

## Utah Administrative Code Incorporation by Reference Examples

### Example #1: Incorporation by reference of non-agency material (model regulation by the National Institute of Standards and Technology, U.S. Dept. of Commerce)

#### Agriculture and Food

##### **R70-920-2. Adopted by Reference.**

The Uniform Packaging and Labeling Regulation, published in the National Institute of Standards and Technology (NIST) Handbook 130, 2006 edition, is hereby adopted by the department, and incorporated by reference within this rule.

##### **Incorporated Source:**

Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel (2006 NIST Handbook 130)

IV. Uniform Regulations

A. Uniform Packaging and Labeling Regulation (PAL) pp. 53-100

<https://www.nist.gov/sites/default/files/documents/2017/05/09/hb-130-06-final-pdf.pdf>

### Example #2: Incorporation by reference with modifications of non-agency material (model regulation)

#### Agriculture and Food

##### **R70-930-2. Adopted by Reference.**

Except as modified by the department, the Uniform Regulation for the Method of Sale of Commodities as published in the National Institute of Standards and Technology (NIST) Handbook 130, 2006 edition, is hereby adopted by the department, and incorporated by reference within this rule.

##### **R70-930-3. Modifications.**

1. Berries and small fruits - if sold by volume, shall have the following capacities:
  - (a) Metric Capacities - 250 milliliters, 500 milliliters, or 1 liter.
  - (b) Inch-Pound Capacities - 1/2 dry pint, having a capacity of 16.8 cubic inches and containing not less than six ounces; 1 dry pint, having a capacity of 33.6 cubic inches and containing not less than twelve ounces; 1 dry quart having a capacity of 67.2 cubic inches and containing not less than twenty-four ounces; except that weights used in the sale of red currants shall be 21 ounces for quarts, 10.5 ounces for pints and 5.3 ounces for half pints.

**Incorporated Source:**

Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel (2006 NIST Handbook 130)

IV. Uniform Regulations

B. Uniform Regulation for the Method of Sale of Commodities pp.101-146

<https://www.nist.gov/sites/default/files/documents/2017/05/09/hb-130-06-final-pdf.pdf>

**Example #3: Incorporation of materials in the body of the rule without the title “adopted by reference” (See above R70-930-2). Agencies incorporate references in various ways.**

**Agriculture and Food****R70-940-2. Standards.**

(1) Gasoline and gasoline-ethanol blends shall have a minimum Anti-Knock Index (AKI) of 85.

(2) The Department adopts by reference motor fuel regulations outlined in the 2017 version of NIST Handbook 130; "Uniform Laws and Regulations in the area of legal metrology and engine fuel quality", Chapter IV, Part G, "Uniform Engine Fuels and Automotive Lubricants Regulation" with the following exceptions:

(a) Section 2.1.1, the Department adopts ASTM specification D4814-17, "Standard Specification for Automotive Spark-Ignition Engine Fuel".

(b) Section 2.1.2, Gasoline-Ethanol blends shall not exceed ASTM D4814-17 Table 1 vapor pressure limits by more than:

(i) 1.0 psi, when gasoline-ethanol blends contain nine to ten volume percent ethanol from June 1st through Sept 15th.

(ii) 1.0 psi, when gasoline-ethanol blends contain one up to and including fifteen volume percent ethanol for volatility classes A, B, C, and D from September 16th through May 31st.

(iii) 0.5 psi, for gasoline-ethanol blends containing one up to and including fifteen volume percent ethanol for volatility class E from September 16th through May 31st.

(iv) Vapor pressure exceptions will remain in effect until ASTM incorporates changes to the vapor pressure maximums for gasoline-ethanol blends.

(c) Section 2.2, the Department adopts by reference ASTM D975-17 "Standard Specification for Diesel Fuel Oils".

(d) Section 4.4.2, If the standard color code is adopted, no color key posting is required

**Incorporated Source:**

Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel (2017 NIST Handbook 130)

IV. Uniform Regulations

G. Uniform Engine Fuels and Automotive Lubricants Regulation pp. 165 - 189  
<https://www.nist.gov/sites/default/files/documents/2016/11/29/hb130-2017-full-final.pdf>

**Example #4: Incorporation by reference of materials from a Utah state agency (1)(b) & (4)(b) and a private standards organization ((2)(a), (2)(b), (3)(a) and (3)(b))**

**Department of Health**

**R428-1-4. Incorporation by Reference.**

The following documents are adopted and incorporated by reference:

(1) "Utah Healthcare Facility Data Submission Guide" means:

(a) Utah Healthcare Facility Data Submission Guide, Version 1, January 15, 2016 for data submissions required before February 16, 2018, and

(b) Utah Healthcare Facility Data Submission Guide, Version 2 for data submissions required on or after February 16, 2018;

(2) "NCQA Survey Specifications" means:

(a) HEDIS 2017, Volume 3: Specifications for Survey Measures, published by NCQA for data submissions required before January 1, 2018, and

(b) HEDIS 2018, Volume 3: Specifications for Survey Measures, published by NCQA for data submissions required on or after January 1, 2018;

(3) "NCQA HEDIS Specifications" means:

(a) HEDIS 2017, Volume 5: HEDIS Compliance Audit: Standards, Policies, and Procedures, published by NCQA for data submissions required before January 1, 2018, and

(b) HEDIS 2018, Volume 5: HEDIS Compliance Audit: Standards, Policies, and Procedures, published by NCQA for data submissions required on or after January 1, 2018;

(4) "Data Submission Guide for Claims Data" means:

(a) Utah All-Payer Claims Database Data Submission Guide Version 3.0 for data submissions required before March 1, 2018, and

(b) Utah All-Payer Claims Database Data Submission Guide Version 3.1 (as corrected on March 15, 2018) for data submissions required on or after March 1, 2018.

**Incorporation Source:**

**(1)(b) Utah Health Data Committee - Utah Department of Health**

Utah Healthcare Facility Data Submission Guide, Version 2 for data submissions required on or after February 16, 2018 pp.1-17

[http://stats.health.utah.gov/wp-content/uploads/2018/01/HFD\\_2017\\_DSG\\_v2\\_FINAL.pdf](http://stats.health.utah.gov/wp-content/uploads/2018/01/HFD_2017_DSG_v2_FINAL.pdf)

**(2)(a) National Committee for Quality Assurance (NCQA)**

HEDIS 2017, Volume 3

Specifications for Survey Measures

Paywall:

Hard Copy \$235; ePub, single user \$235, 2-4 users \$425, 5-10 users \$1295, 11- 20 users \$2585

**(2)(b) National Committee for Quality Assurance (NCQA)**

HEDIS 2017, Volume 3

Specifications for Survey Measures

Paywall:

Hard Copy \$235; ePub, single user \$235, 2-4 users \$660, 5-10 users \$1530, 11- 20 users \$2820

**(3)(a) National Committee for Quality Assurance (NCQA)**

HEDIS 2017, Volume 5

Compliance Audit: Standards, Policies, and Procedures

Hard Copy \$225; ePub, single user \$235, 2-4 users \$630, 5-10 users \$1460, 11- 20 users \$2700

**(3)(b) National Committee for Quality Assurance (NCQA)**

HEDIS 2018, Volume 5

Compliance Audit: Standards, Policies, and Procedures

Hard Copy \$225; ePub, single user \$225, 2-4 users \$630, 5-10 users \$1460, 11- 20 users \$2700

Link to (2)(a) & (2)(b) 2017:

<http://store.ncqa.org/index.php/catalogsearch/result/?q=Hedis+2017>

Link to (3)(a) & (3)(b) 2018:

<http://store.ncqa.org/index.php/catalogsearch/result/?q=HEDIS+2018>

**(4)(b) Utah Department of Health**

Utah All-Payer Claims Database Data Submission Guide Version 3.0 pp.1-57

[http://stats.health.utah.gov/wp-content/uploads/2018/01/APCD\\_UT\\_DSG-3.1\\_CORRECTED.pdf](http://stats.health.utah.gov/wp-content/uploads/2018/01/APCD_UT_DSG-3.1_CORRECTED.pdf)

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