

H.B. 70

HEALTH DISCOUNT PROGRAM CONSUMER PROTECTION ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

FEBRUARY 10, 2005 2:17 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 ~~enrollee~~ purchaser 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 telephone, 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;

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

(iii) if via telephone, the script used by the health discount program operator to solicit the purchaser must include any limitations or exclusions to the program, and the contract must be provided to the purchaser via facsimile, mail, or e-mail within 10 working days of the purchaser consenting to enrolling over the telephone.

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.