

1 **HEALTH CARE FACILITY DISCLOSURE JOINT**

2 **RESOLUTION**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Peter C. Knudson**

6 House Sponsor: Evan J. Vickers

7

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature urges health care facilities to adopt, implement,
11 publish, and inform patients of certain policies, and urges the Utah Department of
12 Health to publish a list of the procedures for which health care facilities most frequently
13 bill patients.

14 **Highlighted Provisions:**

15 This resolution:

16 ▶ urges health care facilities to demonstrate to the Utah Department of Health that
17 they have adopted and implemented written policies that specify the methods used
18 by the facilities to calculate individual procedure charges and other charges;

19 ▶ urges health care facilities to have written policies that specify any discounts
20 provided for prompt payment of a bill and the procedures used by the facilities for
21 collecting amounts owing on unpaid bills;

22 ▶ urges health care facilities that provide financial assistance to patients to specify in
23 their written policies criteria for financial assistance eligibility and limits, if any, on
24 the total charges and the percentage of individual procedure charges billed to a
25 patient eligible for financial assistance;

26 ▶ urges health care facilities that provide financial assistance to patients to publish
27 their policies on the Internet for use by the general public, to inform each patient at



28 the time the patient is admitted at the facility that the financial assistance policies are available
29 on the Internet, and to inform each patient of any obligation the facility may have, under the
30 federal Emergency Medical Treatment and Active Labor Act, to provide care to the patient
31 without regard for the patient's source of payment or ability to pay;

32 ▶ urges the Utah Department of Health to publish, by administrative rule before
33 September 1, 2010, a list of the procedures for which health care facilities in the
34 state most frequently bill patients, and to include on the list those procedures
35 represented by at least 25%, but no more than 50%, of total procedure billings; and

36 ▶ urges health care facilities to publish, beginning January 1, 2011, the amount the
37 facilities charge to perform a procedure and the amount the facilities are paid for the
38 procedure by both Medicaid and Medicare; and

39 ▶ urges each health care facility to annually update the information it publishes.

40 **Special Clauses:**

41 None



43 *Be it resolved by the Legislature of the state of Utah:*

44 WHEREAS, each health care facility should be able to demonstrate to the Utah
45 Department of Health that it has adopted and implemented written policies that specify the
46 methods used by the facility to calculate individual procedure charges and other charges;

47 WHEREAS, health care facilities should also have written policies that specify any
48 discounts provided for prompt payment of a bill and the procedures used by the facilities for
49 collecting amounts owing on unpaid bills;

50 WHEREAS, health care facilities that provide financial assistance to patients, including
51 free care or discounted care, should be able to specify in their written policies the criteria for
52 financial assistance eligibility and limits, if any, on the total charges and the percentage of
53 individual procedure charges billed to a patient eligible for financial assistance;

54 WHEREAS, health care facilities that provide financial assistance to patients should
55 also be able to publish their policies on the Internet for use by the general public, inform each
56 patient at the time the patient is admitted at the facility that the financial assistance policies are
57 available on the Internet, and further inform each patient of any obligation the facility may have
58 under the federal Emergency Medical Treatment and Active Labor Act to provide care to the

59 patient without regard for the patient's source of payment or ability to pay;

60 WHEREAS, before September 1, 2010, the Utah Department of Health should be able
61 to publish, by administrative rule, a list of the procedures for which health care facilities in the
62 state most frequently bill patients, and the list should include those procedures represented by
63 at least 25%, but no more than 50%, of total procedure billings;

64 WHEREAS, by January 1, 2011, each health care facility should be able to publish the
65 amount the facility charges to perform each procedure on the list created by the Utah
66 Department of Health and how much of the procedure is paid for by Medicaid and by
67 Medicare;

68 WHEREAS, the Utah Department of Health should be able to annually update the list
69 of procedures; and

70 WHEREAS, each health care facility should have the ability to regularly update the
71 information it publishes in accordance with administrative rules adopted by the Utah
72 Department of Health:

73 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
74 urges each health care facility in the state to demonstrate to the Utah Department of Health that
75 it has adopted and implemented written policies that specify the methods used by the facility to
76 calculate individual procedure charges and other charges.

77 BE IT FURTHER RESOLVED that the Legislature urges health care facilities to have
78 written policies specifying any discounts provided for prompt payment of a bill and the
79 procedures used by the facilities for collecting amounts owing on unpaid bills.

80 BE IT FURTHER RESOLVED that the Legislature urges health care facilities that
81 provide financial assistance to patients, including free care or discounted care, to specify in
82 their written policies criteria for financial assistance eligibility and limits, if any, on the total
83 charges and the percentage of individual procedure charges billed to a patient eligible for
84 financial assistance.

85 BE IT FURTHER RESOLVED that the Legislature urges health care facilities that
86 provide financial assistance to patients to publish their policies on the Internet for use by the
87 general public, to inform each patient at the time the patient is admitted at the facility that the
88 financial assistance policies are available on the Internet, and to further inform each patient of
89 any obligation the facilities may have, under the federal Emergency Medical Treatment and

90 Active Labor Act, to provide care to the patient without regard for the patient's source of
91 payment or ability to pay.

92 BE IT FURTHER RESOLVED that the Legislature urges the Utah Department of
93 Health to publish, by administrative rule before September 1, 2010, a list of the procedures for
94 which health care facilities in the state most frequently bill patients, and that the list should
95 include those procedures represented by at least 25%, but no more than 50%, of total procedure
96 billings.

97 BE IT FURTHER RESOLVED that the Legislature urges each health care facility,
98 beginning January 1, 2011, to publish, for each procedure in the Utah Department of Health's
99 published list, the amount the facility charges to perform the procedure and the amount the
100 facility is paid for the procedure by Medicaid and by Medicare.

101 BE IT FURTHER RESOLVED that the Legislature urges the Utah Department of
102 Health to annually update the list of procedures.

103 BE IT FURTHER RESOLVED that the Legislature urges each health care facility to
104 regularly update the information it publishes in accordance with rules made by the department.

105 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah
106 Hospital Association, the Utah Medical Association, the Utah Nurses Association, and the
107 Utah Department of Health.

Legislative Review Note
as of 2-26-10 5:55 PM

Office of Legislative Research and General Counsel

S.J.R. 16 - Health Care Facility Disclosure Joint Resolution

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
