1 # REPEAL OF HEALTH INSURANCE MANDATE REVIEW

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: James A. Dunnigan**

5 Senate Sponsor: John L. Valentine

6

7 **LONG TITLE**

8 **Committee Note:**

9 The Business and Labor Interim Committee recommended this bill.

10 **General Description:**

11 This bill modifies provisions related to the Legislature to repeal a health insurance

12 mandate review.

13 **Highlighted Provisions:**

14 This bill:

15 ‣ repeals the health insurance mandate review by the Business and Labor Interim

16 Committee and the Health and Human Services Interim Committee; and

17 ‣ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **36-12-5**, as last amended by Laws of Utah 2008, Chapter 142

25

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **36-12-5** is amended to read:

H.B. 42

28   **36-12-5. Duties of interim committees.**

29   (1) Except as otherwise provided by law, each interim committee shall:

30   (a) receive study assignments by resolution from the Legislature;

31   (b) receive study assignments from the Legislative Management Committee, created

32 under Section 36-12-6;

33   (c) place matters on its study agenda after requesting approval of the study from the

34 Legislative Management Committee, which request, if not disapproved by the Legislative

35 Management Committee within 30 days of receipt of the request, the interim committee shall

36 consider it approved and may proceed with the requested study;

37   (d) request research reports from the professional legislative staff pertaining to the

38 committee's agenda of study;

39   (e) investigate and study possibilities for improvement in government services within

40 its subject area;

41   (f) accept reports from the professional legislative staff and make recommendations for

42 legislative action with respect to such reports; and

43   (g) prepare and recommend to the Legislature a legislative program in response to the

44 committee's study agenda.

45   [(2) (a) As used in this Subsection (2):]

46   [(i) "Health insurance" is as defined in Section 31A-1-301.]

47   [(ii) "Health insurance mandate" means a mandatory obligation with respect to a

48 coverage, benefit, or provider that, but for Title 31A, Insurance Code, would not be required

49 for a policy of health insurance.]

50   [(iii) "Review committee" means:]

51   [(A) the Business and Labor Interim Committee; and]

52   [(B) the Health and Human Services Interim Committee.]

53   [(b) In addition to the duties established pursuant to Subsection (1), annually each

54 review committee shall:]

55   [(i) identify the one or more health insurance mandates listed under Subsection (2)(d)

56 that:]

57   [(A) are in effect for five or more years as of May 1; and]

58   [(B) have not been reviewed during the previous 10 years as of May 1;]

59   [(ii) select which of the one or more health insurance mandates identified under

60   Subsection (2)(b)(i) that the review committee elects to review, subject to the direction of the

61   Legislative Management Committee; and]

62   [(iii) review a health insurance mandate selected under Subsection (2)(b)(ii) to

63   determine whether the health insurance mandate should be continued, modified, or repealed.]

64   [(c) The review under this Subsection (2) shall include:]

65   [(i) the estimated fiscal impact of the health insurance mandate on state and private

66   health insurance; and]

67   [(ii) the purpose and effectiveness of the health insurance mandate.]

68   [(d) The Insurance Department shall:]

69   [(i) provide a list of the health insurance mandates in this state in its annual report; and]

70   [(ii) assist in a review if requested by a review committee.]

71   [(3)] (2) Except as otherwise provided by law, reports and recommendations of the

72   interim committees shall be completed and made public prior to any legislative session at

73   which the reports and recommendations are submitted. A copy of the reports and

74   recommendations shall be mailed to each member or member-elect of the Legislature, to each

75   elective state officer, and to the state library.

<hr>

Legislative Review Note
     as of 11-15-12 2:52 PM