

## **Chapter 47**

### **Health Care Assistance Act**

#### **26-47-101 Title.**

This chapter is known as the "Health Care Assistance Act."

Enacted by Chapter 273, 2005 General Session

#### **26-47-102 Prescription Drug Assistance Program.**

- (1) No later than October 1, 2003, the department shall implement a Prescription Drug Assistance Program. The program shall assist persons seeking information about how to obtain prescription drugs at a reduced price or no cost. The program shall:
  - (a) collect eligibility and enrollment information about programs that make prescription drugs available to consumers at a reduced price or no cost;
  - (b) provide information collected under Subsection (1)(a) to consumers upon request via a toll-free phone line, the Internet, and mail;
  - (c) inform pharmacists and other health care providers of the Prescription Drug Assistance Program; and
  - (d) assist consumers in completing applications to participate in programs identified under Subsection (1)(a).
- (2) Any pharmaceutical manufacturer, distributor, or wholesaler operating in the state shall:
  - (a) notify the department of any program operated by it to provide prescription drugs to consumers at a reduced price or no cost; and
  - (b) provide the department with information about eligibility, enrollment, and benefits.
- (3) Pharmacies, as defined in Title 58, Chapter 17b, Pharmacy Practice Act, shall notify their patients of the Prescription Drug Assistance Program. This notification shall include displaying the program's toll-free number, and may include distributing a brochure or oral communication.
- (4) The department may accept grants, gifts, and donations of money or property for use by the Prescription Drug Assistance Program.

Amended by Chapter 167, 2013 General Session

#### **26-47-103 Department to award grants for assistance to persons with bleeding disorders.**

- (1) For purposes of this section:
  - (a) "Hemophilia services" means a program for medical care, including the costs of blood transfusions, and the use of blood derivatives and blood clotting factors.
  - (b) "Person with a bleeding disorder" means a person:
    - (i) who is medically diagnosed with hemophilia or a bleeding disorder;
    - (ii) who is not eligible for Medicaid or the Children's Health Insurance Program; and
    - (iii) who has either:
      - (A) insurance coverage that excludes coverage for hemophilia services;
      - (B) exceeded the person's insurance plan's annual maximum benefits;
      - (C) exceeded the person's annual or lifetime maximum benefits payable under Title 31A, Chapter 29, Comprehensive Health Insurance Pool Act; or
      - (D) insurance coverage available under either private health insurance, Title 31A, Chapter 29, Comprehensive Health Insurance Pool Act, Utah mini COBRA coverage under Section 31A-22-722, or federal COBRA coverage, but the premiums for that coverage are greater

than a percentage of the person's annual adjusted gross income as established by the department by administrative rule.

- (2)
  - (a) Within appropriations specified by the Legislature for this purpose, the department shall make grants to public and nonprofit entities who assist persons with bleeding disorders with the cost of obtaining hemophilia services or the cost of insurance premiums for coverage of hemophilia services.
  - (b) Applicants for grants under this section:
    - (i) shall be submitted to the department in writing; and
    - (ii) shall comply with Subsection (3).
- (3) Applications for grants under this section shall include:
  - (a) a statement of specific, measurable objectives, and the methods to be used to assess the achievement of those objectives;
  - (b) a description of the personnel responsible for carrying out the activities of the grant along with a statement justifying the use of any grant funds for the personnel;
  - (c) letters and other forms of evidence showing that efforts have been made to secure financial and professional assistance and support for the services to be provided under the grant;
  - (d) a list of services to be provided by the applicant;
  - (e) the schedule of fees to be charged by the applicant; and
  - (f) other provisions as determined by the department.
- (4) The department may accept grants, gifts, and donations of money or property for use by the grant program.
- (5) The department shall establish rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the application form, process, and criteria it will use in awarding grants under this section.

Amended by Chapter 167, 2013 General Session