

NOTICE OF
PROPOSED RULE REPEAL

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- 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 Office of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration
 Room no.: 3110
 Building: STATE OFFICE BLDG
 Street address 1: 450 N MAIN ST
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84114-1201
 Mailing address 1: PO BOX 146901
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Steve Gooch	801-538-3803	801-538-3829	sgooch@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 41955 Date filed: 07/28/2017 10:38 AM
 State Admin Rule Filing Key: 159189
 Utah Admin. Code ref. (R no.): R 590 - 205 -

Title

2. Title of rule or section (catchline):
 Privacy of Consumer Information Compliance Deadline

Notice Type

3. Type of notice: Repeal

Rule Purpose

4. Purpose of the rule or reason for the change:
 The Insurance Department recently amended R590-206, Privacy of Consumer Financial and Health Information Rule, which included the compliance deadline within it. That amendment made R590-205 unnecessary.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

6. Summary of the rule or change:
The rule is being repealed.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

There is no anticipated cost or savings to the state budget because the requirement contained in the rule is now covered under R590-206, Privacy of Consumer Financial and Health Information Rule.

B) Local government:

Affected: No

There is no anticipated cost or savings to local government because the requirement contained in the rule is now covered under R590-206, Privacy of Consumer Financial and Health Information Rule.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

There is no anticipated cost or savings to small business because the requirement contained in the rule is now covered under R590-206, Privacy of Consumer Financial and Health Information Rule.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

There is no anticipated cost or savings to any other persons because the requirement contained in the rule is now covered under R590-206, Privacy of Consumer Financial and Health Information Rule.

Compliance Cost Information

8. Compliance costs for affected persons:

There are no compliance costs for affected persons because the requirement contained in the rule is now covered under R590-206, Privacy of Consumer Financial and Health Information Rule.

Department Head Comments

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

I: IDENTIFY WHETHER THE PROPOSED RULE WILL HAVE A FISCAL IMPACT TO BUSINESS — The repeal of this rule removes a surplus version of the same requirement that is now contained in R590-206, Privacy of Consumer Financial and Health Information Rule. The requirement still exists, just in a different rule; therefore, the net effect is zero. After conducting a thorough analysis, it was determined that this proposed rule will not result in a fiscal impact to businesses. PARTS II-IV are unnecessary because there is no fiscal impact. PART V: DEPARTMENT HEAD'S COMMENTS ON THE ANALYSIS — The department conducted a thorough analysis of the impact that this repeal will have on businesses. The net effect of the repeal is zero, due to the requirement still existing in another rule. There is no fiscal impact on any businesses as a result of this repeal.

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

Todd E. Kiser, Insurance Commissioner

Citation Information

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) :

31A-2-202

31A-2-201

15 U.S.C. 6805

Incorporated Materials

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

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:

ISSN Number:

Cost of Incorporated Reference:

Adds, updates, removes:

Comments

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) :

09/14/2017

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

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

09/21/2017

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office 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.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):

insurance law
privacy

File Information

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

There is a document associated with this rule filing.

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: Steve Gooch Information Specialist Date (mm/dd/yyyy): 07/28/2017