

121 (c) the name, address, telephone number, email address, website, and facsimile  
 122 number, if any, of the residential, vocational and life skills program;

123 (d) the name and address of any entity that controls, is controlled by, or is affiliated  
 124 with the residential, vocational and life skills program;

125 (e) the name and residential address of any officer, director, ~~H~~→ [owner,] ←~~H~~ manager, or  
 126 administrator of the residential, vocational and life skills program;

127 (f) the name, address, telephone number, email address, website, and facsimile number,  
 128 if any, of any vocational training entity affiliated with the residential, vocational and life skills  
 129 program;

130 (g) a disclosure indicating whether any officer, director, ~~H~~→ [owner,] ←~~H~~ or  
 130a administrator of the  
 131 residential, vocational and life skills program has been the subject of an administrative action  
 132 by the division;

133 (h) a disclosure indicating whether any officer, director, ~~H~~→ [owner,] ←~~H~~ or  
 133a administrator of the  
 134 residential, vocational and life skills program has been convicted of a felony or a crime of  
 135 moral turpitude within the previous 10 years;

136 (i) if the organization is a charitable organization, as defined by Section 13-22-2, a  
 137 copy of the charitable organization's registration or exemption;

138 (j) financial information described in Subsection 13-53-108(1);

139 (k) proof of a commercial general liability and umbrella insurance policy providing at  
 140 least a \$1,000,000 per occurrence limit of liability;

141 (l) a copy of the disclosure required under Section 13-53-106;

142 (m) evidence that the applicant meets the description of a residential, vocational and  
 143 life skills program under Subsection 13-53-102(5); and

144 (n) additional information that the division requires, as provided in administrative rule.

145 (3) A residential, vocational and life skills program is registered on the day that the  
 146 division issues the registration.

147 (4) The division's issuance of a registration for a residential, vocational and life skills  
 148 program does not constitute the state's or the division's endorsement or approval of the  
 149 residential, vocational and life skills program.

150 (5) An applicant for the registration of a residential, vocational and life skills program  
 151 shall file a separate application and pay a separate application fee for each residential,

152 vocational and life skills program location.

153 ~~Ĥ→ [(6) A residential, vocational and life skills program that is registered under this section~~  
 154 ~~is not required to obtain a license as a human services program, even if the residential;~~  
 155 ~~vocational and life skills program also meets the description of a human services program.]~~

156 ~~[(7)] (6) ←Ĥ~~ The division may make rules in accordance with Title 63G, Chapter 3, Utah  
 157 Administrative Rulemaking Act, to implement the registration application process.

158 ~~Ĥ→ [(8)] (7) ←Ĥ~~ The division may set fees in accordance with Section 63J-1-504 for  
 158a a residential,

159 vocational and life skills program registration application.

160 Section 5. Section **13-53-104** is enacted to read:

161 **13-53-104. Registration denial, suspension, or revocation.**

162 (1) In accordance with Chapter 2, Division of Consumer Protection, and Title 63G,  
 163 Chapter 4, Administrative Procedures Act, the division may initiate proceedings to deny,  
 164 suspend, or revoke the registration of a residential, vocational and life skills program, if:

165 (a) the entity holding the registration fails to meet the description of a residential,  
 166 vocational and life skills program under Subsection 13-53-102(5);

167 (b) the operation of the residential, vocational and life skills program creates a serious  
 168 risk to public safety or welfare;

169 (c) the registration application or any supplemental information required by the  
 170 division is incomplete, false, misleading, or filed in an untimely manner;

171 (d) the residential, vocational and life skills program or an individual described in  
 172 Subsection 13-53-103(2)(e) causes or allows to occur a violation of any provision of state or  
 173 federal law, including an administrative rule made under this chapter;

174 (e) (i) an individual described in Subsection 13-53-103(2)(e) is convicted of a felony or  
 175 a crime of moral turpitude within the previous 10 years; and

176 (ii) the residential, vocational and life skills program does not have adequate controls  
 177 to minimize associated risks to the participants of the residential, vocational and life skills  
 178 program and to the public; or

179 (f) the residential, vocational and life skills program fails to pay an administrative fine  
 180 that the division lawfully imposes on the residential, vocational and life skills program.

181 (2) The division may place reasonable limits upon a residential, vocational and life  
 182 skills program's operations, if:

245 vocational and life skills program:

246 (a) is financially sound; and

247 (b) reasonably has the fiscal ability to fulfill commitments and obligations to the  
248 participants of the residential, vocational and life skills program.

249 (2) Evidence acceptable to satisfy the requirement described in Subsection (1)  
250 includes:

251 (a) for a residential, vocational and life skills program that has been in operation less  
252 than one fiscal year:

253 (i) pro forma financial statements until further information described in Subsection  
254 (2)(b) is available; ~~H→~~ and ~~←H~~

255 (ii) a commercial credit report for the residential, vocational and life skills program;  
256 ~~H→~~ [and] or

257 [~~(iii) a consumer credit report for each individual with an ownership interest in the~~  
258 ~~residential, vocational and life skills program; or] ~~←H~~~~

259 (b) for a residential, vocational and life skills program that has completed a fiscal year,  
260 and as soon as the residential, vocational and life skills program completes its first fiscal year:

261 (i) a current financial statement, with all applicable footnotes, for the most recent fiscal  
262 year, including a balance sheet, a statement of income, a statement of retained earnings, and a  
263 statement of cash flow; ~~H→~~ and ~~←H~~

264 (ii) a certified fiscal audit of the residential, vocational and life skills program's  
265 financial statement, performed by a certified or licensed public accountant ~~H→~~ [;] .

266 [~~(iii) a commercial credit report for the residential, vocational and life skills program;~~  
267 and

268 ~~(iv) a consumer credit report for each individual with an ownership interest in the~~  
269 ~~residential, vocational and life skills program.] ~~←H~~~~

270 (3) In evaluating a residential, vocational and life skills program's fiscal responsibility,  
271 the division may consider:

272 (a) any judgment, tax lien, collection action, bankruptcy schedule, or history of late  
273 payments to creditors;

274 (b) documentation showing the resolution of a matter described in Subsection (3)(a);

275 (c) the residential, vocational and life skills program's explanation for a matter

276 described in Subsection (3)(a):

277 (d) a guarantee agreement provided for the residential, vocational and life skills  
 278 program; and

279 (e) history of a prior entity that:

280 (i) is owned or operated by any individual ~~H~~→ [with an ownership interest in] who is an  
 280a officer, a director, or an administrator of ~~H~~ the residential,  
 281 vocational and life skills program; and

282 (ii) has failed to maintain fiscal responsibility.

283 (4) The division may require evidence of financial status at other times when it is in the  
 284 best interest of the program participants to require the information.

285 (5) The division may perform a fiscal audit of a residential, vocational and life skills  
 286 program.

287 (6) A residential, vocational and life skills program shall develop and maintain  
 288 adequate internal controls for receipt, management, and disbursement of money that are  
 289 reasonable in light of the residential, vocational and life skills program's organizational  
 290 complexity.

291 Section 10. Section **13-53-109** is enacted to read:

292 **13-53-109. Discontinuance of operations.**

293 (1) A residential, vocational and life skills program that is closing shall adopt a plan for  
 294 the provision of food, shelter, and clothing for at least 30 days from the date of closure to  
 295 participants displaced by the closure.

296 (2) At least 30 days before the day on which the residential, vocational and life skills  
 297 program will close, the residential, vocational and life skills program shall provide written  
 298 notice to the division of:

299 (a) the intended date of closure; and

300 (b) the plan described in Subsection (1).

301 Section 11. Section **13-53-110** is enacted to read:

302 **13-53-110. Enforcement.**

303 (1) The division may investigate facilities and enforce this chapter under the authority  
 304 described in Chapter 2, Division of Consumer Protection.

305 ~~S~~→ **(2) Annually, the department shall perform an on-site inspection of a registered**  
 305a **residential, vocational and life skills program to ensure the health and safety of the program**  
 305b **participants and transitional graduates, if any.** ←~~S~~

305c ~~S~~→ [(2)] **(3)** ←~~S~~ In addition to penalties established by this chapter and in addition to the  
 306 enforcement authority described in Chapter 2, Division of Consumer Protection, the division