

State of Utah  
Administrative Rule Analysis

## NOTICE OF PROPOSED RULE

- \* The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- \* Please address questions regarding information on this notice to the agency.
- \* The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- \* The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:

40412

Date filed:

5-10-2016

State Admin Rule Filing Id:

Time filed:

	Agency No.	Rule No.	Section No.
Utah Admin. Code Ref (R no.):	R 156	- 1	-
Changed to Admin. Code Ref. (R no.):	R	-	-

1. **Agency:** Commerce/Division of Occupational and Professional Licensing  
**Room no.:**  
**Building:** Heber M. Wells Building  
**Street address 1:** 160 East 300 South  
**Street address 2:**  
**City, state, zip:** Salt Lake City UT 84111-2316  
**Mailing address 1:** PO Box 146741  
**Mailing address 2:**  
**City, state, zip:** Salt Lake City UT 84114-6741  
**Contact person(s):**  

<b>Name:</b>	<b>Phone:</b>	<b>Fax:</b>	<b>E-mail:</b>
W. Ray Walker	801-530-6256	801-530-6511	raywalker@utah.gov

(Interested persons may inspect this filing at the above address or at the Division of Administrative Rules during business hours)

2. **Title of rule or section (catchline):**  
General Rule of the Division of Occupational and Professional Licensing
3. **Type of notice:**  
New \_\_\_; Amendment XXX; Repeal \_\_\_; Repeal and Reenact \_\_\_
4. **Purpose of the rule or reason for the change:**  
The purpose of this filing is to amend the Division's umbrella rule to: (1) implement provisions of 2016 legislation to include: H.B. 185, H.B. 352, S.B.30 and S.B. 177; and (2) make technical revisions.
5. **This change is a response to comments from the Administrative Rules Review Committee.**  
No XXX; Yes \_\_\_
6. **Summary of the rule or change:**

Subsection R156-1-109(4): The proposed amendments establish a process for a final order to be entered by the Division Director when the Director refuses to concur with an order of the Construction Services Commission (S.B.30).  
Section R156-1-308a: The proposed amendments add renewal dates for: (1) barber apprentice, cosmetologist/barber apprentice, esthetician apprentice and nail technologist apprentice (H.B. 352); (2) deception detection examination administrator (H.B. 185); and (3) state certified commercial interior designer (S.B. 117).

**7. Aggregate anticipated cost or savings to:**

**A) State budget:**

**Affected:** No ; Yes  XXX

The Division will incur minimal costs of approximately \$75 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

**B) Local government:**

**Affected:** No  XXX; Yes

The proposed amendments do not affect or impact local government. Any cost or saving impact of new licensure regulation will be described in separate rule filings implementing the new regulation which is a result from 2016 Legislature General Session statute amendments.

**C) Small businesses ("small business" means a business employing fewer than 50 persons):**

**Affected:** No  XXX; Yes

The proposed amendments do not affect or impact small business. Any cost or saving impact of new licensure regulation was addressed in the referenced legislation, or will be described in separate rule filings more fully implementing the new regulation, or both.

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

**Affected:** No  XXXX; Yes

The proposed amendments do not affect or impact other persons. Any cost or saving impact of new licensure regulation was addressed in the referenced legislation, or will be described in separate rule filings more fully implementing the new regulation, or both.

**8. Compliance costs for affected persons:**

The proposed amendments do not affect compliance cost or savings for affected persons. Any cost or saving impact of new licensure regulation was addressed in the referenced legislation, or will be described in separate rule filings more fully implementing the new regulation, or both.

**9. A) Comments by the department head on the fiscal impact the rule may have on businesses:**

This rule change describes the process when the Division Director refuses to concur with a Construction Services Commission order, and sets license renewal dates for certain licensees. No fiscal impact to businesses is anticipated.

**B) Name and title of department head commenting on the fiscal impacts:**

Francine A. Giani, Executive Director

**10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.**

**State code or constitution citations (required)** (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

Subsection 58-1-106(1)(a)

Section 58-1-308

Subsection 58-1-501(2)

**11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Division of Administrative Rules; if none, leave blank):**

**First Incorporation**

**Second Incorporation**

Official Title of Materials  
Incorporated (from title page)

Publisher

Date Issued

Issue, or version

ISBN Number (optional)

ISSN Number (optional)

Cost of Incorporated Reference

Action: Adds, updates, or removes

(If this rule incorporates more than two items by reference, please attach additional pages)

- 12 The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 07/01/2016

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):

At (hh:mm AM/PM):

At (place):

- 13 This rule change may become effective on (mm/dd/yyyy): 07/08/2016

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

- 14 Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")); may not include the name of the agency:

diversion programs

licensing

supervision

evidentiary restrictions

- 15 Attach an RTF document containing the text of this rule change (filename): R156-1.pro

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

### AGENCY AUTHORIZATION

Agency head or  
designee, and title:



Date

(mm/dd/yyyy)

: 5/10/2016

**R156. Commerce, Occupational and Professional Licensing.**

**R156-1. General Rule of the Division of Occupational and Professional Licensing.**

**R156-1-109. Presiding Officers.**

In accordance with Subsection 63G-4-103(1)(h), Sections 58-1-104, 58-1-106, 58-1-109, 58-1-202, 58-1-203, 58-55-103, and 58-55-201, except as otherwise specified in writing by the [d]Director, or for Title 58, Chapter 55, the Construction Services Commission, the designation of presiding officers is clarified or established as follows:

(1) The Division [r]Regulatory and [e]Compliance [o]Officer is designated as the presiding officer for issuance of notices of agency action and for issuance of notices of hearing issued concurrently with a notice of agency action or issued in response to a request for agency action, provided that if the Division [r]Regulatory and [e]Compliance [o]Officer is unable to so serve for any reason, a replacement specified by the [d]Director is designated as the alternate presiding officer.

(2) Subsections 58-1-109(2) and 58-1-109(4) are clarified with regard to defaults as follows. Unless otherwise specified in writing by the [d]Director, or with regard to Title 58, Chapter 55, by the Construction Services Commission, [the] a department administrative law judge is designated as the presiding officer for entering an order of default against a party, for conducting any further proceedings necessary to complete the adjudicative proceeding, and for issuing a recommended order to the director or commission, respectively, determining the discipline to be imposed, licensure action to be taken, relief to be granted, etc.

(3) Except as provided in Subsection (4) or otherwise specified in writing by the [d]Director, the presiding officer for adjudicative proceedings before the Division are as follows:

(a) Director. The [d]Director shall be the presiding officer for:

(i) formal adjudicative proceedings described in Subsections R156-46b-201(1)(b), and R156-46b-201(2)(a) through (c), however resolved, including stipulated settlements and hearings; and

(ii) informal adjudicative proceedings described in Subsections R156-46b-202(1)(g), (i[j]), (l), (m), (o), (p), and (q), and R156-46b-202(2)(a), (b)(ii), (c), and (d), however resolved, including memoranda of understanding and stipulated settlements.

(b) Bureau [m]Managers or [p]Program [e]Coordinators. Except for Title 58, Chapter 55, the bureau manager or program coordinator over the occupation or profession or program involved shall be the presiding officer for:

(i) formal adjudicative proceedings described in Subsection R156-46b-201(1)(c), for purposes of determining whether a request for a board of appeal is properly filed as set forth in Subsections R156-15A-210(1) through (4); and

(ii) informal adjudicative proceedings described in Subsections R156-46b-202(1)(a) through (d), (f), (h), (j), (n) and R156-46b-202(2)(b)(iii).

(iii) At the direction of a bureau manager or program coordinator, a licensing technician or program technician may sign an informal order in the name of the licensing technician or program technician provided the wording of the order has been approved in advance by the bureau manager or program coordinator and provided the caption "FOR THE BUREAU MANAGER" or "FOR THE PROGRAM COORDINATOR" immediately precedes the licensing technician's or program technician's signature.

(c) Citation Hearing Officer. The Division [r]Regulatory and [e]Compliance [o]Officer or other citation hearing officer designated in writing by the [d]Director shall be the presiding officer for the adjudicative proceeding described in Subsection R156-46b-202(1)(k).

(d) Uniform Building Code Commission. The Uniform Building Code Commission shall be the presiding officer for the adjudicative proceeding described in Subsection R156-46b-202(1)(e) for convening a board of appeal under Subsection 15A-1-207(3), for serving as fact finder at any evidentiary hearing associated with a board of appeal, and for entering the final order associated with a board of appeal. An administrative law judge shall perform the role specified in Subsection 58-1-109(2).

(e) Residence Lien Recovery Fund Advisory Board. The Residence Lien Recovery Fund Advisory Board shall be the presiding officer to serve as the factfinder for formal adjudicative proceedings involving the Residence Lien Recovery Fund.

(4) Unless otherwise specified in writing by the Construction Services Commission, the presiding officers and process for adjudicative proceedings under Title 58, Chapter 55, are established or clarified as follows:

(a) Commission.

(i) The Construction Services [e]Commission shall be the presiding officer for all adjudicative proceedings under Title 58, Chapter 55, except as otherwise delegated by the [e]Commission in writing or as otherwise provided in this rule; provided, however, that all orders adopted by the [e]Commission as a presiding officer shall require the concurrence of the [d]Director.

(ii) Unless otherwise specified in writing by the Construction Services [e]Commission, the [e]Commission is designated as the presiding officer:

(A) for informal adjudicative proceedings described in Subsections R156-46b-202(1)(l), (m), (o), (p), and (q), and R156-46b-202(2)(b)(i), (c), and (d), however resolved, including memoranda of understanding and stipulated settlements;

(B) to serve as fact finder and adopt orders in formal evidentiary hearings associated with adjudicative proceedings involving persons licensed as or required to be licensed under Title 58, Chapter 55; and

(C) to review recommended orders of a board, an administrative law judge, or other designated presiding officer who acted as the fact finder in an evidentiary hearing involving a person licensed or required to be licensed under Title 58, Chapter 55, and to adopt an order of its own. In adopting its order, the [e]Commission may accept, modify or reject the recommended order.

(iii) If the Construction Services [e]Commission is unable for any reason to act as the presiding officer as specified, it shall designate another presiding officer in writing to so act.

(iv) Orders of the Construction Services [e]Commission shall address all issues before the [e]Commission and shall be based upon the record developed in an adjudicative proceeding conducted by the [e]Commission. In cases in which the [e]Commission has designated another presiding officer to conduct an adjudicative proceeding and submit a recommended order, the record to be reviewed by the [e]Commission shall consist of the findings of fact, conclusions of law, and recommended order submitted to the [e]Commission by the presiding officer based upon the evidence presented in the adjudicative proceeding before the presiding officer.

(v) The Construction Services [e]Commission or its designee shall submit adopted orders to the director for the [d]Director's concurrence or rejection within 30 days after it receives a recommended order or adopts an order, whichever is earlier. An adopted order shall be deemed issued and constitute a final order upon the concurrence of the [d]Director.

(vi) In accordance with Subsection 58-55-103(10), [F]if the [d]Director or [his]the Director's designee refuses to concur in an adopted order of the Construction Services [e]Commission or its designee, the [d]Director or [his]the Director's designee shall return the order to the [e]Commission or its designee with the reasons set forth in writing for [the nonconcurrence therein]refusing to concur. The [e]Commission or its designee shall reconsider and resubmit an adopted order, whether or not modified, within 30 days of the date of the initial or subsequent

~~return[, provided that unless the director or his designee and the commission or its designee agree to an extension, any final order must be issued].~~ The Director or the Director's designee shall consider the Commission's resubmission of an adopted order and either concur rendering the order final, or refuse to concur and issue a final order, within 90 days of the date of the initial recommended order~~[, or the adjudicative proceeding shall be dismissed].~~ Provided the time frames in this subsection are followed, this subsection shall not preclude an informal resolution such as an executive session of the [c]Commission or its designee and the [d]Director or [his]the Director's designee to resolve the reasons for the [d]Director's refusal to concur in an adopted order.

(vii) The record of the adjudicative proceeding shall include recommended orders, adopted orders, refusals to concur in adopted orders, and final orders.

(viii) The final order issued by the Construction Services [c]Commission and concurred in by the [d]Director or the Director's designee, or nonconcurred in by the Director or the Director's Designee, and issued by the Director or the Director's designee, may be appealed by filing a request for agency review with the [e]Executive [d]Director or [his]the Director's designee within the [d]Department.

(ix) The content of all orders shall comply with the requirements of Subsection 63G-4-203(1)(i) and Sections 63G-4-208 and 63G-4-209.

(b) Director. The [d]Director or the Director's designee is designated as the presiding officer for the concurrence role, except where the Director or the Director's designee refuses to concur and issues the final order as provided by Subsection (a), on disciplinary proceedings under Subsections R156-46b-202(2)(b)(i), (c), and (d) as required by Subsection 58-55-103(1)(b)(iv).

(c) Administrative Law Judge. Unless otherwise specified in writing by the Construction Services [c]Commission, [the] a [d]Department administrative law judge is designated as the presiding officer to conduct formal adjudicative proceedings before the [c]Commission and its advisory boards, as specified in Subsection 58-1-109(2).

(d) Bureau Manager. Unless otherwise specified in writing by the Construction Services [c]Commission, the responsible bureau manager is designated as the presiding officer for conducting informal adjudicative proceedings specified in Subsections R156-46b-202(1)(a) through (d), (h), and (n).

(e) At the direction of a bureau manager, a licensing technician may sign an informal order in the name of the licensing technician provided the wording of the order has been

approved in advance by the bureau manager and provided the caption "FOR THE BUREAU MANAGER" immediately precedes the licensing technician's signature.

(f) Plumbers Licensing Board. Except as set forth in Subsection (c) or as otherwise specified in writing by the commission, the Plumbers Licensing Board is designated as the presiding officer to serve as the fact finder and to issue recommended orders to the Construction Services [e]Commission in formal evidentiary hearings associated with adjudicative proceedings involving persons licensed as or required to be licensed as plumbers.

(g) Electricians Licensing Board. Except as set forth in Subsection (c) or as otherwise specified in writing by the commission, the Electricians Licensing Board is designated as the presiding officer to serve as the fact finder and to issue recommended orders to the Construction Services [e]Commission in formal evidentiary hearings associated with adjudicative proceedings involving persons licensed as or required to be licensed as electricians.

(h) Alarm System Security and Licensing Board. Except as set forth in Subsection (c) or as otherwise specified in writing by the commission, the Alarm System Security and Licensing Board is designated as the presiding officer to serve as the fact finder and to issue recommended orders to the Construction Services [e]Commission in formal evidentiary hearings associated with adjudicative proceedings involving persons licensed as or required to be licensed as alarm companies or agents.

#### **R156-1-308a. Renewal Dates.**

(1) The following standard two-year renewal cycle renewal dates are established by license classification in accordance with the Subsection 58-1-308(1):

TABLE  
RENEWAL DATES

Acupuncturist	May 31	even years
Advanced Practice Registered Nurse	January 31	even years
Advanced Practice Registered Nurse-CRNA	January 31	even years
Architect	May 31	even years
Athlete Agent	September 30	even years
Athletic Trainer	May 31	odd years
Audiologist	May 31	odd years
Barber	September 30	odd years
<u>Barber Apprentice</u>	<u>September 30</u>	<u>odd years</u>
Barber School	September 30	odd years

Behavior Analyst and Assistant Behavior Analyst	September 30	even years
Behavior Specialist and Assistant Behavior Specialist	September 30	even years
Building Inspector	November 30	odd years
Burglar Alarm Security	March 31	odd years
C.P.A. Firm	September 30	even years
Certified Court Reporter	May 31	even years
Certified Dietitian	September 30	even years
Certified Medical Language Interpreter	March 31	odd years
Certified Nurse Midwife	January 31	even years
Certified Public Accountant	September 30	even years
Certified Social Worker	September 30	even years
Chiropractic Physician	May 31	even years
Clinical Mental Health Counselor	September 30	even years
Clinical Social Worker	September 30	even years
Construction Trades Instructor	November 30	odd years
Contractor	November 30	odd years
Controlled Substance License renewal	Attached to primary license	
Controlled Substance Precursor	May 31	odd years
Controlled Substance Handler	September 30	odd years
Cosmetologist/Barber	September 30	odd years
<u>Cosmetologist/Barber Apprentice</u>	<u>September 30</u>	<u>odd years</u>
Cosmetology/Barber School	September 30	odd years
Deception Detection	November 30	even years
<u>Deception Detection Examiner,</u>		
<u>Deception Detection Intern,</u>		
<u>Deception Detection Administrator</u>		
Dental Hygienist	May 31	even years
Dentist	May 31	even years
Direct-entry Midwife	September 30	odd years
Dispensing Medical Practitioner Advanced Practice Registered Nurse, Optometrist, Osteopathic Physician and Surgeon, Physician and Surgeon, Physician Assistant	September 30	odd years
Dispensing Medical Practitioner Clinic Pharmacy	September 30	odd years
Electrician Apprentice, Journeyman, Master, Residential Journeyman, Residential Master	November 30	even years
Electrologist	September 30	odd years
Electrology School	September 30	odd years
Elevator Mechanic	November 30	even years
Environmental Health Scientist	May 31	odd years

Esthetician	September 30	odd years
<u>Esthetician Apprentice</u>	<u>September 30</u>	<u>odd years</u>
Esthetics School	September 30	odd years
Factory Built Housing Dealer	September 30	even years
Funeral Service Director	May 31	even years
Funeral Service Establishment	May 31	even years
Genetic Counselor	September 30	even years
Health Facility Administrator	May 31	odd years
Hearing Instrument Specialist	September 30	even years
Internet Facilitator	September 30	odd years
Landscape Architect	May 31	even years
Licensed Advanced Substance Use Disorder Counselor	May 31	odd years
Licensed Practical Nurse	January 31	even years
Licensed Substance Use Disorder Counselor	May 31	odd years
Marriage and Family Therapist	September 30	even years
Massage Apprentice	May 31	odd years
Massage Therapist	May 31	odd years
Master Esthetician	September 30	odd years
<u>Master Esthetician Apprentice</u>	<u>September 30</u>	<u>odd years</u>
Medication Aide Certified	March 31	odd years
Music Therapist	March 31	odd years
Nail Technologist	September 30	odd years
<u>Nail Technologist Apprentice</u>	<u>September 30</u>	<u>odd years</u>
Nail Technology School	September 30	odd years
Naturopath/Naturopathic Physician	May 31	even years
Occupational Therapist	May 31	odd years
Occupational Therapy Assistant	May 31	odd years
Optometrist	September 30	even years
Osteopathic Physician and Surgeon, Online Prescriber	May 31	even years
Outfitter/Hunting Guide	May 31	even years
Pharmacy Class A-B-C-D-E, Online Contract Pharmacy	September 30	odd years
Pharmacist	September 30	odd years
Pharmacy Technician	September 30	odd years
Physical Therapist	May 31	odd years
Physical Therapist Assistant	May 31	odd years
Physician Assistant	May 31	even years
Physician and Surgeon, Online Prescriber	January 31	even years
Plumber Apprentice, Journeyman, Master, Residential Master,		

Residential Journeyman	November 30	even years
Podiatric Physician	September 30	even years
Pre Need Funeral Arrangement		
Sales Agent	May 31	even years
Private Probation Provider	May 31	odd years
Professional Engineer	March 31	odd years
Professional Geologist	March 31	odd years
Professional Land Surveyor	March 31	odd years
Professional Structural	March 31	odd years
Engineer		
Psychologist	September 30	even years
Radiologic Technologist,	May 31	odd years
Radiology Practical Technician		
Radiologist Assistant		
Recreational Therapy		
Therapeutic Recreation Technician,		
Therapeutic Recreation Specialist,		
Master Therapeutic		
Recreation Specialist	May 31	odd years
Registered Nurse	January 31	odd years
Respiratory Care Practitioner	September 30	even years
Security Personnel	November 30	even years
Social Service Worker	September 30	even years
Speech-Language Pathologist	May 31	odd years
<u>State Certified Commercial</u>		
<u>Interior Designer</u>	March 31	odd years
Veterinarian	September 30	even years
Vocational Rehabilitation Counselor	March 31	odd years

(2) The following non-standard renewal terms and renewal or extension cycles are established by license classification in accordance with Subsection 58-1-308(1) and in accordance with specific requirements of the license:

(a) Associate Clinical Mental Health Counselor licenses shall be issued for a three year term and may be extended if the licensee presents satisfactory evidence to the Division and the Board that reasonable progress is being made toward passing the qualifying examinations or is otherwise on a course reasonably expected to lead to licensure.

(b) Associate Marriage and Family Therapist licenses shall be issued for a three year term and may be extended if the licensee presents satisfactory evidence to the Division and the board that reasonable progress is being made toward passing the qualifying examinations or is otherwise on a course reasonably expected to lead to licensure; but the period of the extension may not exceed two years past the date the minimum supervised experience requirement has been completed.

(c) Certified Advanced Substance Use Disorder Counselor licenses shall be issued for a period of four years and may be extended if the licensee presents satisfactory evidence to the Division and Board that reasonable progress is being made toward

completing the required hours of supervised experience necessary for the next level of licensure.

(d) Certified Advanced Substance Use Disorder Counselor Intern licenses shall be issued for a period of six months or until the examination is passed whichever occurs first.

(e) Certified Substance Use Disorder Counselor licenses shall be issued for a period of two years and may be extended if the licensee presents satisfactory evidence to the Division and Board that reasonable progress is being made toward completing the required hours of supervised experience necessary for the next level of licensure.

(f) Certified Social Worker Intern licenses shall be issued for a period of six months or until the examination is passed whichever occurs first.

(g) Certified Substance Use Disorder Counselor Intern licenses shall be issued for a period of six months or until the examination is passed, whichever occurs first.

(h) Funeral Service [~~Apprentice~~ Intern] licenses shall be issued for a two year term and may be extended for an additional two year term if the licensee presents satisfactory evidence to the Division and the board that reasonable progress is being made toward passing the qualifying examinations or is otherwise on a course reasonably expected to lead to licensure.

(i) Hearing Instrument Intern licenses shall be issued for a three year term and may be extended if the licensee presents satisfactory evidence to the Division and the Board that reasonable progress is being made toward passing the qualifying examination, but a circumstance arose beyond the control of the licensee, to prevent the completion of the examination process.

(j) Pharmacy technician trainee licenses shall be issued for a period of two years and may be extended if the licensee presents satisfactory evidence to the Division and the Board that reasonable progress is being made toward completing the requirements necessary for the next level of licensure.

(k) Psychology Resident licenses shall be issued for a two year term and may be extended if the licensee presents satisfactory evidence to the Division and the board that reasonable progress is being made toward passing the qualifying examinations or is otherwise on a course reasonably expected to lead to licensure; but the period of the extension may not exceed two years past the date the minimum supervised experience requirement has been completed.

(l) Type I Foreign Trained Physician-Educator licenses will be issued initially for a one-year term and thereafter renewed every two years following issuance.

(m) Type II Foreign Trained Physician-Educator licenses will be issued initially for an annual basis and thereafter renewed annually up to four times following issuance if the licensee continues to satisfy the requirements described in Subsection 58-67-302.7(3) and completes the required continuing education requirements established under Section 58-67-303.

KEY: diversion programs, licensing, supervision, evidentiary  
restrictions

Date of Enactment or Last Substantive Amendment: [~~October 22,~~  
2015] 2016

Notice of Continuation: January 5, 2012

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a);  
58-1-308; 58-1-501(2)