

H.B. 70

HEALTH DISCOUNT PROGRAM CONSUMER PROTECTION ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

FEBRUARY 8, 2005 4:48 PM

Representative **James A. Dunnigan** proposes the following amendments:

1. Page 2, Line 33:

33 This bill takes effect on ~~{July}~~ September 1, 2005.

2. Page 8, Lines 233 through 234:

233 (iii) biographical information and and ~~{a criminal background check}~~ when requested by
the
234 commissioner , a criminal background check, under the provisions of Subsection 31A-23a-105(3);

3. Page 9, Line 266:

266 (2) The ~~{commissioner must approve}~~ company must file prior to use :

4. Page 10, Lines 286 through 289

House Committee Amendments
2-1-2005:

286 (b) must ~~{approve in writing}~~ file with the commissioner all advertisement, marketing
materials, brochures, and
287 discount programs prior to their use or distribution; and
288 (c) ~~{is liable for any act or omission of its marketer or distributor; and~~
289 ~~{(d)}~~ must make the following disclosures:

5. Page 10, Lines 290 through 291

House Committee Amendments
2-1-2005:

290 (D) in writing in at least ~~12~~ 10 -point type ~~and~~ {no smaller than the
290a largest type on the page ~~{if~~
291 type appears on the page that is larger than 12-point type} bolded ; and

6. Page 10, Line 303

House Committee Amendments
2-1-2005:

303 the health discount program separate from any fees or charges for the other product , which can be

purchased separately .

7. Page 11, Lines 312 through 313

House Committee Amendments

2-1-2005:

312 (3) (a) A contract must be signed by the ~~H~~→ [enrollee] purchaser ←~~H~~ acknowledging

312a the terms before any fees

313 are collected.

(b) For purposes of this Subsection (3) and Section 46-4-201, when a contract is entered into via facsimile transmission or the internet, the following is considered a signing of the contract:

(I) if via the internet, the online application form is completed and sent by the purchaser to the health discount program operator; or

(ii) if via facsimile transmission, the application is completed, signed and faxed to the health discount program operator.

8. Page 11, Lines 318 through 319

House Committee Amendments

2-1-2005:

318 (2) A health discount program operator may not reimburse health care providers for

319 services rendered to an enrollee , unless the health discount program operator is a licensed Third Party Administrator. .

9. Page 14, Line 405:

405 This bill takes effect on ~~{July}~~ September 1, 2005.