

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:		Date filed:	
State Admin Rule Filing Id:		Time filed:	

		Agency No.		Rule No.		Section No.
Utah Admin. Code Ref (R no.):	R	156	-	70a	-	302
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):				
	Name:	Phone:	Fax:	E-mail:	
	April Ellis	801-530-6254	801-530-6511	aprilellis@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):
	Qualification for Licensure - Examination Requirements
3.	Type of notice:
	New ___; Amendment XXXX; Repeal ___; Repeal and Reenact ___
4.	Purpose of the rule or reason for the change:
	The Division and Physician Assistant Licensing Board reviewed the rule and determined the following change needs to be made to delete the examination requirement of the Utah Physician Assistant Law and Rules Examination. The Division is transitioning to an online application process resulting in the need for any type of examination to be administered by an outside testing agency. Instead of requiring physician assistant applicants to take another test, physician assistants will sign an affidavit attesting to reading all applicable laws and rules.
5.	This change is a response to comments from the Administrative Rules Review Committee.
	No XXX; Yes ___
6.	Summary of the rule or change:
	Proposed amendments delete the Utah Physician Assistant Law and Rules examination as a qualification for licensure.
7.	Aggregate anticipated cost or savings to:
	A) State budget:
	Affected: No ___; Yes XXX

The Division will incur minimal costs of approximately \$50.00 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 apply only to applicants for licensure as a physician assistant. As a result, the proposed amendments do not apply to local governments.

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

Affected: No XXX; Yes ____

The proposed amendments apply only to applicants for licensure as a physician assistant. Applicants for licensure might work in a small business; however, the proposed amendments would not directly affect the business.

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 XXX; Yes ____

The proposed amendments apply only to applicants for licensure as a physician assistant. The Division anticipates the proposed amendment will not result in additional encumbrances for any party beyond what is currently identified by statute and rule.

8. Compliance costs for affected persons:

The proposed amendments apply only to applicants for licensure as a physician assistant. The proposed amendment will not result in any increase of costs for those affected. Applicants will save approximately \$75.00 by not having to pay for a law and rule examination from a third party test provider.

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

This filing eliminates an examination requirement for the physician assistant license. 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) :

Section 58-70a-101	Subsection 58-1-106(1)(a)
Subsection 58-1-202(1)(a)	

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):	05/01/2015
	B) A public hearing (optional) will be held:	
	On (mm/dd/yyyy):	At (hh:mm AM/PM):
	05/18/2015	9:00 AM
		At (place):
		160 East 300 South, Conference Room 4th floor, Salt Lake City, Utah
13.	This rule change may become effective on (mm/dd/yyyy):	05/08/2015
	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:	
	licensing	physician assistants
15.	Attach an RTF document containing the text of this rule change (filename):	R156-70a.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 <i>Utah State Bulletin</i> , and delaying the first possible effective date.		
AGENCY AUTHORIZATION		
Agency head or designee, and title:	Mark B. Steinagel, Director	Date (mm/dd/yyyy): 03/10/2015

**R156. Commerce, Occupational and Professional Licensing.
R156-70a. Physician Assistant Practice Act Rule.
R156-70a-302. Qualification for Licensure - Examination
Requirements.**

In accordance with Subsection 58-70a-302(5), the examination~~[s which must be successfully passed by applicants for]~~ requirement for licensure as a physician assistant is a passing score on [are:

~~_____ (1) _____]~~ the National Commission on Certification of Physician Assistants (NCCPA) examination~~;~~ and

~~_____ (2) _____]~~ the Utah Physicians Assistant Law and Rules Examination].

KEY: licensing, physician assistants

Date of Enactment or Last Substantive Amendment: [August 8, 2013] 2015

Notice of Continuation: December 19, 2011

Authorizing, and Implemented or Interpreted Law: 58-70a-101; 58-1-106(1) (a); 58-1-202(1) (a)