



28 the commissioner may issue a declaratory order to clarify the person's rights or duties.

29 (5) (a) The commissioner may hold informal adjudicative proceedings and public  
30 meetings, for the purpose of investigation, ascertainment of public sentiment, or informing the  
31 public.

32 (b) No effective rule or order may result from informal hearings and meetings unless the  
33 requirement of a hearing under Section 31A-2-301 is satisfied.

34 (6) The commissioner shall inquire into violations of this title and may conduct any  
35 examinations and investigations of insurance matters, in addition to examinations and  
36 investigations expressly authorized, that he considers proper to determine:

37 (a) whether or not any person has violated any provision of this title; or

38 (b) to secure information useful in the lawful administration of any provision of this title.

39 (7) (a) Each year, the commissioner shall:

40 (i) conduct an evaluation of the state's health insurance h [industry] MARKET h ; h [and] h

41 (ii) report the findings of the evaluation to the Health and Human Services Interim

42 Committee before July 31 h ; AND

42a (iii) PUBLISH THE FINDINGS OF THE EVALUATION ON THE DEPARTMENT WEBSITE h .

43 (b) The evaluation shall:

44 (i) analyze the effectiveness of the insurance regulations and statutes in promoting a  
45 healthy, competitive health insurance h [industry] MARKET THAT MEETS THE NEEDS OF UTAHNS h

45a by assessing such things as the h AVAILABILITY AND h marketing of

46 individual and group products, rate charges, h COVERAGE AND DEMOGRAPHIC CHANGES,

46a BENEFIT TRENDS, h market share § [charges] CHANGES § , and accessibility;

47 (ii) assess complaint ratios and trends within the health insurance h [industry] MARKET  
47a ,WHICH ASSESSMENT SHALL INTEGRATE COMPLAINT DATA FROM THE OFFICE OF CONSUMER

47b HEALTH ASSISTANCE WITHIN THE DEPARTMENT h ; h [and] h

48 (iii) contain recommendations for action to improve the overall effectiveness of the health  
49 insurance market, administrative rules, and statutes h ; AND

49a (iv) INCLUDE CLAIMS LOSS RATIO DATA FOR EACH INSURANCE COMPANY DOING  
49b BUSINESS IN THE STATE.

49c (c) WHEN PREPARING THE EVALUATION REQUIRED BY THIS SECTION, THE  
49d COMMISSIONER MAY SEEK THE INPUT OF INSURERS, EMPLOYERS, INSURED PERSONS,  
49e PROVIDERS, AND OTHERS WITH AN INTEREST IN THE HEALTH INSURANCE MARKET h .

**Legislative Review Note**

**as of 11-28-00 1:43 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**