					
R655-4	Water Well Drillers	34413	R&R	04/11/2011	2011-5/41
R655-4	Water Well Drillers	34541	NSC	04/12/2011	Not Printed
R655-10	Dam Safety Classifications, Approval Procedures and Independent Reviews	34690	5YR	04/14/2011	2011-9/121
R655-11	Requirements for the Design, Construction and Abandonment of Dams	34691	5YR	04/14/2011	2011-9/121
R655-12	Requirements for Operational Dams	34692	5YR	04/14/2011	2011-9/122
Wildlife Resources					
R657-5	Taking Big Game	34341	AMD	03/14/2011	2011-3/39
R657-5	Taking Big Game	34807	AMD	07/11/2011	2011-11/71
R657-13	Taking Fish and Crayfish	34167	AMD	01/04/2011	2010-22/103
R657-33	Taking Bear	34367	AMD	04/04/2011	2011-4/26
R657-44	Big Game Depredation	34299	AMD	02/07/2011	2011-1/32
R657-48	Wildlife Species of Concern and Habitat Designation Advisory Committee	34806	5YR	05/12/2011	2011-11/133
R657-55	Wildlife Convention Permits	34303	AMD	02/07/2011	2011-1/35
R657-58	Fishing Contests and Clinics	34168	AMD	01/04/2011	2010-22/105
R657-58	Fishing Contests and Clinics	34379	AMD	04/04/2011	2011-4/29
R657-63	Self Defense Against Wild Animals	34354	NEW	03/14/2011	2011-3/49
PARDONS (BOARD OF)					
Administration					
R671-102	Americans with Disabilities Act Complaint Procedures Rule	34867	AMD	07/26/2011	2011-12/62
PUBLIC LANDS POLICY COORDINATING OFFICE					
Administration					
R694-1	Archeological Permits	34977	EXT	06/23/2011	2011-14/143

PUBLIC SAFETY

Criminal Investigations and Technical Services, 911 Committee (Utah)					
R720-1	Utah 911 Committee Rule	34501	NEW	05/11/2011	2011-7/22
Criminal Investigations and Technical Services, Criminal Identification					
R722-300	Concealed Firearm Permit and Instructor Rule	34800	EMR	05/10/2011	2011-11/113
R722-300	Concealed Firearm Permit and Instructor Rule	34679	AMD	06/07/2011	2011-9/98
R722-300-3	Definitions	34222	AMD	01/07/2011	2010-23/61
R722-310-8	Renewal of a License	34705	NSC	05/25/2011	Not Printed
R722-330	Licensing of Private Investigators	34799	EMR	05/10/2011	2011-11/118
R722-350	Certificate of Eligibility	34324	NEW	02/22/2011	2011-2/40
Driver License					
R708-16	Pedestrian Vehicle Rule	34398	5YR	01/31/2011	2011-4/46
R708-18	Regulatory and Administrative Fees	34399	5YR	01/31/2011	2011-4/46
R708-19	Automobile No-Fault Self-Insurance	34400	5YR	01/31/2011	2011-4/47
R708-20	Motor Vehicle Accident Prevention Course Standards	34401	5YR	01/31/2011	2011-4/47
R708-33	Electric Assisted Bicycle Headgear	34402	5YR	01/31/2011	2011-4/48
R708-38	Anatomical Gift	34403	5YR	01/31/2011	2011-4/48
R708-38	Anatomical Gift	34404	NSC	02/14/2011	Not Printed
R708-41-3	Definitions	34724	AMD	07/06/2011	2011-10/97
R708-41-3	Definitions	34805	AMD	07/12/2011	2011-11/82
R708-42	Driver Address Record	34371	5YR	01/20/2011	2011-4/49
R708-43	YES or NO Notification	34372	5YR	01/20/2011	2011-4/49
R708-44	Citation Monitoring Service	34374	5YR	01/20/2011	2011-4/50
R708-44	Citation Monitoring Service	34373	NSC	02/14/2011	Not Printed
R708-46	Refugee or Approved Asylee Knowledge Test in Applicant's Native Language	34804	NEW	07/12/2011	2011-11/85
Fire Marshal					
R710-2	Rules Pursuant to the Utah Fireworks Act	34247	AMD	01/21/2011	2010-24/57
R710-2	Rules Pursuant to the Utah Fireworks Act	34835	EMR	05/17/2011	2011-11/109
R710-2	Rules Pursuant to the Utah Fireworks Act	34809	AMD	07/08/2011	2011-11/86
R710-6	Liquefied Petroleum Gas Rules	34520	5YR	03/16/2011	2011-8/38
R710-6-4	LP Gas Certificates	34487	AMD	04/21/2011	2011-6/84
R710-8-3	Amendments and Additions	34837	AMD	07/08/2011	2011-11/90
R710-9	Rules Pursuant to the Utah Fire Prevention Law	34242	AMD	01/09/2011	2010-23/58
R710-9	Rules Pursuant to the Utah Fire Prevention Law	34836	AMD	07/08/2011	2011-11/92
R710-10	Rules Pursuant to Fire Service Training, Education, and Certification	34495	EXD	03/07/2011	2011-7/51
R710-10	Rules Pursuant to Fire Service Training, Education, and Certification	34505	EMR	03/14/2011	2011-7/37
R710-10	Rules Pursuant to Fire Service Training, Education, and Certification	34502	NEW	05/11/2011	2011-7/18
Highway Patrol					
R714-160	Equipment Standards for Passenger Vehicle and Light Truck Safety Inspections	34285	NEW	02/09/2011	2011-1/37
R714-161	Equipment Standards for Motorcycle and ATV Safety Inspections	34286	NEW	02/09/2011	2011-1/53
R714-162	Equipment Standards for Heavy Truck, Trailer and Bus Safety Inspections	34287	NEW	02/08/2011	2011-1/59
R714-600	Performance Standards for Tow-Truck Motor Carriers	34255	R&R	01/24/2011	2010-24/61
R714-600	Performance Standards for Tow Truck Motor Carriers	34895	AMD	08/01/2011	2011-12/66

PUBLIC SERVICE COMMISSION

Administration					
R746-343-15	Surcharge	34760	AMD	08/01/2011	2011-10/100

R746-360-8	Calculation of Fund Distributions in Rate-of-Return Incumbent Telephone Corporation Territories	34176	AMD	01/19/2011	2010-22/109
REGENTS (BOARD OF)					
Administration					
R765-604	New Century Scholarship	34734	AMD	06/22/2011	2011-10/101
R765-604	New Century Scholarship	34905	NSC	06/30/2011	Not Printed
R765-608	Utah Engineering and Computer Science Loan Forgiveness Program	34441	AMD	04/11/2011	2011-5/93
R765-608	Utah Engineering and Computer Science Scholarship Program	34980	5YR	06/28/2011	2011-14/141
R765-609	Regents' Scholarship	34798	AMD	07/11/2011	2011-11/94
R765-612	Lender Participation	34721	REP	06/30/2011	2011-10/106
R765-649	Utah Higher Education Assistance Authority (UHEAA) Privacy Policy	34530	5YR	03/25/2011	2011-8/39
University of Utah, Administration					
R805-2	Government Records Access and Management Act Procedures	34387	AMD	03/24/2011	2011-4/31
SCHOOL AND INSTITUTIONAL TRUST LANDS					
Administration					
R850-10	Expedited Rulemaking	34289	NSC	01/06/2011	Not Printed
R850-60	Cultural Resources	34261	AMD	01/24/2011	2010-24/64
R850-60-100	Authorities	34328	NSC	01/18/2011	Not Printed
TAX COMMISSION					
Administration					
R861-1A-3	Division Conferences Pursuant to Utah Code Ann. Sections 59-1-210 and 63G-4-102	34718	NSC	05/25/2011	Not Printed
R861-1A-13	Requests for Accommodation and Grievance Procedures Pursuant to Utah Code Ann. Section 63G-3-201, 28 CFR 35.107 1992 edition, and 42 USC 12201	34758	NSC	05/25/2011	Not Printed
R861-1A-29	Decisions, Orders, and Reconsideration Pursuant to Utah Code Ann. Section 63G-4-302	34753	AMD	06/23/2011	2011-10/107
R861-1A-43	Electronic Meetings Pursuant to Utah Code Ann. Section 52-4-207	34326	AMD	02/23/2011	2011-2/42
R861-1A-43	Electronic Meetings Pursuant to Utah Code Ann. Section 52-4-207	34687	AMD	06/23/2011	2011-9/102
R861-1A-45	Procedures for Commission Meetings Not Open to the Public Pursuant to Utah Code Ann. Section 59-1-405	34754	AMD	06/23/2011	2011-10/108
Auditing					
R865-6F-40	Foreign Operating Company Subtraction from Unadjusted Income Pursuant to Utah Code Ann. Sections 59-7-101 and 59-7-106	34755	AMD	06/23/2011	2011-10/109
R865-11Q	Sales and Use Tax	34535	NSC	04/12/2011	Not Printed
R865-19S-78	Charges for Labor and Repair Under an Extended Warranty Agreement Pursuant to Utah Code Ann. Sections 59-12-103 and 59-12-104	34268	AMD	01/27/2011	2010-24/68
R865-19S-78	Service Plan Charges for Labor and Repair Pursuant to Utah Code Ann. Sections 59-12-103 and 59-12-104	34688	NSC	04/27/2011	Not Printed
R865-19S-92	Computer Software and Other Related Transactions Pursuant to Utah Code Ann. Section 59-12-103	34756	AMD	06/23/2011	2011-10/110
R865-19S-103	Municipal Energy Sales and Use Tax Pursuant to Utah Code Ann. Sections 10-1-303, 10-1-306, and 10-1-307	34757	AMD	06/23/2011	2011-10/112

Motor Vehicle					
R873-22M-27	Issuance of Special Group License Plates Pursuant to Utah Code Ann. Sections 41-1a-418, 41-1a-419, 41-1a-420, and 41-1a-421	34686	AMD	06/23/2011	2011-9/103
Property Tax					
R884-24P-35	Annual Statement for Certain Exempt Uses of Property Pursuant to Utah Code Ann. Section 59-2-1102	34883	NSC	06/14/2011	Not Printed
R884-24P-64	Determination and Application of Taxable Value for Purposes of the Property Tax Exemptions for Disabled Veterans and the Blind Pursuant to Utah Code Ann. Sections 59-2-1104 and 59-2-1106	34759	NSC	05/25/2011	Not Printed
TECHNOLOGY SERVICES					
Administration					
R895-1	Access to Records	34438	5YR	02/15/2011	2011-5/117
R895-2	Americans With Disabilities Act (ADA) Complaint Procedure	34439	5YR	02/15/2011	2011-5/117
R895-2	Americans with Disabilities Act (ADA) Complaint Procedure	34681	AMD	06/08/2011	2011-9/105
R895-5	Acquisition of Information Technology	34722	5YR	04/27/2011	2011-10/120
R895-8	State Privacy Policy and Agency Privacy Policies	34723	5YR	04/27/2011	2011-10/121
R895-11	Technology Services Adjudicative Proceedings	34440	5YR	02/15/2011	2011-5/118
TRANSPORTATION					
Motor Carrier, Ports of Entry					
R912-8	Minimum Tire, Axle and Suspension Ratings for Heavy Vehicles and the Use of Retractable or Variable Load Suspension Axles in Utah	34453	5YR	02/17/2011	2011-6/107
R912-8	Minimum Tire, Axle and Suspension Ratings for Heavy Vehicles and the Use of Retractable or Variable Load Suspension Axles in Utah	34454	NSC	03/10/2011	Not Printed
Operations, Maintenance					
R918-5	Construction or Improvement of Highway	34693	NEW	06/07/2011	2011-9/107
Operations, Traffic and Safety					
R920-50	Ropeway Operation Safety Rules	34241	AMD	01/10/2011	2010-23/63
Preconstruction					
R930-5-13	Notice of Intended Action	34415	EMR	02/09/2011	2011-5/105
R930-5-13	Notice on Intended Action	34452	AMD	04/21/2011	2011-6/90
Preconstruction, Right-of-Way Acquisition					
R933-1	Right of Way Acquisition	34363	AMD	03/10/2011	2011-3/51
Program Development					
R926-6	Transportation Corridor Preservation Revolving Loan Fund	34451	AMD	04/21/2011	2011-6/87
R926-9	Establishment Designation and Operation of Tollways	34459	5YR	02/24/2011	2011-6/107
R926-9	Establishment Designation and Operation of Tollways	34460	AMD	04/21/2011	2011-6/89
R926-11	Rules for Permitting of Eligible Vehicles for a Clean Fuel Special Group License Plate On or After January 1, 2009	34765	AMD	06/21/2011	2011-10/113
TRANSPORTATION COMMISSION					
Administration					
R940-1	Establishment of Toll Rates	34461	5YR	02/24/2011	2011-6/108

R940-1	Establishment of Toll Rates	34462	AMD	04/21/2011	2011-6/91
WORKFORCE SERVICES					
Employment Development					
R986-100-113	A Client Must Inform the Department of All Material Changes	34516	AMD	06/15/2011	2011-7/24
R986-100-122	Advance Notice of Department Action	34444	AMD	04/11/2011	2011-5/96
R986-200-205	How to Determine Who Is Included in the Household Assistance Unit	34677	AMD	06/15/2011	2011-9/108
R986-200-215	Family Employment Program Two Parent Household (FEPTP)	34546	AMD	06/15/2011	2011-8/26
R986-200-246	Transitional Cash Assistance	34239	AMD	01/13/2011	2010-23/70
R986-200-247	Utah Back to Work Pilot Program (BWP)	34547	NSC	04/12/2011	Not Printed
R986-600	Workforce Investment Act	34277	AMD	01/26/2011	2010-24/69
R986-700	Child Care Assistance	34678	AMD	06/15/2011	2011-9/110
Unemployment Insurance					
R994-302	Employer Contribution Payments	34776	5YR	05/05/2011	2011-11/133
R994-308	Bond Requirement	34777	5YR	05/05/2011	2011-11/134
R994-403-113c	Work Search	34361	AMD	03/15/2011	2011-3/52
R994-508	Appeal Procedures	34445	AMD	04/11/2011	2011-5/97

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
5YR = Five-Year Review

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
accelerated learning					
Education, Administration	34830	R277-711	REP	07/11/2011	2011-11/57
	34831	R277-712	REP	07/11/2011	2011-11/59
acceptable documents					
Public Safety, Driver License	34724	R708-41-3	AMD	07/06/2011	2011-10/97
	34805	R708-41-3	AMD	07/12/2011	2011-11/82
access to information					
Technology Services, Administration	34438	R895-1	5YR	02/15/2011	2011-5/117
accident prevention					
Public Safety, Driver License	34401	R708-20	5YR	01/31/2011	2011-4/47
acupuncture					
Commerce, Occupational and Professional Licensing	34543	R156-72	AMD	05/26/2011	2011-8/14
adjudicative proceedings					
Commerce, Administration	34479	R151-4	NEW	04/21/2011	2011-6/4
	34480	R151-46b	REP	04/21/2011	2011-6/18
Natural Resources, Forestry, Fire and State Lands	34432	R652-8	5YR	02/14/2011	2011-5/115
administrative law					
Human Services, Recovery Services	34529	R527-200	5YR	03/25/2011	2011-8/34

administrative procedures					
Agriculture and Food, Animal Industry	34974	R58-14	5YR	06/23/2011	2011-14/136
Commerce, Administration	34479	R151-4	NEW	04/21/2011	2011-6/4
	34480	R151-46b	REP	04/21/2011	2011-6/18
Commerce, Occupational and Professional Licensing	34397	R156-46b	5YR	01/31/2011	2011-4/36
	34469	R156-46b	AMD	04/25/2011	2011-6/33
	34712	R156-46b	NSC	05/25/2011	Not Printed
	34886	R156-46b	AMD	07/26/2011	2011-12/27
Community and Culture, History	34918	R212-3	5YR	06/14/2011	2011-13/83
Corrections, Administration	34840	R251-108	NSC	06/14/2011	Not Printed
Crime Victim Reparations, Administration	34991	R270-2	5YR	06/29/2011	2011-14/137
Environmental Quality, Drinking Water	34112	R309-100-4	AMD	02/03/2011	2010-20/51
Environmental Quality, Radiation Control	35011	R313-17	5YR	07/07/2011	2011-15/131
Human Resource Management, Administration	34749	R477-12-3	AMD	07/01/2011	2011-10/54
Labor Commission, Adjudication	34728	R602-1	AMD	06/22/2011	2011-10/77
	34729	R602-2-1	AMD	06/22/2011	2011-10/78
	34732	R602-4-4	AMD	06/22/2011	2011-10/82
	34730	R602-7	AMD	06/22/2011	2011-10/84
	34731	R602-8	AMD	06/22/2011	2011-10/88
Labor Commission, Industrial Accidents	34725	R612-12	R&R	06/22/2011	2011-10/93
	34294	R612-12-2	NSC	01/06/2011	Not Printed
Natural Resources, Forestry, Fire and State Lands	34432	R652-8	5YR	02/14/2011	2011-5/115
	34434	R652-9	5YR	02/14/2011	2011-5/115
	34435	R652-41	5YR	02/14/2011	2011-5/116
	34436	R652-80	5YR	02/14/2011	2011-5/116
	34376	R652-123	5YR	01/24/2011	2011-4/45
School and Institutional Trust Lands, Administration	34289	R850-10	NSC	01/06/2011	Not Printed
administrative responsibility					
Human Resource Management, Administration	34742	R477-2	AMD	07/01/2011	2011-10/38
administrative rules					
Human Resource Management, Administration	34750	R477-13	AMD	07/01/2011	2011-10/56
adult education					
Education, Administration	34231	R277-733	AMD	01/10/2011	2010-23/31
advertising					
Commerce, Consumer Protection	34100	R152-11-9	AMD	02/07/2011	2010-20/4
affidavit of merit					
Commerce, Occupational and Professional Licensing	34215	R156-78B	AMD	01/10/2011	2010-23/4
affordable housing					
Community and Culture, Olene Walker Housing Trust Fund	34463	R235-1	5YR	02/24/2011	2011-6/101
	34455	R235-1	AMD	04/27/2011	2011-6/51
air pollution					
Environmental Quality, Air Quality	34351	R307-110-17	AMD	05/04/2011	2011-3/25
	34775	R307-110-17	NSC	06/01/2011	Not Printed
	34350	R307-110-28	AMD	04/07/2011	2011-3/26
	34868	R307-202	NSC	06/14/2011	Not Printed
	34557	R307-210	5YR	04/06/2011	2011-9/118
	34428	R307-214	AMD	06/01/2011	2011-5/20
	34349	R307-328	AMD	06/07/2011	2011-3/28
	34349	R307-328	CPR	06/07/2011	2011-9/114
	34348	R307-342	REP	06/07/2011	2011-3/32
air quality					
Environmental Quality, Air Quality	34559	R307-204	AMD	07/07/2011	2011-9/14
air travel					
Administrative Services, Finance	34764	R25-7	AMD	07/01/2011	2011-10/6
aircraft					
Tax Commission, Motor Vehicle	34686	R873-22M-27	AMD	06/23/2011	2011-9/103

alcoholic beverages					
Alcoholic Beverage Control, Administration	34787	R81-1	5YR	05/10/2011	2011-11/123
	34337	R81-1-29	AMD	02/24/2011	2011-2/4
	34336	R81-1-30	AMD	02/24/2011	2011-2/5
	34788	R81-2	5YR	05/10/2011	2011-11/124
	34789	R81-3	5YR	05/10/2011	2011-11/125
	34340	R81-3-13	AMD	02/24/2011	2011-2/6
	34790	R81-4A	5YR	05/10/2011	2011-11/125
	34791	R81-5	5YR	05/10/2011	2011-11/126
	34792	R81-6	5YR	05/10/2011	2011-11/127
	34793	R81-7	5YR	05/10/2011	2011-11/128
	34794	R81-8	5YR	05/10/2011	2011-11/128
	34795	R81-9	5YR	05/10/2011	2011-11/129
	34796	R81-11	5YR	05/10/2011	2011-11/129
	34797	R81-12	5YR	05/10/2011	2011-11/130
alternative dispute resolution					
Commerce, Occupational and Professional Licensing	34888	R156-39a	REP	07/26/2011	2011-12/25
alternative language services					
Education, Administration	34538	R277-716	5YR	03/30/2011	2011-8/32
alternative licensing					
Education, Administration	34457	R277-503-1	NSC	03/10/2011	Not Printed
ambulance rates					
Health, Family Health and Preparedness, Emergency Medical Services	34902	R426-16	AMD	07/26/2011	2011-12/49
amendments					
Health, Center for Health Data, Vital Records and Statistics	34493	R436-3	NSC	04/06/2011	Not Printed
anatomical gift					
Public Safety, Driver License	34403	R708-38	5YR	01/31/2011	2011-4/48
	34404	R708-38	NSC	02/14/2011	Not Printed
ancient human remains					
Community and Culture, History	35051	R212-4	5YR	07/13/2011	2011-15/129
annuity replacement					
Insurance, Administration	34026	R590-93	AMD	01/10/2011	2010-18/59
	34026	R590-93	CPR	01/10/2011	2010-22/116
appellate procedures					
Corrections, Administration	34527	R251-104	5YR	03/24/2011	2011-8/31
	34839	R251-104	NSC	06/14/2011	Not Printed
Crime Victim Reparations, Administration	34991	R270-2	5YR	06/29/2011	2011-14/137
Technology Services, Administration	34440	R895-11	5YR	02/15/2011	2011-5/118
Workforce Services, Unemployment Insurance	34445	R994-508	AMD	04/11/2011	2011-5/97
application procedures					
Commerce, Real Estate	34223	R162-2a	NEW	01/08/2011	2010-23/15
appraisal management company					
Commerce, Real Estate	34704	R162-2e	AMD	06/22/2011	2011-9/5
appraisals					
Tax Commission, Property Tax	34883	R884-24P-35	NSC	06/14/2011	Not Printed
	34759	R884-24P-64	NSC	05/25/2011	Not Printed
approved asylee					
Public Safety, Driver License	34804	R708-46	NEW	07/12/2011	2011-11/85
arbitration					
Commerce, Occupational and Professional Licensing	34888	R156-39a	REP	07/26/2011	2011-12/25

archaeology Community and Culture, History	35051	R212-4	5YR	07/13/2011	2011-15/129
archeological permits Public Lands Policy Coordinating Office, Administration	34977	R694-1	EXT	06/23/2011	2011-14/143
architects Commerce, Occupational and Professional Licensing	34396	R156-3a	5YR	01/31/2011	2011-4/35
armored car company Commerce, Occupational and Professional Licensing	34542	R156-63b	AMD	05/26/2011	2011-8/11
armored car security officers Commerce, Occupational and Professional Licensing	34542	R156-63b	AMD	05/26/2011	2011-8/11
arts program Education, Administration	34820	R277-490	AMD	07/11/2011	2011-11/39
assessment Education, Administration	34812	R277-404	NEW	07/11/2011	2011-11/19
assessment instruments Human Services, Substance Abuse and Mental Health	34726	R523-20-11	AMD	07/12/2011	2011-10/59
assignments Education, Administration	34334	R277-520	AMD	02/22/2011	2011-2/22
athlete agent Commerce, Occupational and Professional Licensing	34499 34496	R156-9a R156-9a	5YR NSC	03/10/2011 04/06/2011	2011-7/45 Not Printed
audiology Health, Health Care Financing, Coverage and Reimbursement Policy	34317 34526	R414-59-4 R414-59-4	AMD AMD	04/05/2011 05/25/2011	2011-1/22 2011-8/23
automobiles Commerce, Administration	34761 34735	R151-14 R151-14-3	5YR NSC	05/02/2011 05/25/2011	2011-10/117 Not Printed
bail bond enforcement agent Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34705	R722-310-8	NSC	05/25/2011	Not Printed
bail bond recovery agent Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34705	R722-310-8	NSC	05/25/2011	Not Printed
bait and switch Commerce, Consumer Protection	34100	R152-11-9	AMD	02/07/2011	2010-20/4
banking Commerce, Corporations and Commercial Code	34785	R154-2	5YR	05/10/2011	2011-11/131
banking law Money Management Council, Administration	34676 34208	R628-10 R628-11	5YR AMD	04/11/2011 01/12/2011	2011-9/119 2010-22/102
banks and banking Financial Institutions, Banks	34206	R333-11	REP	02/01/2011	2010-22/63
bear Natural Resources, Wildlife Resources	34367	R657-33	AMD	04/04/2011	2011-4/26

bid limits					
Transportation, Operations, Maintenance	34693	R918-5	NEW	06/07/2011	2011-9/107
big game					
Natural Resources, Wildlife Resources	34299	R657-44	AMD	02/07/2011	2011-1/32
big game seasons					
Natural Resources, Wildlife Resources	34341	R657-5	AMD	03/14/2011	2011-3/39
	34807	R657-5	AMD	07/11/2011	2011-11/71
bioprospecting					
Natural Resources, Forestry, Fire and State Lands	34763	R652-150	NEW	06/21/2011	2011-10/95
bleeding disorders					
Health, Health Systems Improvement, Primary Care and Rural Health	34327	R434-50	NEW	03/01/2011	2011-2/38
block grant funding					
Education, Administration	34998	R277-478	5YR	06/30/2011	2011-14/138
boating					
Natural Resources, Parks and Recreation	34382	R651-201	5YR	01/26/2011	2011-4/39
	34864	R651-201-6	AMD	07/27/2011	2011-12/56
	34383	R651-202	5YR	01/26/2011	2011-4/39
	34384	R651-203	5YR	01/26/2011	2011-4/40
	34385	R651-204	5YR	01/26/2011	2011-4/40
	34386	R651-205	5YR	01/26/2011	2011-4/41
	34353	R651-206	5YR	01/11/2011	2011-3/57
	34865	R651-206-2	AMD	07/27/2011	2011-12/57
	34388	R651-207	5YR	01/26/2011	2011-4/42
	34389	R651-208	5YR	01/26/2011	2011-4/42
	34391	R651-210	5YR	01/26/2011	2011-4/43
	34392	R651-211	5YR	01/26/2011	2011-4/43
	34393	R651-212	5YR	01/26/2011	2011-4/44
	34417	R651-213	5YR	02/10/2011	2011-5/108
	34418	R651-214	5YR	02/10/2011	2011-5/109
	34355	R651-215	5YR	01/11/2011	2011-3/57
	34511	R651-215	AMD	05/09/2011	2011-7/11
	34419	R651-216	5YR	02/10/2011	2011-5/109
	34512	R651-216-2	AMD	05/09/2011	2011-7/12
	34420	R651-217	5YR	02/10/2011	2011-5/110
	34513	R651-217-2	AMD	05/09/2011	2011-7/13
	34421	R651-218	5YR	02/10/2011	2011-5/110
	34422	R651-219	5YR	02/10/2011	2011-5/111
	34514	R651-219	AMD	05/09/2011	2011-7/14
	34423	R651-220	5YR	02/10/2011	2011-5/111
	34424	R651-221	5YR	02/10/2011	2011-5/112
	34515	R651-221	AMD	05/09/2011	2011-7/15
	34356	R651-222	5YR	01/11/2011	2011-3/58
	34357	R651-224	5YR	01/11/2011	2011-3/59
	34866	R651-224-3	AMD	07/27/2011	2011-12/59
	34425	R651-226	5YR	02/10/2011	2011-5/112
bonding requirements					
Workforce Services, Unemployment Insurance	34777	R994-308	5YR	05/05/2011	2011-11/134
boxing					
Governor, Economic Development, Pete Suazo Utah Athletic Commission	34279	R359-1-102	AMD	02/22/2011	2010-24/41
	34407	R359-1-301	AMD	03/28/2011	2011-4/18
	34366	R359-1-501	AMD	03/28/2011	2011-4/19
	34408	R359-1-501	AMD	03/28/2011	2011-4/21
	34901	R359-1-501	AMD	07/26/2011	2011-12/43
	34278	R359-1-506	AMD	01/31/2011	2010-24/42
	34482	R359-1-511	AMD	04/26/2011	2011-6/76
	34483	R359-1-512	AMD	04/26/2011	2011-6/78
	34484	R359-1-515	AMD	04/26/2011	2011-6/79

	34900	R359-1-515	AMD	07/26/2011	2011-12/45
budgeting					
Health, Health Care Financing, Coverage and Reimbursement Policy	34556	R414-304	AMD	06/16/2011	2011-9/64
bullying					
Education, Administration	34825	R277-613	AMD	07/11/2011	2011-11/51
C decal					
Transportation, Program Development	34765	R926-11	AMD	06/21/2011	2011-10/113
C permit					
Transportation, Program Development	34765	R926-11	AMD	06/21/2011	2011-10/113
capacity development					
Environmental Quality, Drinking Water	34450	R309-800	AMD	05/23/2011	2011-6/72
care receiver					
Human Services, Aging and Adult Services	34390	R510-401	5YR	01/26/2011	2011-4/37
caregiver					
Human Services, Aging and Adult Services	34390	R510-401	5YR	01/26/2011	2011-4/37
certificate of compliance					
Commerce, Occupational and Professional Licensing	34215	R156-78B	AMD	01/10/2011	2010-23/4
character education					
Education, Administration	34816	R277-475	AMD	07/11/2011	2011-11/27
charities					
Tax Commission, Auditing	34268	R865-19S-78	AMD	01/27/2011	2010-24/68
	34688	R865-19S-78	NSC	04/27/2011	Not Printed
	34756	R865-19S-92	AMD	06/23/2011	2011-10/110
	34757	R865-19S-103	AMD	06/23/2011	2011-10/112
charter schools					
Education, Administration	34333	R277-470-12	AMD	02/22/2011	2011-2/21
	34818	R277-480	AMD	07/11/2011	2011-11/33
child abuse					
Human Services, Child and Family Services	34369	R512-203	5YR	01/18/2011	2011-4/38
	34778	R512-205	EMR	05/10/2011	2011-11/108
	34779	R512-205	NEW	07/28/2011	2011-11/69
child care					
Workforce Services, Employment Development	34678	R986-700	AMD	06/15/2011	2011-9/110
child support					
Human Services, Administration	34288	R495-879	AMD	02/07/2011	2011-1/25
Human Services, Recovery Services	34529	R527-200	5YR	03/25/2011	2011-8/34
	34522	R527-231	5YR	03/17/2011	2011-8/35
	34685	R527-250	NEW	07/01/2011	2011-9/96
child welfare					
Human Services, Child and Family Services	34344	R512-1-6	NSC	01/26/2011	Not Printed
	34368	R512-11	5YR	01/18/2011	2011-4/38
	34369	R512-203	5YR	01/18/2011	2011-4/38
childcare					
Health, Disease Control and Prevention, Environmental Services	34985	R392-110	5YR	06/28/2011	2011-14/140
childcare providers					
Health, Disease Control and Prevention, Environmental Services	34985	R392-110	5YR	06/28/2011	2011-14/140

children's health benefits					
Health, Children's Health Insurance Program	34560	R382-1	AMD	06/16/2011	2011-9/59
chiropractic physician					
Commerce, Occupational and Professional Licensing	34503	R156-73	5YR	03/14/2011	2011-7/47
chiropractors					
Commerce, Occupational and Professional Licensing	34503	R156-73	5YR	03/14/2011	2011-7/47
chronically ill					
Corrections, Administration	34858	R251-114	NSC	06/14/2011	Not Printed
CIO					
Technology Services, Administration	34723	R895-8	5YR	04/27/2011	2011-10/121
citation monitoring service					
Public Safety, Driver License	34374	R708-44	5YR	01/20/2011	2011-4/50
	34373	R708-44	NSC	02/14/2011	Not Printed
civic education					
Education, Administration	34816	R277-475	AMD	07/11/2011	2011-11/27
civil procedure					
Human Services, Recovery Services	34490	R527-800	5YR	03/03/2011	2011-7/49
clean fuel					
Transportation, Program Development	34765	R926-11	AMD	06/21/2011	2011-10/113
clinical health information exchange					
Health, Administration	34497	R380-70-6	AMD	07/05/2011	2011-7/3
coal mining					
Natural Resources, Oil, Gas and Mining; Coal	34550	R645-106	5YR	04/04/2011	2011-9/119
communicable diseases					
Human Services, Administration	34536	R495-862	5YR	03/30/2011	2011-8/33
complaints					
Commerce, Administration	34752	R151-3	AMD	06/21/2011	2011-10/20
compliance determinations					
Environmental Quality, Drinking Water	34375	R309-215-16	NSC	02/14/2011	Not Printed
concealed firearm permit					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34800	R722-300	EMR	05/10/2011	2011-11/113
	34679	R722-300	AMD	06/07/2011	2011-9/98
	34222	R722-300-3	AMD	01/07/2011	2010-23/61
concealed firearm permit instructor					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34800	R722-300	EMR	05/10/2011	2011-11/113
	34679	R722-300	AMD	06/07/2011	2011-9/98
	34222	R722-300-3	AMD	01/07/2011	2010-23/61
condemnation					
Transportation, Preconstruction, Right-of-Way Acquisition	34363	R933-1	AMD	03/10/2011	2011-3/51
conduct					
Commerce, Real Estate	34704	R162-2e	AMD	06/22/2011	2011-9/5
confidentiality of information					
Human Resource Management, Administration	34742	R477-2	AMD	07/01/2011	2011-10/38
Technology Services, Administration	34438	R895-1	5YR	02/15/2011	2011-5/117

conflict of interest					
Human Resource Management, Administration	34747	R477-9	AMD	07/01/2011	2011-10/53
construction					
Transportation, Operations, Maintenance	34693	R918-5	NEW	06/07/2011	2011-9/107
consumer protection					
Commerce, Consumer Protection	34100	R152-11-9	AMD	02/07/2011	2010-20/4
contract requirements					
Administrative Services, Facilities Construction and Management	34801	R23-23	EMR	05/10/2011	2011-11/105
	34803	R23-23	AMD	07/11/2011	2011-11/6
contractors					
Administrative Services, Facilities Construction and Management	34801	R23-23	EMR	05/10/2011	2011-11/105
	34803	R23-23	AMD	07/11/2011	2011-11/6
Commerce, Occupational and Professional Licensing	34470	R156-55a	AMD	04/25/2011	2011-6/35
contracts					
Administrative Services, Facilities Construction and Management	34801	R23-23	EMR	05/10/2011	2011-11/105
	34803	R23-23	AMD	07/11/2011	2011-11/6
Capitol Preservation Board (State), Administration	34675	R131-4	5YR	04/11/2011	2011-9/117
cooperative agreement					
Natural Resources, Forestry, Fire and State Lands	34394	R652-122	NEW	04/28/2011	2011-4/23
correctional institutions					
Corrections, Administration	34847	R251-704	NSC	06/14/2011	Not Printed
corrections					
Corrections, Administration	34838	R251-103	NSC	06/14/2011	Not Printed
	34527	R251-104	5YR	03/24/2011	2011-8/31
	34839	R251-104	NSC	06/14/2011	Not Printed
	34840	R251-108	NSC	06/14/2011	Not Printed
	34861	R251-109	NSC	06/14/2011	Not Printed
	34841	R251-110	NSC	06/14/2011	Not Printed
	34862	R251-111	NSC	06/14/2011	Not Printed
	34859	R251-301	NSC	06/14/2011	Not Printed
	34842	R251-303	NSC	06/14/2011	Not Printed
	34843	R251-305	NSC	06/14/2011	Not Printed
	34771	R251-702	5YR	05/03/2011	2011-11/131
	34845	R251-702	NSC	06/14/2011	Not Printed
	34846	R251-703	NSC	06/14/2011	Not Printed
	34848	R251-706	NSC	06/14/2011	Not Printed
	34772	R251-708	5YR	05/03/2011	2011-11/132
	34849	R251-708	NSC	06/14/2011	Not Printed
	34850	R251-709	NSC	06/14/2011	Not Printed
	34773	R251-711	5YR	05/03/2011	2011-11/132
	34851	R251-711	NSC	06/14/2011	Not Printed
	34528	R251-712	5YR	03/24/2011	2011-8/31
	34852	R251-712	NSC	06/14/2011	Not Printed
counselors					
Commerce, Occupational and Professional Licensing	34339	R156-60c	AMD	02/24/2011	2011-2/12
coverage groups					
Health, Health Care Financing, Coverage and Reimbursement Policy	34229	R414-303-11	AMD	01/27/2011	2010-23/52
credit enhancements					
Environmental Quality, Drinking Water	34552	R309-700-5	AMD	07/01/2011	2011-9/22
criminal background checks					
Education, Rehabilitation	34539	R280-204	5YR	03/30/2011	2011-8/33

criminal records					
Corrections, Administration	34862	R251-111	NSC	06/14/2011	Not Printed
crossing					
Transportation, Preconstruction	34415	R930-5-13	EMR	02/09/2011	2011-5/105
	34452	R930-5-13	AMD	04/21/2011	2011-6/90
cultural resources					
School and Institutional Trust Lands, Administration	34261	R850-60	AMD	01/24/2011	2010-24/64
	34328	R850-60-100	NSC	01/18/2011	Not Printed
curricula					
Education, Administration	34816	R277-475	AMD	07/11/2011	2011-11/27
	34827	R277-713	AMD	07/11/2011	2011-11/61
custody of children					
Human Services, Administration	34288	R495-879	AMD	02/07/2011	2011-1/25
dairy inspections					
Agriculture and Food, Regulatory Services	34518	R70-330	5YR	03/16/2011	2011-8/29
dam safety					
Natural Resources, Water Rights	34690	R655-10	5YR	04/14/2011	2011-9/121
	34692	R655-12	5YR	04/14/2011	2011-9/122
dams					
Natural Resources, Water Rights	34690	R655-10	5YR	04/14/2011	2011-9/121
	34691	R655-11	5YR	04/14/2011	2011-9/121
	34692	R655-12	5YR	04/14/2011	2011-9/122
data standards					
Education, Administration	34819	R277-484	AMD	07/11/2011	2011-11/35
day care					
Public Safety, Fire Marshal	34837	R710-8-3	AMD	07/08/2011	2011-11/90
deadlines					
Education, Administration	34819	R277-484	AMD	07/11/2011	2011-11/35
debt					
Human Services, Recovery Services	34521	R527-936	5YR	03/17/2011	2011-8/35
definitions					
Environmental Quality, Drinking Water	34243	R309-110-4	AMD	05/09/2011	2010-23/34
	34243	R309-110-4	CPR	05/09/2011	2011-7/28
Environmental Quality, Radiation Control	35008	R313-12	5YR	07/07/2011	2011-15/129
Human Resource Management, Administration	34741	R477-1	AMD	07/01/2011	2011-10/33
	34750	R477-13	AMD	07/01/2011	2011-10/56
dental hygienists					
Commerce, Occupational and Professional Licensing	34283	R156-69	AMD	02/07/2011	2011-1/8
	34500	R156-69	5YR	03/10/2011	2011-7/46
dentists					
Commerce, Occupational and Professional Licensing	34283	R156-69	AMD	02/07/2011	2011-1/8
	34500	R156-69	5YR	03/10/2011	2011-7/46
depleted uranium					
Environmental Quality, Radiation Control	34240	R313-25-8	AMD	04/04/2011	2010-23/48
	34240	R313-25-8	CPR	04/04/2011	2011-5/102
	34963	R313-25-8	NSC	07/13/2011	Not Printed
depository					
Money Management Council, Administration	34676	R628-10	5YR	04/11/2011	2011-9/119

depredation					
Natural Resources, Wildlife Resources	34299	R657-44	AMD	02/07/2011	2011-1/32
developmental disabilities					
Tax Commission, Administration	34718	R861-1A-3	NSC	05/25/2011	Not Printed
	34758	R861-1A-13	NSC	05/25/2011	Not Printed
developmentally disabled					
Agriculture and Food, Administration	34492	R51-4	5YR	03/03/2011	2011-7/43
Tax Commission, Administration	34753	R861-1A-29	AMD	06/23/2011	2011-10/107
	34326	R861-1A-43	AMD	02/23/2011	2011-2/42
	34687	R861-1A-43	AMD	06/23/2011	2011-9/102
	34754	R861-1A-45	AMD	06/23/2011	2011-10/108
Technology Services, Administration	34439	R895-2	5YR	02/15/2011	2011-5/117
	34681	R895-2	AMD	06/08/2011	2011-9/105
digital media					
Governor, Economic Development	34762	R357-5	NEW	06/30/2011	2011-10/22
direct solicitations					
Commerce, Consumer Protection	34100	R152-11-9	AMD	02/07/2011	2010-20/4
disabilities					
Commerce, Administration	34752	R151-3	AMD	06/21/2011	2011-10/20
Human Services, Services for People with Disabilities	34710	R539-1	NSC	05/25/2011	Not Printed
Pardons (Board Of), Administration	34867	R671-102	AMD	07/26/2011	2011-12/62
disabilities act					
Technology Services, Administration	34439	R895-2	5YR	02/15/2011	2011-5/117
	34681	R895-2	AMD	06/08/2011	2011-9/105
disabled persons					
Administrative Services, Administration	34347	R13-3	AMD	03/10/2011	2011-3/4
	34674	R13-3-2	NSC	04/27/2011	Not Printed
disasters					
Education, Administration	34331	R277-400	AMD	02/22/2011	2011-2/17
disciplinary actions					
Education, Administration	34824	R277-609	AMD	07/11/2011	2011-11/48
discipline of employees					
Human Resource Management, Administration	34751	R477-14	AMD	07/01/2011	2011-10/57
disclosure requirements					
Tax Commission, Administration	34718	R861-1A-3	NSC	05/25/2011	Not Printed
	34758	R861-1A-13	NSC	05/25/2011	Not Printed
	34753	R861-1A-29	AMD	06/23/2011	2011-10/107
	34326	R861-1A-43	AMD	02/23/2011	2011-2/42
	34687	R861-1A-43	AMD	06/23/2011	2011-9/102
	34754	R861-1A-45	AMD	06/23/2011	2011-10/108
discrimination					
Agriculture and Food, Administration	34492	R51-4	5YR	03/03/2011	2011-7/43
Labor Commission, Adjudication	34730	R602-7	AMD	06/22/2011	2011-10/84
disease control					
Agriculture and Food, Animal Industry	34343	R58-1	AMD	03/24/2011	2011-3/7
	34976	R58-4	5YR	06/23/2011	2011-14/135
disinfection monitoring					
Environmental Quality, Drinking Water	34375	R309-215-16	NSC	02/14/2011	Not Printed
disruptive students					
Education, Administration	34824	R277-609	AMD	07/11/2011	2011-11/48

diversion programs					
Commerce, Occupational and Professional Licensing	34885	R156-1	AMD	07/26/2011	2011-12/12
	34323	R156-1-102	AMD	02/24/2011	2011-2/7
domestic violence					
Human Services, Child and Family Services	34344	R512-1-6	NSC	01/26/2011	Not Printed
	34778	R512-205	EMR	05/10/2011	2011-11/108
	34779	R512-205	NEW	07/28/2011	2011-11/69
drinking water					
Environmental Quality, Drinking Water	34112	R309-100-4	AMD	02/03/2011	2010-20/51
	34243	R309-110-4	AMD	05/09/2011	2010-23/34
	34243	R309-110-4	CPR	05/09/2011	2011-7/28
	34375	R309-215-16	NSC	02/14/2011	Not Printed
	34244	R309-520	AMD	05/09/2011	2010-24/8
	34244	R309-520	CPR	05/09/2011	2011-7/33
	34450	R309-800	AMD	05/23/2011	2011-6/72
driver address record					
Public Safety, Driver License	34371	R708-42	5YR	01/20/2011	2011-4/49
driver education					
Public Safety, Driver License	34399	R708-18	5YR	01/31/2011	2011-4/46
driver license					
Public Safety, Driver License	34374	R708-44	5YR	01/20/2011	2011-4/50
	34373	R708-44	NSC	02/14/2011	Not Printed
driver license verification					
Public Safety, Driver License	34372	R708-43	5YR	01/20/2011	2011-4/49
dropouts					
Education, Administration	34834	R277-760	REP	07/11/2011	2011-11/67
drug abuse					
Human Resource Management, Administration	34751	R477-14	AMD	07/01/2011	2011-10/57
drug/alcohol education					
Human Resource Management, Administration	34751	R477-14	AMD	07/01/2011	2011-10/57
earthquakes					
Natural Resources, Water Rights	34691	R655-11	5YR	04/14/2011	2011-9/121
economic development					
Governor, Economic Development	34762	R357-5	NEW	06/30/2011	2011-10/22
	34929	R357-6	EMR	06/15/2011	2011-13/80
education					
Commerce, Real Estate	34476	R162-103	AMD	04/27/2011	2011-6/46
Education, Administration	34814	R277-407	AMD	07/11/2011	2011-11/21
	34333	R277-470-12	AMD	02/22/2011	2011-2/21
	34429	R277-709	AMD	04/08/2011	2011-5/17
education finance					
Education, Administration	34230	R277-419	AMD	01/10/2011	2010-23/26
educational administration					
Education, Administration	34359	R277-800-5	NSC	01/27/2011	Not Printed
educational expenditures					
Education, Administration	34998	R277-478	5YR	06/30/2011	2011-14/138
	35000	R277-479	5YR	06/30/2011	2011-14/138
educational program evaluations					
Education, Administration	34823	R277-501-9	AMD	07/11/2011	2011-11/48

educational testing					
Education, Administration	34831	R277-712	REP	07/11/2011	2011-11/59
educational tuition					
Human Resource Management, Administration	34748	R477-10	NSC	05/25/2011	Not Printed
educator license renewal					
Education, Administration	34822	R277-500	NEW	07/11/2011	2011-11/43
	34823	R277-501-9	AMD	07/11/2011	2011-11/48
educators					
Education, Administration	34494	R277-510	5YR	03/04/2011	2011-7/48
	34334	R277-520	AMD	02/22/2011	2011-2/22
effluent standards					
Environmental Quality, Water Quality	34437	R317-1-7	AMD	04/13/2011	2011-5/26
elderly					
Human Services, Aging and Adult Services	34390	R510-401	5YR	01/26/2011	2011-4/37
electric assisted bicycle headgear					
Public Safety, Driver License	34402	R708-33	5YR	01/31/2011	2011-4/48
electronic devices					
Education, Administration	34821	R277-495	AMD	07/11/2011	2011-11/41
elevator mechanics					
Commerce, Occupational and Professional Licensing	34673	R156-55e-303a	NSC	04/27/2011	Not Printed
eligibility					
Human Services, Child and Family Services	34344	R512-1-6	NSC	01/26/2011	Not Printed
eligibility certificate					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34324	R722-350	NEW	02/22/2011	2011-2/40
eligible regional service center					
Education, Administration	34826	R277-706	NEW	07/11/2011	2011-11/54
emancipation					
Human Services, Recovery Services	34685	R527-250	NEW	07/01/2011	2011-9/96
emergency medical services					
Health, Family Health and Preparedness, Emergency Medical Services	34902	R426-16	AMD	07/26/2011	2011-12/49
Health, Health Systems Improvement, Emergency Medical Services	34358	R426-7	5YR	01/12/2011	2011-3/55
	34346	R426-8	5YR	01/05/2011	2011-3/56
emergency preparedness					
Education, Administration	34331	R277-400	AMD	02/22/2011	2011-2/17
employee benefit plans					
Human Resource Management, Administration	34442	R477-6	AMD	04/07/2011	2011-5/29
	34744	R477-6	AMD	07/01/2011	2011-10/41
employee performance evaluations					
Human Resource Management, Administration	34748	R477-10	NSC	05/25/2011	Not Printed
employee productivity					
Human Resource Management, Administration	34748	R477-10	NSC	05/25/2011	Not Printed
employees' rights					
Human Resource Management, Administration	34749	R477-12-3	AMD	07/01/2011	2011-10/54
employer liability					
Workforce Services, Unemployment Insurance	34776	R994-302	5YR	05/05/2011	2011-11/133

employment					
Human Resource Management, Administration	34743	R477-4	AMD	07/01/2011	2011-10/40
	34443	R477-4-12	AMD	04/07/2011	2011-5/27
employment support procedures					
Workforce Services, Employment Development	34516	R986-100-113	AMD	06/15/2011	2011-7/24
	34444	R986-100-122	AMD	04/11/2011	2011-5/96
enforcement					
Agriculture and Food, Animal Industry	34974	R58-14	5YR	06/23/2011	2011-14/136
Commerce, Real Estate	34431	R162-2c	AMD	05/10/2011	2011-5/13
	34225	R162-2c-201	AMD	01/08/2011	2010-23/16
	34226	R162-2c-203	AMD	01/08/2011	2010-23/19
	34227	R162-2c-204	AMD	01/08/2011	2010-23/23
	34737	R162-2c-401	NSC	05/25/2011	Not Printed
Environmental Quality, Radiation Control	35009	R313-14	5YR	07/07/2011	2011-15/130
Human Services, Recovery Services	34490	R527-800	5YR	03/03/2011	2011-7/49
engineering					
Education, Administration	34999	R277-717	5YR	06/30/2011	2011-14/139
	34833	R277-717	REP	07/11/2011	2011-11/65
English Language Learners					
Education, Administration	34832	R277-715	REP	07/11/2011	2011-11/63
environmental protection					
Environmental Quality, Drinking Water	34112	R309-100-4	AMD	02/03/2011	2010-20/51
equipment leasing					
Commerce, Corporations and Commercial Code	34785	R154-2	5YR	05/10/2011	2011-11/131
exceptional children					
Education, Administration	34834	R277-760	REP	07/11/2011	2011-11/67
Executive Residence Commission					
Administrative Services, Facilities Construction and Management	34802	R23-31	NEW	07/11/2011	2011-11/8
exemptions					
Environmental Quality, Radiation Control	35008	R313-12	5YR	07/07/2011	2011-15/129
exemptions to wildland fire suppression fund					
Natural Resources, Forestry, Fire and State Lands	34376	R652-123	5YR	01/24/2011	2011-4/45
exhibitions					
Agriculture and Food, Marketing and Development	34489	R65-8	5YR	03/03/2011	2011-7/44
experience requirement					
Commerce, Real Estate	34703	R162-104-14	AMD	06/22/2011	2011-9/7
expungement					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34324	R722-350	NEW	02/22/2011	2011-2/40
facilities					
Human Services, Substance Abuse and Mental Health, State Hospital	34720	R525-8	5YR	04/26/2011	2011-10/118
facility notice					
Corrections, Administration	34858	R251-114	NSC	06/14/2011	Not Printed
fair employment practices					
Human Resource Management, Administration	34742	R477-2	AMD	07/01/2011	2011-10/38
	34743	R477-4	AMD	07/01/2011	2011-10/40
	34443	R477-4-12	AMD	04/07/2011	2011-5/27

fair hearings					
Health, Children's Health Insurance Program	34560	R382-1	AMD	06/16/2011	2011-9/59
fairs					
Fair Corporation (Utah State), Administration	34464	R325-1	5YR	02/24/2011	2011-6/101
	34465	R325-2	5YR	02/24/2011	2011-6/102
	34466	R325-3	5YR	02/24/2011	2011-6/103
	34467	R325-4	5YR	02/24/2011	2011-6/103
	34468	R325-5	5YR	02/24/2011	2011-6/104
family employment program					
Workforce Services, Employment Development	34677	R986-200-205	AMD	06/15/2011	2011-9/108
	34546	R986-200-215	AMD	06/15/2011	2011-8/26
	34239	R986-200-246	AMD	01/13/2011	2010-23/70
	34547	R986-200-247	NSC	04/12/2011	Not Printed
fathers					
Health, Center for Health Data, Vital Records and Statistics	34493	R436-3	NSC	04/06/2011	Not Printed
fees					
Corrections, Administration	34844	R251-401	NSC	06/14/2011	Not Printed
Environmental Quality, Environmental Response and Remediation	34272	R311-203	AMD	02/14/2011	2010-24/27
Natural Resources, Parks and Recreation	34377	R651-611	5YR	01/24/2011	2011-4/44
	34364	R651-611	AMD	04/07/2011	2011-3/37
	34380	R651-611	NSC	04/11/2011	Not Printed
	34890	R651-611-3	AMD	07/27/2011	2011-12/61
Public Safety, Driver License	34399	R708-18	5YR	01/31/2011	2011-4/46
filing deadlines					
Labor Commission, Adjudication	34728	R602-1	AMD	06/22/2011	2011-10/77
Workforce Services, Unemployment Insurance	34361	R994-403-113c	AMD	03/15/2011	2011-3/52
filing documents					
Commerce, Corporations and Commercial Code	34785	R154-2	5YR	05/10/2011	2011-11/131
financial assistance					
Environmental Quality, Drinking Water	34553	R309-705-6	AMD	07/01/2011	2011-9/25
financial disclosures					
Health, Health Care Financing, Coverage and Reimbursement Policy	34556	R414-304	AMD	06/16/2011	2011-9/64
financial institutions					
Financial Institutions, Administration	34207	R331-26	NEW	02/01/2011	2010-22/61
Financial Institutions, Industrial Loan Corporations	34205	R339-6	AMD	02/01/2011	2010-22/65
Money Management Council, Administration	34208	R628-11	AMD	01/12/2011	2010-22/102
financial responsibility					
Environmental Quality, Environmental Response and Remediation	34274	R311-207	AMD	02/14/2011	2010-24/35
	34740	R311-207-9	LNR	05/01/2011	2011-10/123
financing of programs					
Human Services, Substance Abuse and Mental Health	34726	R523-20-11	AMD	07/12/2011	2011-10/59
fingerprint background check					
Education, Administration	34822	R277-500	NEW	07/11/2011	2011-11/43
fire marshal					
Environmental Quality, Air Quality	34868	R307-202	NSC	06/14/2011	Not Printed
fire prevention					
Public Safety, Fire Marshal	34837	R710-8-3	AMD	07/08/2011	2011-11/90
	34242	R710-9	AMD	01/09/2011	2010-23/58

	34836	R710-9	AMD	07/08/2011	2011-11/92
fire training					
Public Safety, Fire Marshal	34495	R710-10	EXD	03/07/2011	2011-7/51
	34505	R710-10	EMR	03/14/2011	2011-7/37
	34502	R710-10	NEW	05/11/2011	2011-7/18
fireworks					
Public Safety, Fire Marshal	34247	R710-2	AMD	01/21/2011	2010-24/57
	34835	R710-2	EMR	05/17/2011	2011-11/109
	34809	R710-2	AMD	07/08/2011	2011-11/86
fish					
Natural Resources, Wildlife Resources	34167	R657-13	AMD	01/04/2011	2010-22/103
	34168	R657-58	AMD	01/04/2011	2010-22/105
	34379	R657-58	AMD	04/04/2011	2011-4/29
fishing					
Natural Resources, Wildlife Resources	34167	R657-13	AMD	01/04/2011	2010-22/103
	34168	R657-58	AMD	01/04/2011	2010-22/105
	34379	R657-58	AMD	04/04/2011	2011-4/29
fleet expansion					
Administrative Services, Fleet Operations	34257	R27-4-11	AMD	01/25/2011	2010-24/7
floods					
Natural Resources, Water Rights	34691	R655-11	5YR	04/14/2011	2011-9/121
food inspections					
Agriculture and Food, Animal Industry	34694	R58-11	AMD	06/21/2011	2011-9/2
	34914	R58-11-2	NSC	06/30/2011	Not Printed
Agriculture and Food, Plant Industry	34414	R68-4	5YR	02/08/2011	2011-5/107
Agriculture and Food, Regulatory Services	34519	R70-370	5YR	03/16/2011	2011-8/29
	34517	R70-380	5YR	03/16/2011	2011-8/30
	34378	R70-410	5YR	01/24/2011	2011-4/35
food service					
Health, Disease Control and Prevention, Environmental Services	34985	R392-110	5YR	06/28/2011	2011-14/140
forensic					
Human Services, Substance Abuse and Mental Health, State Hospital	34720	R525-8	5YR	04/26/2011	2011-10/118
forest practices					
Natural Resources, Forestry, Fire and State Lands	34313	R652-140	AMD	02/07/2011	2011-1/30
franchises					
Commerce, Administration	34761	R151-14	5YR	05/02/2011	2011-10/117
	34735	R151-14-3	NSC	05/25/2011	Not Printed
	34736	R151-35-3	NSC	05/25/2011	Not Printed
Tax Commission, Auditing	34755	R865-6F-40	AMD	06/23/2011	2011-10/109
freedom of information					
Agriculture and Food, Administration	34491	R51-3	5YR	03/03/2011	2011-7/43
Technology Services, Administration	34438	R895-1	5YR	02/15/2011	2011-5/117
funding					
Environmental Quality, Drinking Water	34450	R309-800	AMD	05/23/2011	2011-6/72
game laws					
Natural Resources, Wildlife Resources	34341	R657-5	AMD	03/14/2011	2011-3/39
	34807	R657-5	AMD	07/11/2011	2011-11/71
	34367	R657-33	AMD	04/04/2011	2011-4/26
gasoline transport					
Environmental Quality, Air Quality	34349	R307-328	AMD	06/07/2011	2011-3/28

	34349	R307-328	CPR	06/07/2011	2011-9/114
	34348	R307-342	REP	06/07/2011	2011-3/32
gifted children					
Education, Administration	34830	R277-711	REP	07/11/2011	2011-11/57
	34831	R277-712	REP	07/11/2011	2011-11/59
government documents					
Agriculture and Food, Administration	34491	R51-3	5YR	03/03/2011	2011-7/43
government ethics					
Human Resource Management, Administration	34747	R477-9	AMD	07/01/2011	2011-10/53
government hearings					
Commerce, Administration	34479	R151-4	NEW	04/21/2011	2011-6/4
	34480	R151-46b	REP	04/21/2011	2011-6/18
Commerce, Occupational and Professional Licensing	34397	R156-46b	5YR	01/31/2011	2011-4/36
	34469	R156-46b	AMD	04/25/2011	2011-6/33
	34712	R156-46b	NSC	05/25/2011	Not Printed
	34886	R156-46b	AMD	07/26/2011	2011-12/27
government records					
Corrections, Administration	34862	R251-111	NSC	06/14/2011	Not Printed
Governor's Mansion					
Administrative Services, Facilities Construction and Management	34802	R23-31	NEW	07/11/2011	2011-11/8
GRAMA					
Corrections, Administration	34862	R251-111	NSC	06/14/2011	Not Printed
Regents (Board Of), University of Utah, Administration	34387	R805-2	AMD	03/24/2011	2011-4/31
grants					
Community and Culture, Housing and Community Development	34135	R199-8	AMD	01/13/2011	2010-21/5
Education, Administration	34820	R277-490	AMD	07/11/2011	2011-11/39
Health, Health Systems Improvement, Primary Care and Rural Health	34327	R434-50	NEW	03/01/2011	2011-2/38
grievance procedures					
Administrative Services, Administration	34347	R13-3	AMD	03/10/2011	2011-3/4
	34674	R13-3-2	NSC	04/27/2011	Not Printed
Career Service Review Office, Administration	35083	R137-1	5YR	07/18/2011	Not Printed
Tax Commission, Administration	34718	R861-1A-3	NSC	05/25/2011	Not Printed
	34758	R861-1A-13	NSC	05/25/2011	Not Printed
	34753	R861-1A-29	AMD	06/23/2011	2011-10/107
	34326	R861-1A-43	AMD	02/23/2011	2011-2/42
	34687	R861-1A-43	AMD	06/23/2011	2011-9/102
	34754	R861-1A-45	AMD	06/23/2011	2011-10/108
grievances					
Agriculture and Food, Administration	34492	R51-4	5YR	03/03/2011	2011-7/43
Commerce, Administration	34752	R151-3	AMD	06/21/2011	2011-10/20
Human Resource Management, Administration	34749	R477-12-3	AMD	07/01/2011	2011-10/54
guardianship					
Human Services, Child and Family Services	34471	R512-308	5YR	02/28/2011	2011-6/104
habitat designation					
Natural Resources, Wildlife Resources	34806	R657-48	5YR	05/12/2011	2011-11/133
halfway houses					
Corrections, Administration	34859	R251-301	NSC	06/14/2011	Not Printed
	34842	R251-303	NSC	06/14/2011	Not Printed

hardship grants					
Environmental Quality, Drinking Water	34552	R309-700-5	AMD	07/01/2011	2011-9/22
Hatch Act					
Human Resource Management, Administration	34747	R477-9	AMD	07/01/2011	2011-10/53
hazardous air pollutant					
Environmental Quality, Air Quality	34428	R307-214	AMD	06/01/2011	2011-5/20
hazardous substances					
Environmental Quality, Environmental Response and Remediation	34271	R311-201	AMD	02/14/2011	2010-24/23
	34739	R311-201-11	LNR	05/01/2011	2011-10/123
	34272	R311-203	AMD	02/14/2011	2010-24/27
	34273	R311-206	AMD	02/14/2011	2010-24/33
	34269	R311-212	AMD	02/14/2011	2010-24/38
hazardous waste					
Environmental Quality, Solid and Hazardous Waste	35036	R315-1	5YR	07/13/2011	2011-15/132
	35038	R315-2	5YR	07/13/2011	2011-15/133
	35039	R315-3	5YR	07/13/2011	2011-15/133
	35040	R315-4	5YR	07/13/2011	2011-15/134
	35041	R315-5	5YR	07/13/2011	2011-15/135
	35042	R315-6	5YR	07/13/2011	2011-15/135
	35043	R315-7	5YR	07/13/2011	2011-15/136
	35044	R315-8	5YR	07/13/2011	2011-15/137
	35045	R315-9	5YR	07/13/2011	2011-15/137
	34920	R315-12	5YR	06/14/2011	2011-13/84
	35046	R315-13	5YR	07/13/2011	2011-15/138
	35047	R315-14	5YR	07/13/2011	2011-15/138
	35050	R315-17	5YR	07/13/2011	2011-15/139
	35048	R315-50	5YR	07/13/2011	2011-15/140
	35049	R315-101	5YR	07/13/2011	2011-15/140
hazing					
Education, Administration	34825	R277-613	AMD	07/11/2011	2011-11/51
health benefit plan insurance					
Insurance, Administration	34770	R590-261	NEW	06/30/2011	2011-10/73
health facilities					
Health, Health Systems Improvement, Licensing	34318	R432-101	AMD	04/11/2011	2011-2/31
	34319	R432-150	AMD	04/11/2011	2011-2/32
	34320	R432-600	AMD	04/11/2011	2011-2/36
	34321	R432-700	AMD	04/11/2011	2011-2/37
health facility administrators					
Commerce, Occupational and Professional Licensing	34545	R156-15	AMD	05/26/2011	2011-8/10
health insurance					
Administrative Services, Facilities Construction and Management	34801	R23-23	EMR	05/10/2011	2011-11/105
	34803	R23-23	AMD	07/11/2011	2011-11/6
Insurance, Administration	34548	R590-167	AMD	06/15/2011	2011-8/24
	34169	R590-167-4	AMD	01/10/2011	2010-22/100
health insurance open enrollment					
Insurance, Administration	34276	R590-259	NEW	01/25/2011	2010-24/51
	34727	R590-259	AMD	06/27/2011	2011-10/72
	34410	R590-259-13	NSC	02/24/2011	Not Printed
hearings					
Labor Commission, Adjudication	34729	R602-2-1	AMD	06/22/2011	2011-10/78
	34732	R602-4-4	AMD	06/22/2011	2011-10/82
	34730	R602-7	AMD	06/22/2011	2011-10/84
	34731	R602-8	AMD	06/22/2011	2011-10/88

higher education					
Education, Administration	34827	R277-713	AMD	07/11/2011	2011-11/61
Regents (Board Of), Administration	34734	R765-604	AMD	06/22/2011	2011-10/101
	34905	R765-604	NSC	06/30/2011	Not Printed
	34441	R765-608	AMD	04/11/2011	2011-5/93
	34980	R765-608	5YR	06/28/2011	2011-14/141
	34798	R765-609	AMD	07/11/2011	2011-11/94
	34721	R765-612	REP	06/30/2011	2011-10/106
	34530	R765-649	5YR	03/25/2011	2011-8/39
Regents (Board Of), University of Utah, Administration	34387	R805-2	AMD	03/24/2011	2011-4/31
highly qualified					
Education, Administration	34494	R277-510	5YR	03/04/2011	2011-7/48
highways					
Transportation, Program Development	34459	R926-9	5YR	02/24/2011	2011-6/107
	34460	R926-9	AMD	04/21/2011	2011-6/89
hiring practices					
Human Resource Management, Administration	34743	R477-4	AMD	07/01/2011	2011-10/40
	34443	R477-4-12	AMD	04/07/2011	2011-5/27
historic preservation					
Community and Culture, History	34919	R212-8	5YR	06/14/2011	2011-13/83
	34716	R212-9	5YR	04/26/2011	2011-10/118
Tax Commission, Auditing	34755	R865-6F-40	AMD	06/23/2011	2011-10/109
historic sites					
Community and Culture, History	34717	R212-6	5YR	04/26/2011	2011-10/117
	34919	R212-8	5YR	06/14/2011	2011-13/83
historical society					
Community and Culture, History	34918	R212-3	5YR	06/14/2011	2011-13/83
holidays					
Human Resource Management, Administration	34745	R477-7	AMD	07/01/2011	2011-10/45
honey					
Agriculture and Food, Plant Industry	34558	R68-21-2	NSC	04/27/2011	Not Printed
HOT lanes					
Transportation Commission, Administration	34461	R940-1	5YR	02/24/2011	2011-6/108
	34462	R940-1	AMD	04/21/2011	2011-6/91
housing development					
Community and Culture, Olene Walker Housing Trust Fund	34463	R235-1	5YR	02/24/2011	2011-6/101
	34455	R235-1	AMD	04/27/2011	2011-6/51
human services					
Human Services, Administration, Administrative Services, Licensing	34212	R501-21	AMD	01/24/2011	2010-22/81
Human Services, Services for People with Disabilities	34710	R539-1	NSC	05/25/2011	Not Printed
hybrid vehicles					
Transportation, Program Development	34765	R926-11	AMD	06/21/2011	2011-10/113
identification card					
Public Safety, Driver License	34724	R708-41-3	AMD	07/06/2011	2011-10/97
	34805	R708-41-3	AMD	07/12/2011	2011-11/82
import requirements					
Agriculture and Food, Animal Industry	34343	R58-1	AMD	03/24/2011	2011-3/7
improvement projects					
Transportation, Operations, Maintenance	34693	R918-5	NEW	06/07/2011	2011-9/107

income					
Health, Health Care Financing, Coverage and Reimbursement Policy	34229	R414-303-11	AMD	01/27/2011	2010-23/52
	34556	R414-304	AMD	06/16/2011	2011-9/64
independent foster care adolescent					
Health, Health Care Financing, Coverage and Reimbursement Policy	34229	R414-303-11	AMD	01/27/2011	2010-23/52
industrial waste					
Environmental Quality, Water Quality	34437	R317-1-7	AMD	04/13/2011	2011-5/26
information technology					
Technology Services, Administration	34440	R895-11	5YR	02/15/2011	2011-5/118
injury					
Health, Epidemiology and Laboratory Services, Epidemiology	34508	R386-703	5YR	03/14/2011	2011-7/48
inmate transportation					
Corrections, Administration	34850	R251-709	NSC	06/14/2011	Not Printed
inmate visiting					
Corrections, Administration	34848	R251-706	NSC	06/14/2011	Not Printed
inmates					
Corrections, Administration	34771	R251-702	5YR	05/03/2011	2011-11/131
	34845	R251-702	NSC	06/14/2011	Not Printed
	34848	R251-706	NSC	06/14/2011	Not Printed
inspections					
Agriculture and Food, Animal Industry	34906	R58-20	EMR	06/07/2011	2011-13/79
Agriculture and Food, Plant Industry	34488	R68-7	5YR	03/02/2011	2011-7/44
	34430	R68-7	AMD	06/02/2011	2011-5/2
	34711	R68-7	AMD	06/21/2011	2011-10/10
	34456	R68-7-10	NSC	06/02/2011	Not Printed
	34498	R68-7-10	AMD	06/02/2011	2011-7/2
	34345	R68-8	5YR	01/05/2011	2011-3/55
Environmental Quality, Radiation Control	35008	R313-12	5YR	07/07/2011	2011-15/129
	35010	R313-16	5YR	07/07/2011	2011-15/131
	35012	R313-18	5YR	07/07/2011	2011-15/132
insurance					
Human Resource Management, Administration	34442	R477-6	AMD	04/07/2011	2011-5/29
	34744	R477-6	AMD	07/01/2011	2011-10/41
Insurance, Administration	34478	R590-144	5YR	03/01/2011	2011-6/105
	34312	R590-148-24	AMD	02/08/2011	2011-1/27
	34236	R590-152	AMD	01/20/2011	2010-23/57
	34477	R590-177	5YR	03/01/2011	2011-6/105
	34259	R590-186	AMD	02/10/2011	2010-24/47
	34768	R590-203	AMD	06/30/2011	2011-10/66
insurance certificate of authority					
Insurance, Administration	34714	R590-208	5YR	04/25/2011	2011-10/119
insurance internet portal					
Insurance, Administration	34875	R590-256-1	NSC	06/23/2011	Not Printed
insurance law					
Insurance, Administration	34175	R590-133	AMD	01/10/2011	2010-22/98
	34769	R590-192	AMD	06/30/2011	2011-10/61
	34485	R590-200	5YR	03/01/2011	2011-6/106
	34921	R590-206	5YR	06/15/2011	2011-13/84
interest buy-downs					
Environmental Quality, Drinking Water	34552	R309-700-5	AMD	07/01/2011	2011-9/22

international baccalaureate					
Education, Administration	34829	R277-710	REP	07/11/2011	2011-11/56
Internet facilitator					
Commerce, Occupational and Professional Licensing	34913	R156-83-306	NSC	06/30/2011	Not Printed
Internet facilitators					
Commerce, Occupational and Professional Licensing	34237	R156-83-306	AMD	01/10/2011	2010-23/14
	34544	R156-83-306	AMD	05/26/2011	2011-8/15
IT bid committee					
Technology Services, Administration	34722	R895-5	5YR	04/27/2011	2011-10/120
IT standards					
Technology Services, Administration	34722	R895-5	5YR	04/27/2011	2011-10/120
juvenile courts					
Education, Administration	34429	R277-709	AMD	04/08/2011	2011-5/17
knowledge test					
Public Safety, Driver License	34804	R708-46	NEW	07/12/2011	2011-11/85
land exchanges					
Natural Resources, Forestry, Fire and State Lands	34436	R652-80	5YR	02/14/2011	2011-5/116
land manager					
Environmental Quality, Air Quality	34559	R307-204	AMD	07/07/2011	2011-9/14
law					
Public Safety, Fire Marshal	34242	R710-9	AMD	01/09/2011	2010-23/58
	34836	R710-9	AMD	07/08/2011	2011-11/92
law enforcement					
Public Safety, Highway Patrol	34255	R714-600	R&R	01/24/2011	2010-24/61
	34895	R714-600	AMD	08/01/2011	2011-12/66
leave benefits					
Human Resource Management, Administration	34745	R477-7	AMD	07/01/2011	2011-10/45
license					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34705	R722-310-8	NSC	05/25/2011	Not Printed
	34799	R722-330	EMR	05/10/2011	2011-11/118
license certificate					
Public Safety, Driver License	34724	R708-41-3	AMD	07/06/2011	2011-10/97
	34805	R708-41-3	AMD	07/12/2011	2011-11/82
license plates					
Tax Commission, Motor Vehicle	34686	R873-22M-27	AMD	06/23/2011	2011-9/103
licenses					
Education, Administration	34334	R277-520	AMD	02/22/2011	2011-2/22
licensing					
Commerce, Occupational and Professional Licensing	34885	R156-1	AMD	07/26/2011	2011-12/12
	34323	R156-1-102	AMD	02/24/2011	2011-2/7
	34396	R156-3a	5YR	01/31/2011	2011-4/35
	34499	R156-9a	5YR	03/10/2011	2011-7/45
	34496	R156-9a	NSC	04/06/2011	Not Printed
	34545	R156-15	AMD	05/26/2011	2011-8/10
	34887	R156-17b-310	AMD	07/26/2011	2011-12/22
	34888	R156-39a	REP	07/26/2011	2011-12/25
	34282	R156-50	NSC	01/06/2011	Not Printed
	34470	R156-55a	AMD	04/25/2011	2011-6/35
	34338	R156-55c-102	AMD	02/24/2011	2011-2/10

	34673	R156-55e-303a	NSC	04/27/2011	Not Printed
	34310	R156-60a	AMD	02/10/2011	2011-1/6
	34339	R156-60c	AMD	02/24/2011	2011-2/12
	34395	R156-60d	5YR	01/31/2011	2011-4/37
	34370	R156-63a	AMD	03/24/2011	2011-4/12
	34360	R156-63a-302f	NSC	01/26/2011	Not Printed
	34542	R156-63b	AMD	05/26/2011	2011-8/11
	34504	R156-67	5YR	03/14/2011	2011-7/46
	34283	R156-69	AMD	02/07/2011	2011-1/8
	34500	R156-69	5YR	03/10/2011	2011-7/46
	34543	R156-72	AMD	05/26/2011	2011-8/14
	34503	R156-73	5YR	03/14/2011	2011-7/47
	34237	R156-83-306	AMD	01/10/2011	2010-23/14
	34544	R156-83-306	AMD	05/26/2011	2011-8/15
	34913	R156-83-306	NSC	06/30/2011	Not Printed
Commerce, Real Estate	34431	R162-2c	AMD	05/10/2011	2011-5/13
	34225	R162-2c-201	AMD	01/08/2011	2010-23/16
	34226	R162-2c-203	AMD	01/08/2011	2010-23/19
	34227	R162-2c-204	AMD	01/08/2011	2010-23/23
	34737	R162-2c-401	NSC	05/25/2011	Not Printed
Environmental Quality, Radiation Control	35012	R313-18	5YR	07/07/2011	2011-15/132
Governor, Economic Development, Pete Suazo Utah Athletic Commission	34279	R359-1-102	AMD	02/22/2011	2010-24/41
	34407	R359-1-301	AMD	03/28/2011	2011-4/18
	34366	R359-1-501	AMD	03/28/2011	2011-4/19
	34408	R359-1-501	AMD	03/28/2011	2011-4/21
	34901	R359-1-501	AMD	07/26/2011	2011-12/43
	34278	R359-1-506	AMD	01/31/2011	2010-24/42
	34482	R359-1-511	AMD	04/26/2011	2011-6/76
	34483	R359-1-512	AMD	04/26/2011	2011-6/78
	34484	R359-1-515	AMD	04/26/2011	2011-6/79
	34900	R359-1-515	AMD	07/26/2011	2011-12/45
Human Services, Administration, Administrative Services, Licensing	34212	R501-21	AMD	01/24/2011	2010-22/81
Public Safety, Driver License	34399	R708-18	5YR	01/31/2011	2011-4/46
<u>life insurance</u>					
Insurance, Administration	34026	R590-93	AMD	01/10/2011	2010-18/59
	34026	R590-93	CPR	01/10/2011	2010-22/116
<u>life jackets</u>					
Natural Resources, Parks and Recreation	34422	R651-219	5YR	02/10/2011	2011-5/111
	34514	R651-219	AMD	05/09/2011	2011-7/14
<u>life sciences</u>					
Governor, Economic Development	34929	R357-6	EMR	06/15/2011	2011-13/80
<u>limited-term driver license</u>					
Public Safety, Driver License	34804	R708-46	NEW	07/12/2011	2011-11/85
<u>limited-term license certificate</u>					
Public Safety, Driver License	34724	R708-41-3	AMD	07/06/2011	2011-10/97
	34805	R708-41-3	AMD	07/12/2011	2011-11/82
<u>liquefied petroleum gas</u>					
Public Safety, Fire Marshal	34520	R710-6	5YR	03/16/2011	2011-8/38
	34487	R710-6-4	AMD	04/21/2011	2011-6/84
<u>livestock</u>					
Agriculture and Food, Animal Industry	34694	R58-11	AMD	06/21/2011	2011-9/2
	34914	R58-11-2	NSC	06/30/2011	Not Printed
Agriculture and Food, Marketing and Development	34489	R65-8	5YR	03/03/2011	2011-7/44
<u>loan origination</u>					
Commerce, Real Estate	34431	R162-2c	AMD	05/10/2011	2011-5/13
	34225	R162-2c-201	AMD	01/08/2011	2010-23/16
	34226	R162-2c-203	AMD	01/08/2011	2010-23/19

	34227	R162-2c-204	AMD	01/08/2011	2010-23/23
	34737	R162-2c-401	NSC	05/25/2011	Not Printed
loans					
Environmental Quality, Drinking Water	34552	R309-700-5	AMD	07/01/2011	2011-9/22
	34553	R309-705-6	AMD	07/01/2011	2011-9/25
lobbyist					
Lieutenant Governor, Elections	34784	R623-1-4	AMD	07/11/2011	2011-11/70
long-term care					
Corrections, Administration	34858	R251-114	NSC	06/14/2011	Not Printed
MACT					
Environmental Quality, Air Quality	34428	R307-214	AMD	06/01/2011	2011-5/20
maintenance					
Transportation, Operations, Maintenance	34693	R918-5	NEW	06/07/2011	2011-9/107
management					
Natural Resources, Forestry, Fire and State Lands	34435	R652-41	5YR	02/14/2011	2011-5/116
mathematics					
Education, Administration	34999	R277-717	5YR	06/30/2011	2011-14/139
	34833	R277-717	REP	07/11/2011	2011-11/65
mediation					
Commerce, Occupational and Professional Licensing	34888	R156-39a	REP	07/26/2011	2011-12/25
Medicaid					
Health, Health Care Financing	34147	R410-14	R&R	04/25/2011	2010-21/19
	34147	R410-14	CPR	04/25/2011	2011-6/96
Health, Health Care Financing, Coverage and Reimbursement Policy	34228	R414-1	AMD	01/19/2011	2010-23/49
	34315	R414-1-5	AMD	04/05/2011	2011-1/20
	34523	R414-1-5	AMD	05/25/2011	2011-8/18
	34992	R414-1-29	EMR	07/01/2011	2011-14/133
	34894	R414-4A	REP	08/01/2011	2011-12/47
	34524	R414-14	AMD	05/25/2011	2011-8/9
	34509	R414-14A	AMD	05/16/2011	2011-7/5
	34316	R414-54-3	AMD	04/05/2011	2011-1/21
	34525	R414-54-3	AMD	05/25/2011	2011-8/22
	34317	R414-59-4	AMD	04/05/2011	2011-1/22
	34526	R414-59-4	AMD	05/25/2011	2011-8/23
	34314	R414-61	AMD	04/05/2011	2011-1/23
	34683	R414-305	AMD	06/16/2011	2011-9/80
	34767	R414-401-3	AMD	07/01/2011	2011-10/26
	34267	R414-501	AMD	04/05/2011	2010-24/44
	34562	R414-501-3	AMD	06/07/2011	2011-9/92
	34766	R414-504	AMD	07/01/2011	2011-10/27
Human Services, Recovery Services	34490	R527-800	5YR	03/03/2011	2011-7/49
	34521	R527-936	5YR	03/17/2011	2011-8/35
medical discount program					
Insurance, Administration	34236	R590-152	AMD	01/20/2011	2010-23/57
medical malpractice					
Commerce, Occupational and Professional Licensing	34215	R156-78B	AMD	01/10/2011	2010-23/4
mental health					
Commerce, Occupational and Professional Licensing	34339	R156-60c	AMD	02/24/2011	2011-2/12
Corrections, Administration	34861	R251-109	NSC	06/14/2011	Not Printed
Human Services, Substance Abuse and Mental Health, State Hospital	34720	R525-8	5YR	04/26/2011	2011-10/118

methadone programs					
Human Services, Substance Abuse and Mental Health	34540	R523-21	5YR	03/30/2011	2011-8/34
minerals reclamation					
Natural Resources, Oil, Gas and Mining; Non-Coal	34473	R647-2	AMD	05/25/2011	2011-6/80
	34474	R647-3	AMD	05/25/2011	2011-6/82
	34475	R647-4-101	AMD	05/25/2011	2011-6/83
minimum standards					
Natural Resources, Forestry, Fire and State Lands	34394	R652-122	NEW	04/28/2011	2011-4/23
minority education					
Education, Administration	34999	R277-717	5YR	06/30/2011	2011-14/139
	34833	R277-717	REP	07/11/2011	2011-11/65
mothers					
Health, Center for Health Data, Vital Records and Statistics	34493	R436-3	NSC	04/06/2011	Not Printed
motion picture					
Governor, Economic Development	34762	R357-5	NEW	06/30/2011	2011-10/22
motor carrier					
Public Safety, Highway Patrol	34255	R714-600	R&R	01/24/2011	2010-24/61
	34895	R714-600	AMD	08/01/2011	2011-12/66
motor vehicle record					
Public Safety, Driver License	34374	R708-44	5YR	01/20/2011	2011-4/50
	34373	R708-44	NSC	02/14/2011	Not Printed
motor vehicle safety					
Public Safety, Highway Patrol	34285	R714-160	NEW	02/09/2011	2011-1/37
	34286	R714-161	NEW	02/09/2011	2011-1/53
	34287	R714-162	NEW	02/08/2011	2011-1/59
motor vehicles					
Commerce, Administration	34761	R151-14	5YR	05/02/2011	2011-10/117
	34735	R151-14-3	NSC	05/25/2011	Not Printed
Public Safety, Driver License	34401	R708-20	5YR	01/31/2011	2011-4/47
Tax Commission, Motor Vehicle	34686	R873-22M-27	AMD	06/23/2011	2011-9/103
motorboat noise					
Natural Resources, Parks and Recreation	34356	R651-222	5YR	01/11/2011	2011-3/58
motorcycles					
Commerce, Administration	34736	R151-35-3	NSC	05/25/2011	Not Printed
national register					
Community and Culture, History	34717	R212-6	5YR	04/26/2011	2011-10/117
natural resources					
Natural Resources, Forestry, Fire and State Lands	34435	R652-41	5YR	02/14/2011	2011-5/116
new source review					
Environmental Quality, Air Quality	34557	R307-210	5YR	04/06/2011	2011-9/118
new state revenue					
Governor, Economic Development	34762	R357-5	NEW	06/30/2011	2011-10/22
	34929	R357-6	EMR	06/15/2011	2011-13/80
notification					
Natural Resources, Forestry, Fire and State Lands	34313	R652-140	AMD	02/07/2011	2011-1/30
	34763	R652-150	NEW	06/21/2011	2011-10/95

nursing facility					
Health, Health Care Financing, Coverage and Reimbursement Policy	34767	R414-401-3	AMD	07/01/2011	2011-10/26
occupational licensing					
Commerce, Occupational and Professional Licensing	34885	R156-1	AMD	07/26/2011	2011-12/12
	34323	R156-1-102	AMD	02/24/2011	2011-2/7
	34397	R156-46b	5YR	01/31/2011	2011-4/36
	34469	R156-46b	AMD	04/25/2011	2011-6/33
	34712	R156-46b	NSC	05/25/2011	Not Printed
	34886	R156-46b	AMD	07/26/2011	2011-12/27
	34470	R156-55a	AMD	04/25/2011	2011-6/35
	34338	R156-55c-102	AMD	02/24/2011	2011-2/10
Environmental Quality, Water Quality	34978	R317-11	5YR	06/27/2011	2011-14/140
occupational safety and health					
Labor Commission, Adjudication	34731	R602-8	AMD	06/22/2011	2011-10/88
off road vehicles					
Commerce, Administration	34736	R151-35-3	NSC	05/25/2011	Not Printed
off-highway vehicles					
Natural Resources, Parks and Recreation	34531	R651-401	5YR	03/28/2011	2011-8/36
	34416	R651-401-2	AMD	04/07/2011	2011-5/39
	34532	R651-405	5YR	03/28/2011	2011-8/37
	34533	R651-406	5YR	03/28/2011	2011-8/37
	34446	R651-601-15	AMD	04/07/2011	2011-5/40
off-premise					
Human Services, Substance Abuse and Mental Health	35037	R523-24	5YR	07/13/2011	2011-15/141
offender employment					
Corrections, Administration	34859	R251-301	NSC	06/14/2011	Not Printed
offenders					
Corrections, Administration	34844	R251-401	NSC	06/14/2011	Not Printed
oil and gas law					
Natural Resources, Oil, Gas and Mining; Oil and Gas	34551	R649-10	5YR	04/04/2011	2011-9/120
Olene Walker Housing Loan Fund					
Community and Culture, Olene Walker Housing Trust Fund	34463	R235-1	5YR	02/24/2011	2011-6/101
	34455	R235-1	AMD	04/27/2011	2011-6/51
online prescribing					
Commerce, Occupational and Professional Licensing	34237	R156-83-306	AMD	01/10/2011	2010-23/14
	34544	R156-83-306	AMD	05/26/2011	2011-8/15
	34913	R156-83-306	NSC	06/30/2011	Not Printed
open burning					
Environmental Quality, Air Quality	34868	R307-202	NSC	06/14/2011	Not Printed
operation and maintenance					
Environmental Quality, Drinking Water	34244	R309-520	AMD	05/09/2011	2010-24/8
	34244	R309-520	CPR	05/09/2011	2011-7/33
orders					
Environmental Quality, Radiation Control	35011	R313-17	5YR	07/07/2011	2011-15/131
out-of-home care					
Human Services, Child and Family Services	34471	R512-308	5YR	02/28/2011	2011-6/104
outpatient treatment programs					
Human Services, Administration, Administrative Services, Licensing	34212	R501-21	AMD	01/24/2011	2010-22/81

ozone					
Environmental Quality, Air Quality	34351	R307-110-17	AMD	05/04/2011	2011-3/25
	34775	R307-110-17	NSC	06/01/2011	Not Printed
	34350	R307-110-28	AMD	04/07/2011	2011-3/26
	34349	R307-328	AMD	06/07/2011	2011-3/28
	34349	R307-328	CPR	06/07/2011	2011-9/114
	34348	R307-342	REP	06/07/2011	2011-3/32
parks					
Natural Resources, Parks and Recreation	34382	R651-201	5YR	01/26/2011	2011-4/39
	34864	R651-201-6	AMD	07/27/2011	2011-12/56
	34386	R651-205	5YR	01/26/2011	2011-4/41
	34353	R651-206	5YR	01/11/2011	2011-3/57
	34865	R651-206-2	AMD	07/27/2011	2011-12/57
	34355	R651-215	5YR	01/11/2011	2011-3/57
	34511	R651-215	AMD	05/09/2011	2011-7/11
	34420	R651-217	5YR	02/10/2011	2011-5/110
	34513	R651-217-2	AMD	05/09/2011	2011-7/13
	34422	R651-219	5YR	02/10/2011	2011-5/111
	34514	R651-219	AMD	05/09/2011	2011-7/14
	34424	R651-221	5YR	02/10/2011	2011-5/112
	34515	R651-221	AMD	05/09/2011	2011-7/15
	34446	R651-601-15	AMD	04/07/2011	2011-5/40
	34889	R651-606-5	AMD	07/27/2011	2011-12/60
	34507	R651-608-1	AMD	05/09/2011	2011-7/17
	34377	R651-611	5YR	01/24/2011	2011-4/44
	34364	R651-611	AMD	04/07/2011	2011-3/37
	34380	R651-611	NSC	04/11/2011	Not Printed
	34890	R651-611-3	AMD	07/27/2011	2011-12/61
parolees					
Corrections, Administration	34838	R251-103	NSC	06/14/2011	Not Printed
patriotic education					
Education, Administration	34816	R277-475	AMD	07/11/2011	2011-11/27
penalties					
Environmental Quality, Radiation Control	35009	R313-14	5YR	07/07/2011	2011-15/130
per diem allowances					
Administrative Services, Finance	34764	R25-7	AMD	07/01/2011	2011-10/6
permits					
Transportation, Motor Carrier, Ports of Entry	34453	R912-8	5YR	02/17/2011	2011-6/107
	34454	R912-8	NSC	03/10/2011	Not Printed
personal property					
Tax Commission, Property Tax	34883	R884-24P-35	NSC	06/14/2011	Not Printed
	34759	R884-24P-64	NSC	05/25/2011	Not Printed
personnel management					
Human Resource Management, Administration	34741	R477-1	AMD	07/01/2011	2011-10/33
	34442	R477-6	AMD	04/07/2011	2011-5/29
	34744	R477-6	AMD	07/01/2011	2011-10/41
	34747	R477-9	AMD	07/01/2011	2011-10/53
	34750	R477-13	AMD	07/01/2011	2011-10/56
	34751	R477-14	AMD	07/01/2011	2011-10/57
pesticides					
Agriculture and Food, Plant Industry	34488	R68-7	5YR	03/02/2011	2011-7/44
	34430	R68-7	AMD	06/02/2011	2011-5/2
	34711	R68-7	AMD	06/21/2011	2011-10/10
	34456	R68-7-10	NSC	06/02/2011	Not Printed
	34498	R68-7-10	AMD	06/02/2011	2011-7/2

petroleum					
Environmental Quality, Environmental Response and Remediation	34270	R311-200	AMD	02/14/2011	2010-24/19
	34271	R311-201	AMD	02/14/2011	2010-24/23
	34739	R311-201-11	LNR	05/01/2011	2011-10/123
	34272	R311-203	AMD	02/14/2011	2010-24/27
	34275	R311-205	AMD	02/14/2011	2010-24/30
	34273	R311-206	AMD	02/14/2011	2010-24/33
	34274	R311-207	AMD	02/14/2011	2010-24/35
	34740	R311-207-9	LNR	05/01/2011	2011-10/123
	34269	R311-212	AMD	02/14/2011	2010-24/38
pharmacies					
Commerce, Occupational and Professional Licensing	34887	R156-17b-310	AMD	07/26/2011	2011-12/22
pharmacists					
Commerce, Occupational and Professional Licensing	34887	R156-17b-310	AMD	07/26/2011	2011-12/22
physically handicapped					
Public Service Commission, Administration	34760	R746-343-15	AMD	08/01/2011	2011-10/100
physicians					
Commerce, Occupational and Professional Licensing	34504	R156-67	5YR	03/14/2011	2011-7/46
plant disease					
Agriculture and Food, Plant Industry	34412	R68-18	5YR	02/08/2011	2011-5/107
plumbers					
Commerce, Occupational and Professional Licensing	34338	R156-55c-102	AMD	02/24/2011	2011-2/10
plumbing					
Commerce, Occupational and Professional Licensing	34338	R156-55c-102	AMD	02/24/2011	2011-2/10
PM10					
Environmental Quality, Air Quality	34351	R307-110-17	AMD	05/04/2011	2011-3/25
	34775	R307-110-17	NSC	06/01/2011	Not Printed
	34350	R307-110-28	AMD	04/07/2011	2011-3/26
PM2.5					
Environmental Quality, Air Quality	34351	R307-110-17	AMD	05/04/2011	2011-3/25
	34775	R307-110-17	NSC	06/01/2011	Not Printed
	34350	R307-110-28	AMD	04/07/2011	2011-3/26
policies					
Education, Administration	34825	R277-613	AMD	07/11/2011	2011-11/51
policy					
Education, Administration	34821	R277-495	AMD	07/11/2011	2011-11/41
powersport vehicles					
Commerce, Administration	34736	R151-35-3	NSC	05/25/2011	Not Printed
prelitigation					
Commerce, Occupational and Professional Licensing	34215	R156-78B	AMD	01/10/2011	2010-23/4
prescription drug plans					
Insurance, Administration	34713	R590-235	5YR	04/25/2011	2011-10/120
preservation					
Administrative Services, Facilities Construction and Management	34802	R23-31	NEW	07/11/2011	2011-11/8
primary disinfectants					
Environmental Quality, Drinking Water	34244	R309-520	AMD	05/09/2011	2010-24/8
	34244	R309-520	CPR	05/09/2011	2011-7/33

prisons					
Corrections, Administration	34771	R251-702	5YR	05/03/2011	2011-11/131
	34845	R251-702	NSC	06/14/2011	Not Printed
	34846	R251-703	NSC	06/14/2011	Not Printed
	34848	R251-706	NSC	06/14/2011	Not Printed
	34772	R251-708	5YR	05/03/2011	2011-11/132
	34849	R251-708	NSC	06/14/2011	Not Printed
	34850	R251-709	NSC	06/14/2011	Not Printed
	34773	R251-711	5YR	05/03/2011	2011-11/132
	34851	R251-711	NSC	06/14/2011	Not Printed
	34528	R251-712	5YR	03/24/2011	2011-8/31
	34852	R251-712	NSC	06/14/2011	Not Printed
privacy					
Technology Services, Administration	34723	R895-8	5YR	04/27/2011	2011-10/121
private investigators					
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	34799	R722-330	EMR	05/10/2011	2011-11/118
private probation provider					
Commerce, Occupational and Professional Licensing	34282	R156-50	NSC	01/06/2011	Not Printed
private security officers					
Commerce, Occupational and Professional Licensing	34370	R156-63a	AMD	03/24/2011	2011-4/12
	34360	R156-63a-302f	NSC	01/26/2011	Not Printed
probation					
Commerce, Occupational and Professional Licensing	34282	R156-50	NSC	01/06/2011	Not Printed
probationers					
Corrections, Administration	34838	R251-103	NSC	06/14/2011	Not Printed
procurement					
Capitol Preservation Board (State), Administration	34675	R131-4	5YR	04/11/2011	2011-9/117
professional competency					
Education, Administration	34537	R277-513	5YR	03/30/2011	2011-8/32
Money Management Council, Administration	34676	R628-10	5YR	04/11/2011	2011-9/119
professional counselors					
Commerce, Occupational and Professional Licensing	34339	R156-60c	AMD	02/24/2011	2011-2/12
professional development					
Education, Administration	34822	R277-500	NEW	07/11/2011	2011-11/43
professional employer organization licensing					
Insurance, Administration	34709	R590-246-4	AMD	06/27/2011	2011-10/70
	34989	R590-246-4	NSC	07/13/2011	Not Printed
professional engineers					
Commerce, Occupational and Professional Licensing	34409	R156-22	AMD	03/24/2011	2011-4/6
professional land surveyors					
Commerce, Occupational and Professional Licensing	34409	R156-22	AMD	03/24/2011	2011-4/6
professional structural engineers					
Commerce, Occupational and Professional Licensing	34409	R156-22	AMD	03/24/2011	2011-4/6
proficiency					
Education, Administration	34332	R277-403-1	AMD	02/22/2011	2011-2/20
property tax					
Tax Commission, Property Tax	34883	R884-24P-35	NSC	06/14/2011	Not Printed
	34759	R884-24P-64	NSC	05/25/2011	Not Printed

public assistance					
Public Service Commission, Administration	34760	R746-343-15	AMD	08/01/2011	2011-10/100
public buildings					
Capitol Preservation Board (State), Administration	34675	R131-4	5YR	04/11/2011	2011-9/117
public comment					
Environmental Quality, Radiation Control	35011	R313-17	5YR	07/07/2011	2011-15/131
public education online program					
Education, Administration	35003	R277-726	EMR	06/30/2011	2011-14/129
public health					
Health, Epidemiology and Laboratory Services, Environmental Services	34144	R392-200	AMD	02/16/2011	2010-21/17
public hearings					
Environmental Quality, Radiation Control	35011	R313-17	5YR	07/07/2011	2011-15/131
public information					
Human Resource Management, Administration	34742	R477-2	AMD	07/01/2011	2011-10/38
Technology Services, Administration	34438	R895-1	5YR	02/15/2011	2011-5/117
public investments					
Money Management Council, Administration	34676	R628-10	5YR	04/11/2011	2011-9/119
public records					
Agriculture and Food, Administration	34491	R51-3	5YR	03/03/2011	2011-7/43
public schools					
Education, Administration	34820	R277-490	AMD	07/11/2011	2011-11/39
public utilities					
Public Service Commission, Administration	34176	R746-360-8	AMD	01/19/2011	2010-22/109
pump installers					
Natural Resources, Water Rights	34413	R655-4	R&R	04/11/2011	2011-5/41
	34541	R655-4	NSC	04/12/2011	Not Printed
quarantines					
Agriculture and Food, Animal Industry	34352	R58-2	AMD	03/24/2011	2011-3/13
	34975	R58-2	5YR	06/23/2011	2011-14/135
radiation					
Environmental Quality, Radiation Control	34240	R313-25-8	AMD	04/04/2011	2010-23/48
	34240	R313-25-8	CPR	04/04/2011	2011-5/102
	34963	R313-25-8	NSC	07/13/2011	Not Printed
radiation safety					
Environmental Quality, Radiation Control	35012	R313-18	5YR	07/07/2011	2011-15/132
radioactive materials					
Environmental Quality, Radiation Control	35012	R313-18	5YR	07/07/2011	2011-15/132
radioactive waste disposal					
Environmental Quality, Radiation Control	34240	R313-25-8	AMD	04/04/2011	2010-23/48
	34240	R313-25-8	CPR	04/04/2011	2011-5/102
	34963	R313-25-8	NSC	07/13/2011	Not Printed
radioactive waste generator permit					
Environmental Quality, Radiation Control	34555	R313-26	5YR	04/06/2011	2011-9/118
railroad					
Transportation, Preconstruction	34415	R930-5-13	EMR	02/09/2011	2011-5/105
	34452	R930-5-13	AMD	04/21/2011	2011-6/90

rates					
Public Service Commission, Administration	34760	R746-343-15	AMD	08/01/2011	2011-10/100
ratings					
Transportation, Motor Carrier, Ports of Entry	34453	R912-8	5YR	02/17/2011	2011-6/107
	34454	R912-8	NSC	03/10/2011	Not Printed
raw milk					
Agriculture and Food, Regulatory Services	34518	R70-330	5YR	03/16/2011	2011-8/29
reading					
Education, Administration	34332	R277-403-1	AMD	02/22/2011	2011-2/20
real estate					
Financial Institutions, Administration	34207	R331-26	NEW	02/01/2011	2010-22/61
Financial Institutions, Banks	34206	R333-11	REP	02/01/2011	2010-22/63
real estate appraisals					
Commerce, Real Estate	34476	R162-103	AMD	04/27/2011	2011-6/46
	34703	R162-104-14	AMD	06/22/2011	2011-9/7
real estate investing					
Financial Institutions, Administration	34207	R331-26	NEW	02/01/2011	2010-22/61
real estate investment					
Financial Institutions, Banks	34206	R333-11	REP	02/01/2011	2010-22/63
reclamation					
Natural Resources, Oil, Gas and Mining; Coal	34550	R645-106	5YR	04/04/2011	2011-9/119
records					
Regents (Board Of), University of Utah, Administration	34387	R805-2	AMD	03/24/2011	2011-4/31
recreational vehicles					
Commerce, Administration	34761	R151-14	5YR	05/02/2011	2011-10/117
	34735	R151-14-3	NSC	05/25/2011	Not Printed
refugee					
Public Safety, Driver License	34804	R708-46	NEW	07/12/2011	2011-11/85
regionalization					
Environmental Quality, Drinking Water	34450	R309-800	AMD	05/23/2011	2011-6/72
registration					
Commerce, Real Estate	34704	R162-2e	AMD	06/22/2011	2011-9/5
Natural Resources, Forestry, Fire and State Lands	34313	R652-140	AMD	02/07/2011	2011-1/30
	34763	R652-150	NEW	06/21/2011	2011-10/95
Workforce Services, Unemployment Insurance	34361	R994-403-113c	AMD	03/15/2011	2011-3/52
religious activities					
Tax Commission, Auditing	34268	R865-19S-78	AMD	01/27/2011	2010-24/68
	34688	R865-19S-78	NSC	04/27/2011	Not Printed
	34756	R865-19S-92	AMD	06/23/2011	2011-10/110
	34757	R865-19S-103	AMD	06/23/2011	2011-10/112
reporting					
Labor Commission, Industrial Accidents	34725	R612-12	R&R	06/22/2011	2011-10/93
	34294	R612-12-2	NSC	01/06/2011	Not Printed
reports					
Education, Administration	34819	R277-484	AMD	07/11/2011	2011-11/35
research data requests					
Education, Administration	34819	R277-484	AMD	07/11/2011	2011-11/35

reservoirs					
Natural Resources, Water Rights	34690	R655-10	5YR	04/14/2011	2011-9/121
	34691	R655-11	5YR	04/14/2011	2011-9/121
	34692	R655-12	5YR	04/14/2011	2011-9/122
residential mortgage					
Commerce, Real Estate	34431	R162-2c	AMD	05/10/2011	2011-5/13
	34225	R162-2c-201	AMD	01/08/2011	2010-23/16
	34226	R162-2c-203	AMD	01/08/2011	2010-23/19
	34227	R162-2c-204	AMD	01/08/2011	2010-23/23
	34737	R162-2c-401	NSC	05/25/2011	Not Printed
resources					
Health, Health Care Financing, Coverage and Reimbursement Policy	34683	R414-305	AMD	06/16/2011	2011-9/80
respite					
Human Services, Aging and Adult Services	34390	R510-401	5YR	01/26/2011	2011-4/37
retirement					
Human Resource Management, Administration	34749	R477-12-3	AMD	07/01/2011	2011-10/54
revolving account					
Education, Administration	34818	R277-480	AMD	07/11/2011	2011-11/33
right of petition					
Corrections, Administration	34527	R251-104	5YR	03/24/2011	2011-8/31
	34839	R251-104	NSC	06/14/2011	Not Printed
Natural Resources, Forestry, Fire and State Lands	34434	R652-9	5YR	02/14/2011	2011-5/115
right of way					
Transportation, Program Development	34451	R926-6	AMD	04/21/2011	2011-6/87
right of way acquisition					
Transportation, Preconstruction, Right-of-Way Acquisition	34363	R933-1	AMD	03/10/2011	2011-3/51
risk adjuster plan operation					
Insurance, Administration	34362	R590-260	NEW	03/22/2011	2011-3/36
ropeways					
Transportation, Operations, Traffic and Safety	34241	R920-50	AMD	01/10/2011	2010-23/63
rulemaking procedures					
School and Institutional Trust Lands, Administration	34289	R850-10	NSC	01/06/2011	Not Printed
rules and procedures					
Fair Corporation (Utah State), Administration	34464	R325-1	5YR	02/24/2011	2011-6/101
	34465	R325-2	5YR	02/24/2011	2011-6/102
	34466	R325-3	5YR	02/24/2011	2011-6/103
	34467	R325-4	5YR	02/24/2011	2011-6/103
	34468	R325-5	5YR	02/24/2011	2011-6/104
Health, Epidemiology and Laboratory Services, Epidemiology	34508	R386-703	5YR	03/14/2011	2011-7/48
Human Resource Management, Administration	34741	R477-1	AMD	07/01/2011	2011-10/33
	34750	R477-13	AMD	07/01/2011	2011-10/56
Natural Resources, Forestry, Fire and State Lands	34433	R652-2	5YR	02/14/2011	2011-5/114
safety					
Education, Administration	34331	R277-400	AMD	02/22/2011	2011-2/17
Labor Commission, Occupational Safety and Health	34260	R614-1-4	AMD	01/27/2011	2010-24/54
Transportation, Preconstruction	34415	R930-5-13	EMR	02/09/2011	2011-5/105
	34452	R930-5-13	AMD	04/21/2011	2011-6/90
safety education					
Education, Administration	34331	R277-400	AMD	02/22/2011	2011-2/17

safety inspection manual					
Public Safety, Highway Patrol	34285	R714-160	NEW	02/09/2011	2011-1/37
	34286	R714-161	NEW	02/09/2011	2011-1/53
	34287	R714-162	NEW	02/08/2011	2011-1/59
salaries					
Human Resource Management, Administration	34442	R477-6	AMD	04/07/2011	2011-5/29
	34744	R477-6	AMD	07/01/2011	2011-10/41
sales tax					
Tax Commission, Auditing	34268	R865-19S-78	AMD	01/27/2011	2010-24/68
	34688	R865-19S-78	NSC	04/27/2011	Not Printed
	34756	R865-19S-92	AMD	06/23/2011	2011-10/110
	34757	R865-19S-103	AMD	06/23/2011	2011-10/112
scholarships					
Education, Administration	34335	R277-602	AMD	02/22/2011	2011-2/26
Regents (Board Of), Administration	34734	R765-604	AMD	06/22/2011	2011-10/101
	34905	R765-604	NSC	06/30/2011	Not Printed
	34441	R765-608	AMD	04/11/2011	2011-5/93
	34980	R765-608	5YR	06/28/2011	2011-14/141
	34798	R765-609	AMD	07/11/2011	2011-11/94
school district services					
Education, Administration	35000	R277-479	5YR	06/30/2011	2011-14/138
school enrollment					
Education, Administration	34230	R277-419	AMD	01/10/2011	2010-23/26
school fees					
Education, Administration	34814	R277-407	AMD	07/11/2011	2011-11/21
school personnel					
Education, Administration	34537	R277-513	5YR	03/30/2011	2011-8/32
schools					
Education, Administration	34817	R277-477	AMD	07/11/2011	2011-11/29
Health, Epidemiology and Laboratory Services, Environmental Services	34144	R392-200	AMD	02/16/2011	2010-21/17
science					
Education, Administration	34999	R277-717	5YR	06/30/2011	2011-14/139
	34833	R277-717	REP	07/11/2011	2011-11/65
SDWA					
Environmental Quality, Drinking Water	34553	R309-705-6	AMD	07/01/2011	2011-9/25
secondary disinfectants					
Environmental Quality, Drinking Water	34244	R309-520	AMD	05/09/2011	2010-24/8
	34244	R309-520	CPR	05/09/2011	2011-7/33
secondary education					
Regents (Board Of), Administration	34734	R765-604	AMD	06/22/2011	2011-10/101
	34905	R765-604	NSC	06/30/2011	Not Printed
	34798	R765-609	AMD	07/11/2011	2011-11/94
security guards					
Commerce, Occupational and Professional Licensing	34370	R156-63a	AMD	03/24/2011	2011-4/12
	34360	R156-63a-302f	NSC	01/26/2011	Not Printed
	34542	R156-63b	AMD	05/26/2011	2011-8/11
security measures					
Corrections, Administration	34847	R251-704	NSC	06/14/2011	Not Printed
	34772	R251-708	5YR	05/03/2011	2011-11/132
	34849	R251-708	NSC	06/14/2011	Not Printed
	34850	R251-709	NSC	06/14/2011	Not Printed

self insurance plans					
Public Safety, Driver License	34400	R708-19	5YR	01/31/2011	2011-4/47
self-insured employer					
Tax Commission, Auditing	34535	R865-11Q	NSC	04/12/2011	Not Printed
seminars					
Human Services, Substance Abuse and Mental Health	35037	R523-24	5YR	07/13/2011	2011-15/141
service continuum					
Human Services, Substance Abuse and Mental Health	34726	R523-20-11	AMD	07/12/2011	2011-10/59
settlements					
Labor Commission, Adjudication	34729	R602-2-1	AMD	06/22/2011	2011-10/78
	34732	R602-4-4	AMD	06/22/2011	2011-10/82
	34730	R602-7	AMD	06/22/2011	2011-10/84
	34731	R602-8	AMD	06/22/2011	2011-10/88
Labor Commission, Industrial Accidents	34725	R612-12	R&R	06/22/2011	2011-10/93
	34294	R612-12-2	NSC	01/06/2011	Not Printed
sex offender notification					
Corrections, Administration	34841	R251-110	NSC	06/14/2011	Not Printed
sex offender registry					
Corrections, Administration	34841	R251-110	NSC	06/14/2011	Not Printed
sex offender treatment					
Corrections, Administration	34861	R251-109	NSC	06/14/2011	Not Printed
slaughter					
Agriculture and Food, Animal Industry	34694	R58-11	AMD	06/21/2011	2011-9/2
	34914	R58-11-2	NSC	06/30/2011	Not Printed
smoke					
Environmental Quality, Air Quality	34559	R307-204	AMD	07/07/2011	2011-9/14
social security numbers					
Human Services, Services for People with Disabilities	34710	R539-1	NSC	05/25/2011	Not Printed
social services					
Human Services, Administration	34536	R495-862	5YR	03/30/2011	2011-8/33
Human Services, Child and Family Services	34344	R512-1-6	NSC	01/26/2011	Not Printed
social workers					
Commerce, Occupational and Professional Licensing	34310	R156-60a	AMD	02/10/2011	2011-1/6
special needs students					
Education, Administration	34335	R277-602	AMD	02/22/2011	2011-2/26
species of concern					
Natural Resources, Wildlife Resources	34806	R657-48	5YR	05/12/2011	2011-11/133
speech-language pathology services					
Health, Health Care Financing, Coverage and Reimbursement Policy	34316	R414-54-3	AMD	04/05/2011	2011-1/21
	34525	R414-54-3	AMD	05/25/2011	2011-8/22
standards					
Health, Administration	34497	R380-70-6	AMD	07/05/2011	2011-7/3
state employees					
Administrative Services, Finance	34764	R25-7	AMD	07/01/2011	2011-10/6
state register					
Community and Culture, History	34717	R212-6	5YR	04/26/2011	2011-10/117

state vehicle use					
Administrative Services, Fleet Operations	34256	R27-3	AMD	01/25/2011	2010-24/6
	34786	R27-3-4	AMD	07/12/2011	2011-11/10
stationary sources					
Environmental Quality, Air Quality	34557	R307-210	5YR	04/06/2011	2011-9/118
student achievement					
Education, Administration	34812	R277-404	NEW	07/11/2011	2011-11/19
student eligibility					
Workforce Services, Unemployment Insurance	34361	R994-403-113c	AMD	03/15/2011	2011-3/52
student loans					
Regents (Board Of), Administration	34721	R765-612	REP	06/30/2011	2011-10/106
	34530	R765-649	5YR	03/25/2011	2011-8/39
students					
Education, Administration	34332	R277-403-1	AMD	02/22/2011	2011-2/20
	34429	R277-709	AMD	04/08/2011	2011-5/17
	34827	R277-713	AMD	07/11/2011	2011-11/61
students at risk					
Education, Administration	34828	R277-464	REP	07/11/2011	2011-11/25
substance abuse					
Human Services, Substance Abuse and Mental Health	34726	R523-20-11	AMD	07/12/2011	2011-10/59
substance abuse counselors					
Commerce, Occupational and Professional Licensing	34395	R156-60d	5YR	01/31/2011	2011-4/37
supervision					
Commerce, Occupational and Professional Licensing	34885	R156-1	AMD	07/26/2011	2011-12/12
	34323	R156-1-102	AMD	02/24/2011	2011-2/7
Corrections, Administration	34844	R251-401	NSC	06/14/2011	Not Printed
supplies					
Education, Administration	34815	R277-459-3	AMD	07/11/2011	2011-11/24
surface water treatment plant monitoring					
Environmental Quality, Drinking Water	34375	R309-215-16	NSC	02/14/2011	Not Printed
tax exemptions					
Tax Commission, Auditing	34268	R865-19S-78	AMD	01/27/2011	2010-24/68
	34688	R865-19S-78	NSC	04/27/2011	Not Printed
	34756	R865-19S-92	AMD	06/23/2011	2011-10/110
	34757	R865-19S-103	AMD	06/23/2011	2011-10/112
taxation					
Tax Commission, Administration	34718	R861-1A-3	NSC	05/25/2011	Not Printed
	34758	R861-1A-13	NSC	05/25/2011	Not Printed
	34753	R861-1A-29	AMD	06/23/2011	2011-10/107
	34326	R861-1A-43	AMD	02/23/2011	2011-2/42
	34687	R861-1A-43	AMD	06/23/2011	2011-9/102
	34754	R861-1A-45	AMD	06/23/2011	2011-10/108
Tax Commission, Auditing	34755	R865-6F-40	AMD	06/23/2011	2011-10/109
	34535	R865-11Q	NSC	04/12/2011	Not Printed
Tax Commission, Motor Vehicle	34686	R873-22M-27	AMD	06/23/2011	2011-9/103
Tax Commission, Property Tax	34883	R884-24P-35	NSC	06/14/2011	Not Printed
	34759	R884-24P-64	NSC	05/25/2011	Not Printed
teacher certification					
Education, Administration	34537	R277-513	5YR	03/30/2011	2011-8/32

teachers					
Education, Administration	34815	R277-459-3	AMD	07/11/2011	2011-11/24
	34457	R277-503-1	NSC	03/10/2011	Not Printed
technology best practices					
Technology Services, Administration	34722	R895-5	5YR	04/27/2011	2011-10/120
technology purchases					
Technology Services, Administration	34722	R895-5	5YR	04/27/2011	2011-10/120
telecommunications					
Public Service Commission, Administration	34760	R746-343-15	AMD	08/01/2011	2011-10/100
	34176	R746-360-8	AMD	01/19/2011	2010-22/109
telephones					
Corrections, Administration	34845	R251-702	NSC	06/14/2011	Not Printed
terminally ill					
Corrections, Administration	34858	R251-114	NSC	06/14/2011	Not Printed
time					
Labor Commission, Adjudication	34728	R602-1	AMD	06/22/2011	2011-10/77
title escrow charges					
Insurance, Title and Escrow Commission	34449	R592-4	REP	04/11/2011	2011-5/34
title escrow filings					
Insurance, Title and Escrow Commission	34448	R592-3	REP	04/11/2011	2011-5/32
	34447	R592-15	NEW	04/11/2011	2011-5/36
title insurance					
Insurance, Title and Escrow Commission	34932	R592-11	5YR	06/15/2011	2011-13/85
tolls					
Transportation, Program Development	34459	R926-9	5YR	02/24/2011	2011-6/107
	34460	R926-9	AMD	04/21/2011	2011-6/89
Transportation Commission, Administration	34461	R940-1	5YR	02/24/2011	2011-6/108
	34462	R940-1	AMD	04/21/2011	2011-6/91
tollways					
Transportation, Program Development	34459	R926-9	5YR	02/24/2011	2011-6/107
	34460	R926-9	AMD	04/21/2011	2011-6/89
Transportation Commission, Administration	34461	R940-1	5YR	02/24/2011	2011-6/108
	34462	R940-1	AMD	04/21/2011	2011-6/91
towing					
Public Safety, Highway Patrol	34255	R714-600	R&R	01/24/2011	2010-24/61
	34895	R714-600	AMD	08/01/2011	2011-12/66
traffic regulations					
Public Safety, Driver License	34398	R708-16	5YR	01/31/2011	2011-4/46
training					
Corrections, Administration	34859	R251-301	NSC	06/14/2011	Not Printed
Education, Administration	34825	R277-613	AMD	07/11/2011	2011-11/51
Human Services, Substance Abuse and Mental Health	35037	R523-24	5YR	07/13/2011	2011-15/141
training programs					
Human Resource Management, Administration	34748	R477-10	NSC	05/25/2011	Not Printed
tramway permits					
Transportation, Operations, Traffic and Safety	34241	R920-50	AMD	01/10/2011	2010-23/63
tramways					
Transportation, Operations, Traffic and Safety	34241	R920-50	AMD	01/10/2011	2010-23/63

transportation					
Administrative Services, Finance	34764	R25-7	AMD	07/01/2011	2011-10/6
Transportation, Motor Carrier, Ports of Entry	34453	R912-8	5YR	02/17/2011	2011-6/107
	34454	R912-8	NSC	03/10/2011	Not Printed
Transportation, Preconstruction	34415	R930-5-13	EMR	02/09/2011	2011-5/105
	34452	R930-5-13	AMD	04/21/2011	2011-6/90
Transportation, Program Development	34451	R926-6	AMD	04/21/2011	2011-6/87
	34459	R926-9	5YR	02/24/2011	2011-6/107
	34460	R926-9	AMD	04/21/2011	2011-6/89
Transportation Commission, Administration	34461	R940-1	5YR	02/24/2011	2011-6/108
	34462	R940-1	AMD	04/21/2011	2011-6/91
transportation corridor preservation revolving loan fund					
Transportation, Program Development	34451	R926-6	AMD	04/21/2011	2011-6/87
transportation planning					
Transportation, Program Development	34451	R926-6	AMD	04/21/2011	2011-6/87
transportation safety					
Transportation, Operations, Traffic and Safety	34241	R920-50	AMD	01/10/2011	2010-23/63
treatment providers					
Corrections, Administration	34861	R251-109	NSC	06/14/2011	Not Printed
trucking industries					
Tax Commission, Auditing	34755	R865-6F-40	AMD	06/23/2011	2011-10/109
trust lands funds					
Education, Administration	34817	R277-477	AMD	07/11/2011	2011-11/29
unarmed combat					
Governor, Economic Development, Pete Suazo Utah Athletic Commission	34407	R359-1-301	AMD	03/28/2011	2011-4/18
	34366	R359-1-501	AMD	03/28/2011	2011-4/19
	34408	R359-1-501	AMD	03/28/2011	2011-4/21
	34901	R359-1-501	AMD	07/26/2011	2011-12/43
	34482	R359-1-511	AMD	04/26/2011	2011-6/76
	34483	R359-1-512	AMD	04/26/2011	2011-6/78
	34484	R359-1-515	AMD	04/26/2011	2011-6/79
	34900	R359-1-515	AMD	07/26/2011	2011-12/45
underground injection control					
Environmental Quality, Water Quality	34951	R317-7	5YR	06/20/2011	2011-14/139
underground storage tanks					
Environmental Quality, Environmental Response and Remediation	34270	R311-200	AMD	02/14/2011	2010-24/19
	34271	R311-201	AMD	02/14/2011	2010-24/23
	34739	R311-201-11	LNR	05/01/2011	2011-10/123
	34272	R311-203	AMD	02/14/2011	2010-24/27
	34275	R311-205	AMD	02/14/2011	2010-24/30
	34273	R311-206	AMD	02/14/2011	2010-24/33
	34274	R311-207	AMD	02/14/2011	2010-24/35
	34740	R311-207-9	LNR	05/01/2011	2011-10/123
	34269	R311-212	AMD	02/14/2011	2010-24/38
unemployment compensation					
Workforce Services, Unemployment Insurance	34776	R994-302	5YR	05/05/2011	2011-11/133
	34777	R994-308	5YR	05/05/2011	2011-11/134
	34361	R994-403-113c	AMD	03/15/2011	2011-3/52
	34445	R994-508	AMD	04/11/2011	2011-5/97
units					
Environmental Quality, Radiation Control	35008	R313-12	5YR	07/07/2011	2011-15/129
universal service					
Public Service Commission, Administration	34176	R746-360-8	AMD	01/19/2011	2010-22/109

Utah 911 Committee					
Public Safety, Criminal Investigations and Technical Services, 911 Committee (Utah)	34501	R720-1	NEW	05/11/2011	2011-7/22
Utah Housing Opportunity Restricted Account					
Commerce, Real Estate	34223	R162-2a	NEW	01/08/2011	2010-23/15
	34224	R162-12	REP	01/08/2011	2010-23/25
vacations					
Human Resource Management, Administration	34745	R477-7	AMD	07/01/2011	2011-10/45
vehicle replacement					
Administrative Services, Fleet Operations	34257	R27-4-11	AMD	01/25/2011	2010-24/7
victim compensation					
Crime Victim Reparations, Administration	34990	R270-1	5YR	06/29/2011	2011-14/137
victims of crime					
Crime Victim Reparations, Administration	34990	R270-1	5YR	06/29/2011	2011-14/137
violations					
Environmental Quality, Radiation Control	35009	R313-14	5YR	07/07/2011	2011-15/130
visitation					
Corrections, Administration	34843	R251-305	NSC	06/14/2011	Not Printed
vital statistics					
Health, Center for Health Data, Vital Records and Statistics	34493	R436-3	NSC	04/06/2011	Not Printed
waste disposal					
Environmental Quality, Water Quality	34437	R317-1-7	AMD	04/13/2011	2011-5/26
waste water					
Environmental Quality, Water Quality	34978	R317-11	5YR	06/27/2011	2011-14/140
water pollution					
Environmental Quality, Water Quality	34437	R317-1-7	AMD	04/13/2011	2011-5/26
water quality					
Environmental Quality, Water Quality	34951	R317-7	5YR	06/20/2011	2011-14/139
water safety rules					
Natural Resources, Parks and Recreation	34426	R651-801	5YR	02/10/2011	2011-5/113
	34427	R651-802	5YR	02/10/2011	2011-5/113
water skiing					
Natural Resources, Parks and Recreation	34357	R651-224	5YR	01/11/2011	2011-3/59
	34866	R651-224-3	AMD	07/27/2011	2011-12/59
water wells					
Natural Resources, Water Rights	34413	R655-4	R&R	04/11/2011	2011-5/41
	34541	R655-4	NSC	04/12/2011	Not Printed
website					
Technology Services, Administration	34723	R895-8	5YR	04/27/2011	2011-10/121
weight					
Transportation, Motor Carrier, Ports of Entry	34453	R912-8	5YR	02/17/2011	2011-6/107
	34454	R912-8	NSC	03/10/2011	Not Printed
welfare fraud					
Human Services, Recovery Services	34490	R527-800	5YR	03/03/2011	2011-7/49
well drillers license					
Natural Resources, Water Rights	34413	R655-4	R&R	04/11/2011	2011-5/41

	34541	R655-4	NSC	04/12/2011	Not Printed
white-collar contests					
Governor, Economic Development, Pete Suazo Utah Athletic Commission	34279	R359-1-102	AMD	02/22/2011	2010-24/41
	34407	R359-1-301	AMD	03/28/2011	2011-4/18
	34366	R359-1-501	AMD	03/28/2011	2011-4/19
	34408	R359-1-501	AMD	03/28/2011	2011-4/21
	34901	R359-1-501	AMD	07/26/2011	2011-12/43
	34278	R359-1-506	AMD	01/31/2011	2010-24/42
	34482	R359-1-511	AMD	04/26/2011	2011-6/76
	34483	R359-1-512	AMD	04/26/2011	2011-6/78
	34484	R359-1-515	AMD	04/26/2011	2011-6/79
	34900	R359-1-515	AMD	07/26/2011	2011-12/45
wildland fire					
Environmental Quality, Air Quality	34559	R307-204	AMD	07/07/2011	2011-9/14
wildland urban interface					
Natural Resources, Forestry, Fire and State Lands	34394	R652-122	NEW	04/28/2011	2011-4/23
wildlife					
Natural Resources, Wildlife Resources	34341	R657-5	AMD	03/14/2011	2011-3/39
	34807	R657-5	AMD	07/11/2011	2011-11/71
	34167	R657-13	AMD	01/04/2011	2010-22/103
	34367	R657-33	AMD	04/04/2011	2011-4/26
	34299	R657-44	AMD	02/07/2011	2011-1/32
	34303	R657-55	AMD	02/07/2011	2011-1/35
	34168	R657-58	AMD	01/04/2011	2010-22/105
	34379	R657-58	AMD	04/04/2011	2011-4/29
	34354	R657-63	NEW	03/14/2011	2011-3/49
wildlife law					
Natural Resources, Wildlife Resources	34167	R657-13	AMD	01/04/2011	2010-22/103
	34168	R657-58	AMD	01/04/2011	2010-22/105
	34379	R657-58	AMD	04/04/2011	2011-4/29
wildlife permits					
Natural Resources, Wildlife Resources	34303	R657-55	AMD	02/07/2011	2011-1/35
witness fees					
Labor Commission, Adjudication	34728	R602-1	AMD	06/22/2011	2011-10/77
workers' compensation					
Labor Commission, Adjudication	34729	R602-2-1	AMD	06/22/2011	2011-10/78
	34732	R602-4-4	AMD	06/22/2011	2011-10/82
Labor Commission, Industrial Accidents	34725	R612-12	R&R	06/22/2011	2011-10/93
	34294	R612-12-2	NSC	01/06/2011	Not Printed
Workforce Investment Act					
Workforce Services, Employment Development	34277	R986-600	AMD	01/26/2011	2010-24/69
x-rays					
Environmental Quality, Radiation Control	35010	R313-16	5YR	07/07/2011	2011-15/131