

STATE AGENCY REALIGNMENT

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill creates the Department of Health and Human Services and provides for the transition of the Department of Health and the Department of Human Services into the newly created single state agency.

Highlighted Provisions:

This bill:

- ▶ creates the Department of Health and Human Services to combine the functions of the Department of Health and the Department of Human Services;
- ▶ describes the duties, responsibilities, and powers of the agency created in this bill;
- ▶ provides for the transition of the Department of Health and the Department of Human Services into the agency created in this bill;
- ▶ amends the certain responsibilities of the Department of Workforce Services, particularly relating to administration of Medicaid eligibility; and
- ▶ creates a sunset date for certain provisions relating to the transition to the agency created in this bill.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2022:

- ▶ to General Fund Restricted – Department of Health and Human Services Transition Restricted Account, as a one-time appropriation:
  - from the General Fund, One-time, \$1,500,000.
- ▶ to Department of Health – Executive Director’s Operations, as an ongoing

29 appropriation:

- 30 • from the General Fund, Ongoing, (\$135,000).
- 31 • from Federal Funds, Ongoing, (\$135,000).
- 32 ▶ to Department of Health – Executive Director’s Operations, as a one-time

33 appropriation:

- 34 • from the General Fund, One-time, \$135,000.
- 35 • from Federal Funds, One-time, \$135,000.
- 36 ▶ to Department of Health – Medicaid and Health Financing, as an ongoing

37 appropriation:

- 38 • from the General Fund, Ongoing, (\$486,500).
- 39 • from the Federal Funds, Ongoing, (\$486,500).
- 40 ▶ to Department of Health – Medicaid and Health Financing, as a one-time

41 appropriation:

- 42 • from the General Fund, One-time, \$486,500.
- 43 • from Federal Funds, One-time, \$486,500.
- 44 ▶ to Department of Health – Executive Director’s Operations, as an ongoing

45 appropriation:

- 46 • from the General Fund, Ongoing, (\$58,200).
- 47 • from Federal Funds, Ongoing, (\$58,200).
- 48 ▶ to Department of Health – Executive Director’s Operations, as a one-time

49 appropriation:

- 50 • from the General Fund, One-time, \$58,200.
- 51 • from Federal Funds, One-time, \$58,200.
- 52 ▶ to Department of Workforce Services – Operations and Policy, as an ongoing

53 appropriation:

- 54 • from the General Fund, Ongoing, \$486,500.
- 55 • from the Federal Funds, Ongoing, \$486,500.

56           ▶ to Department of Workforce Services – Operations and Policy, as a one-time  
57 appropriation:

- 58           • from the General Fund, One-time, (\$486,500).
- 59           • from Federal Funds, One-time, (\$486,500).

60           ▶ to Department of Workforce Services – Administration, as an ongoing  
61 appropriation:

- 62           • from the General Fund, Ongoing, \$58,200.
- 63           • from Federal Funds, Ongoing, \$58,200.

64           ▶ to Department of Workforce Services – Administration, as a one-time  
65 appropriation:

- 66           • from the General Fund, One-time, (\$58,200).
- 67           • from Federal Funds, One-time, (\$58,200).

68           ▶ to Department of Health – Executive Director’s Operations, as a one-time  
69 appropriation:

- 70           • from the Department of Health and Human Services Transition Restricted  
71 Account, One-time, \$1,500,000.

- 72           • from Federal Funds, One-time, \$1,500,000.

73           ▶ to Department of Human Services – Executive Director Operations, as a one-time  
74 appropriation:

- 75           • from the Department of Health and Human Services Transition Restricted  
76 Account, One-time, \$1,500,000.

- 77           • from Federal Funds, One-time, \$1,500,000.

78 **Other Special Clauses:**

79           This bill provides a special effective date.

80 **Utah Code Sections Affected:**

81 AMENDS:

82           **26-18-3**, as last amended by Laws of Utah 2019, Chapters 104 and 253

- 83 **35A-1-304**, as last amended by Laws of Utah 1998, Chapter 116
- 84 **35A-1-307**, as repealed and reenacted by Laws of Utah 1997, Chapter 375
- 85 **35A-3-103**, as last amended by Laws of Utah 2016, Chapters 296 and 348
- 86 **63I-2-226**, as last amended by Laws of Utah 2020, Chapters 154, 187, 215, and 354

87 ENACTS:

- 88 **26B-1-101**, Utah Code Annotated 1953
- 89 **26B-1-102**, Utah Code Annotated 1953
- 90 **26B-1-103**, Utah Code Annotated 1953
- 91 **26B-1-201**, Utah Code Annotated 1953
- 92 **26B-1-201.1**, Utah Code Annotated 1953



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

95 Section 1. Section **26-18-3** is amended to read:

96 **26-18-3. Administration of Medicaid program by department -- Reporting to the**  
97 **Legislature -- Disciplinary measures and sanctions -- Funds collected -- Eligibility**  
98 **standards -- Internal audits -- Health opportunity accounts.**

99 (1) The department shall be the single state agency responsible for the administration  
100 of the Medicaid program in connection with the United States Department of Health and  
101 Human Services pursuant to Title XIX of the Social Security Act.

102 (2) (a) The department shall implement the Medicaid program through administrative  
103 rules in conformity with this chapter, Title 63G, Chapter 3, Utah Administrative Rulemaking  
104 Act, the requirements of Title XIX, and applicable federal regulations.

105 (b) The rules adopted under Subsection (2)(a) shall include, in addition to other rules  
106 necessary to implement the program:

107 (i) the standards used by the department for determining eligibility for Medicaid  
108 services;

109 (ii) the services and benefits to be covered by the Medicaid program;

- 110 (iii) reimbursement methodologies for providers under the Medicaid program; and
- 111 (iv) a requirement that:
  - 112 (A) a person receiving Medicaid services shall participate in the electronic exchange of
  - 113 clinical health records established in accordance with Section 26-1-37 unless the individual
  - 114 opts out of participation;
  - 115 (B) prior to enrollment in the electronic exchange of clinical health records the enrollee
  - 116 shall receive notice of enrollment in the electronic exchange of clinical health records and the
  - 117 right to opt out of participation at any time; and
  - 118 (C) beginning July 1, 2012, when the program sends enrollment or renewal information
  - 119 to the enrollee and when the enrollee logs onto the program's website, the enrollee shall receive
  - 120 notice of the right to opt out of the electronic exchange of clinical health records.
- 121 (3) (a) The department shall, in accordance with Subsection (3)(b), report to the Social
- 122 Services Appropriations Subcommittee when the department:
  - 123 (i) implements a change in the Medicaid State Plan;
  - 124 (ii) initiates a new Medicaid waiver;
  - 125 (iii) initiates an amendment to an existing Medicaid waiver;
  - 126 (iv) applies for an extension of an application for a waiver or an existing Medicaid
  - 127 waiver;
  - 128 (v) applies for or receives approval for a change in any capitation rate within the
  - 129 Medicaid program; or
  - 130 (vi) initiates a rate change that requires public notice under state or federal law.
- 131 (b) The report required by Subsection (3)(a) shall:
  - 132 (i) be submitted to the Social Services Appropriations Subcommittee prior to the
  - 133 department implementing the proposed change; and
  - 134 (ii) include:
    - 135 (A) a description of the department's current practice or policy that the department is
    - 136 proposing to change;

- 137 (B) an explanation of why the department is proposing the change;
- 138 (C) the proposed change in services or reimbursement, including a description of the  
139 effect of the change;
- 140 (D) the effect of an increase or decrease in services or benefits on individuals and  
141 families;
- 142 (E) the degree to which any proposed cut may result in cost-shifting to more expensive  
143 services in health or human service programs; and
- 144 (F) the fiscal impact of the proposed change, including:
- 145 (I) the effect of the proposed change on current or future appropriations from the  
146 Legislature to the department;
- 147 (II) the effect the proposed change may have on federal matching dollars received by  
148 the state Medicaid program;
- 149 (III) any cost shifting or cost savings within the department's budget that may result  
150 from the proposed change; and
- 151 (IV) identification of the funds that will be used for the proposed change, including any  
152 transfer of funds within the department's budget.
- 153 (4) Any rules adopted by the department under Subsection (2) are subject to review and  
154 reauthorization by the Legislature in accordance with Section [63G-3-502](#).
- 155 (5) The department may, in its discretion, contract with the Department of Human  
156 Services or other qualified agencies for services in connection with the administration of the  
157 Medicaid program, including:
- 158 (a) the determination of the eligibility of individuals for the program;
- 159 (b) recovery of overpayments; and
- 160 (c) consistent with Section [26-20-13](#), and to the extent permitted by law and quality  
161 control services, enforcement of fraud and abuse laws.
- 162 (6) The department shall provide, by rule, disciplinary measures and sanctions for  
163 Medicaid providers who fail to comply with the rules and procedures of the program, provided

164 that sanctions imposed administratively may not extend beyond:

165 (a) termination from the program;

166 (b) recovery of claim reimbursements incorrectly paid; and

167 (c) those specified in Section 1919 of Title XIX of the federal Social Security Act.

168 (7) (a) Funds collected as a result of a sanction imposed under Section 1919 of Title

169 XIX of the federal Social Security Act shall be deposited in the General Fund as dedicated

170 credits to be used by the division in accordance with the requirements of Section 1919 of Title

171 XIX of the federal Social Security Act.

172 (b) In accordance with Section 63J-1-602.2, sanctions collected under this Subsection

173 (7) are nonlapsing.

174 (8) (a) In determining whether an applicant or recipient is eligible for a service or

175 benefit under this part or Chapter 40, Utah Children's Health Insurance Act, the department

176 shall, if Subsection (8)(b) is satisfied, exclude from consideration one passenger vehicle

177 designated by the applicant or recipient.

178 (b) Before Subsection (8)(a) may be applied:

179 (i) the federal government shall:

180 (A) determine that Subsection (8)(a) may be implemented within the state's existing

181 public assistance-related waivers as of January 1, 1999;

182 (B) extend a waiver to the state permitting the implementation of Subsection (8)(a); or

183 (C) determine that the state's waivers that permit dual eligibility determinations for

184 cash assistance and Medicaid are no longer valid; and

185 (ii) the department shall determine that Subsection (8)(a) can be implemented within

186 existing funding.

187 (9) (a) For purposes of this Subsection (9):

188 (i) "aged, blind, or has a disability" means an aged, blind, or disabled individual, as

189 defined in 42 U.S.C. Sec. 1382c(a)(1); and

190 (ii) "spend down" means an amount of income in excess of the allowable income

191 standard that shall be paid in cash to the department or incurred through the medical services  
192 not paid by Medicaid.

193 (b) In determining whether an applicant or recipient who is aged, blind, or has a  
194 disability is eligible for a service or benefit under this chapter, the department shall use 100%  
195 of the federal poverty level as:

196 (i) the allowable income standard for eligibility for services or benefits; and

197 (ii) the allowable income standard for eligibility as a result of spend down.

198 (10) The department shall conduct internal audits of the Medicaid program.

199 (11) (a) The department may apply for and, if approved, implement a demonstration  
200 program for health opportunity accounts, as provided for in 42 U.S.C. Sec. 1396u-8.

201 (b) A health opportunity account established under Subsection (11)(a) shall be an  
202 alternative to the existing benefits received by an individual eligible to receive Medicaid under  
203 this chapter.

204 (c) Subsection (11)(a) is not intended to expand the coverage of the Medicaid program.

205 (12) (a) (i) The department shall apply for, and if approved, implement an amendment  
206 to the state plan under this Subsection (12) for benefits for:

207 (A) medically needy pregnant women;

208 (B) medically needy children; and

209 (C) medically needy parents and caretaker relatives.

210 (ii) The department may implement the eligibility standards of Subsection (12)(b) for  
211 eligibility determinations made on or after the date of the approval of the amendment to the  
212 state plan.

213 (b) In determining whether an applicant is eligible for benefits described in Subsection  
214 (12)(a)(i), the department shall:

215 (i) disregard resources held in an account in the savings plan created under Title 53B,  
216 Chapter 8a, Utah Educational Savings Plan, if the beneficiary of the account is:

217 (A) under the age of 26; and



218 (B) living with the account owner, as that term is defined in Section 53B-8a-102, or  
219 temporarily absent from the residence of the account owner; and

220 (ii) include the withdrawals from an account in the Utah Educational Savings Plan as  
221 resources for a benefit determination, if the withdrawal was not used for qualified higher  
222 education costs as that term is defined in Section 53B-8a-102.5.

223 (13) (a) The department may not deny or terminate eligibility for Medicaid solely  
224 because an individual is:

225 (i) incarcerated; and

226 (ii) not an inmate as defined in Section 64-13-1.

227 (b) Subsection (13)(a) does not require the Medicaid program to provide coverage for  
228 any services for an individual while the individual is incarcerated.

229 (14) The department is a party to, and may intervene at any time in, any judicial or  
230 administrative action:

231 (a) to which the Department of Workforce Services is a party; and

232 (b) that involves medical assistance under:

233 (i) Title 26, Chapter 18, Medical Assistance Act; or

234 (ii) Title 26, Chapter 40, Utah Children's Health Insurance Act.

235 Section 2. Section 26B-1-101 is enacted to read:

236 **TITLE 26B. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

237 **CHAPTER 1. GENERAL PROVISIONS AND ORGANIZATION**

238 **Part 1. General Provisions**

239 **26B-1-101. Title.**

240 This title is known as the "Department of Health and Human Services."

241 Section 3. Section 26B-1-102 is enacted to read:

242 **26B-1-102. Definitions.**

243 As used in this title:

244 (1) "Department" means the Department of Health and Human Services created in

245 Section [26B-1-201](#).

246 (2) "Department of Health" means the Department of Health created in Section [26-1-4](#).

247 (3) "Department of Human Services" means the Department of Human Services  
248 created in Section [62A-1-102](#).

249 Section 4. Section **26B-1-103** is enacted to read:

250 **26B-1-103. Purpose of title -- Consolidation of functions into single state agency.**

251 The purpose of this title is to consolidate into a single agency of state government all of  
252 the functions exercised by:

253 (1) the Department of Health, including all of the powers and duties described in Title  
254 26, Utah Health Code; and

255 (2) the Department of Human Services, including all of the powers and duties  
256 described in Title 62A, Utah Human Services Code.

257 Section 5. Section **26B-1-201** is enacted to read:

258 **Part 2. Organization**

259 **26B-1-201. Department of Health and Human Services -- Creation -- Duties.**

260 (1) There is created within state government the Department of Health and Human  
261 Services, which has all of the policymaking functions, regulatory and enforcement powers,  
262 rights, duties, and responsibilities outlined in this title.

263 (2) In addition to Subsection (1), during the transition period described in Section  
264 [26B-1-201.1](#), the Department of Health and Human Services may exercise any of the  
265 policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities  
266 of the Department of Health and the Department of Human Services under the joint direction  
267 of:

268 (a) the executive director of the Department of Health; and

269 (b) the executive director of the Department of Human Services.

270 Section 6. Section **26B-1-201.1** is enacted to read:

271 **26B-1-201.1. Transition to single state agency -- Transition plan -- Restricted**

272 **Account.**

273 (1) As used in this section:

274 (a) "Transition agencies" means the:

275 (i) Department of Health; and

276 (ii) Department of Human Services.

277 (b) "Transition period" means the period of time:

278 (i) during which the transition of the department to the Department of Health and

279 Human Services takes place; and

280 (ii) beginning on the effective date of the bill, and ending on July 1, 2022.

281 (2) On or before December 1, 2021, the transition agencies shall develop a written

282 transition plan for merging the functions of the transition agencies into the Department of

283 Health and Human Services on July 1, 2022, in order to:

284 (a) more efficiently and effectively manage health and human services programs that  
285 are the responsibility of the state;

286 (b) establish a health and human services policy for the state; and

287 (c) promote health and the quality of life in the health and human services field.

288 (3) The written transition plan described in Subsection (2) shall describe:

289 (a) the tasks that need to be completed before the move on July 1, 2022, including a  
290 description of:

291 (i) how the transition agencies solicited comment from stakeholders, including:

292 (A) employees of the transition agencies;

293 (B) clients and partners of the transition agencies;

294 (C) members of the public;

295 (D) the Legislature; and

296 (E) the executive office of the governor;

297 (ii) the proposed organizational structure of the department, including the transition of  
298 responsibilities of employees, by job title and classification, under the newly proposed

299 organizational structure and a plan for these transitions;  
300 (iii) office space and infrastructure requirements related to the transition;  
301 (iv) any work site location changes for transitioning employees;  
302 (v) the transition of service delivery sites;  
303 (vi) amendments needed to existing contracts, including grants;  
304 (vii) legislative changes needed to implement the transition described in this section;  
305 (viii) how the transition agencies will coordinate agency rules;  
306 (ix) procedures for the transfer and reconciliation of budgeting and funding of the  
307 department as the transition agencies transition into the department; and  
308 (x) the transition of technology services to the department;  
309 (b) the tasks that may need to be completed after the transition on July 1, 2022; and  
310 (c) how the transition to the department will be funded, including details of:  
311 (i) how expenses associated with the transition will be managed;  
312 (ii) how funding for services provided by the transition agencies will be managed to  
313 ensure services will be provided by the transition agencies and the department without  
314 interruption; and  
315 (iii) how federal funds will be used by or transferred between the transition agencies  
316 and the department to ensure services will be provided by the transition agencies and the  
317 department without interruption.  
318 (4) The written transition plan described in Subsection (2) shall:  
319 (a) include a detailed timeline for the completion of the tasks described in Subsection  
320 (3)(a);  
321 (b) be updated at least one time in every two week period until the transition is  
322 complete;  
323 (c) describe how information will be provided to clients of the transition agencies and  
324 the department regarding any changes to where services will be provided and the hours services  
325 will be provided;

- 326 (d) be provided to the:
- 327 (i) Health and Human Services Interim Committee;
- 328 (ii) Social Services Appropriations Subcommittee;
- 329 (iii) the executive office of the governor;
- 330 (iv) Division of Finance; and
- 331 (v) Department of Technology Services; and
- 332 (e) be made available to employees that are transitioning or may potentially be
- 333 transitioned.
- 334 (5) The transition agencies shall publish information that provides a full overview of
- 335 the written transition plan and how the move may affect client services offered by the transition
- 336 agencies on the transition agencies' respective websites, including regular updates regarding:
- 337 (a) how the move may affect client services offered by the transition agencies;
- 338 (b) information regarding the location where services are provided and the hours
- 339 services are provided; and
- 340 (c) contact information so that clients of the transition agencies can contact
- 341 transitioning employees and obtain information regarding client services.
- 342 (6) The transition agencies may, separately or collectively, enter into a memorandum of
- 343 understanding regarding how costs and responsibilities will be shared to:
- 344 (a) ensure that services provided under agreements with the federal government,
- 345 including new and ongoing grant programs, are fulfilled;
- 346 (b) ensure that commitments made by the transition agencies are met;
- 347 (c) provide ongoing or shared services as needed, including the provision of payments
- 348 to the department from the transition agencies; and
- 349 (d) ensure that money from the Department of Health and Human Services Transition
- 350 Restricted Account created in Subsection (8) is used appropriately by the transition agencies
- 351 and the department.
- 352 (7) In implementing the written transition plan described in this section, the transition

353 agencies and the department shall protect existing services, programs, and access to services  
354 provided by the transition agencies.

355 (8) (a) There is created a restricted account within the General Fund known as the  
356 "Department of Health and Human Services Transition Restricted Account."

357 (b) The restricted account shall consist of appropriations made by the Legislature.

358 (c) Subject to appropriation, the transition agencies and the department may spend  
359 money from the restricted account to pay for expenses related to moving the transition agencies  
360 into the department, including staff and legal services.

361 Section 7. Section **35A-1-304** is amended to read:

362 **35A-1-304. Review authority of the Workforce Appeals Board.**

363 (1) (a) In accordance with this title and Title 63G, Chapter 4, Administrative  
364 Procedures Act, the Workforce Appeals Board may allow an appeal from a decision of an  
365 administrative law judge from a formal adjudicative proceeding if a motion for review is filed  
366 with the Division of Adjudication within the designated time by any party entitled to the notice  
367 of the administrative law judge's decision.

368 (b) An appeal filed by the party shall be allowed as of right if the decision of the  
369 administrative law judge did not affirm the department's prior decision.

370 (c) If the Workforce Appeals Board denies an application for appeal from the decision  
371 of an administrative law judge, the decision of the administrative law judge is considered a  
372 decision of the Workforce Appeals Board for purposes of judicial review and is subject to  
373 judicial review if further appeal is initiated under this title.

374 (2) On appeal, the Workforce Appeals Board may on the basis of the evidence  
375 previously submitted in the case, or upon the basis of any additional evidence it requires:

376 (a) affirm the decision of the administrative law judge;

377 (b) modify the decision of the administrative law judge; or

378 (c) reverse the findings, conclusions, and decision of the administrative law judge.

379 (3) The Workforce Appeals Board shall promptly notify the parties to any proceedings

380 before it of its decision, including its findings and conclusions, and the decision is a final order  
381 of the department unless within 30 days after the date the decision of the Workforce Appeals  
382 Board is issued, further appeal is initiated under this title.

383 Section 8. Section **35A-1-307** is amended to read:

384 **35A-1-307. Scope of part.**

385 This part does not apply to adjudication under [~~:(1) Chapter 3, Employment Support~~  
386 ~~Act, or (2)] Chapter 5, Part 1, Job Training Coordination Act.~~

387 Section 9. Section **35A-3-103** is amended to read:

388 **35A-3-103. Department responsibilities.**

389 The department shall:

- 390 (1) administer public assistance programs assigned by the Legislature and the  
391 governor;
- 392 (2) determine eligibility for public assistance programs in accordance with the  
393 requirements of this chapter;
- 394 (3) cooperate with the federal government in the administration of public assistance  
395 programs;
- 396 (4) administer state employment services;
- 397 (5) provide for the compilation of necessary or desirable information, statistics, and  
398 reports;
- 399 (6) perform other duties and functions required by law;
- 400 (7) monitor the application of eligibility policy;
- 401 (8) develop personnel training programs for effective and efficient operation of the  
402 programs administered by the department;
- 403 (9) provide refugee resettlement services in accordance with Section **35A-3-701**;
- 404 (10) provide child care assistance for children in accordance with Part 2, Office of  
405 Child Care; ~~and]~~
- 406 (11) provide services that enable an applicant or recipient to qualify for affordable

407 housing in cooperation with:

- 408 (a) the Utah Housing Corporation;
- 409 (b) the Housing and Community Development Division; and
- 410 (c) local housing authorities[-];

411 (12) in accordance with 42 C.F.R. Sec. 431.10, develop non-clinical eligibility policy  
412 and procedures to implement the eligibility state plan, waivers, and administrative rules  
413 developed and issued by the Department of Health and Human Services for medical assistance  
414 under:

- 415 (a) Title 26, Chapter 18, Medical Assistance Act; and
- 416 (b) Title 26, Chapter 40, Utah Children's Health Insurance Act;
- 417 (13) administer the Medicaid Eligibility Quality Control function in accordance with  
418 42 C.F.R. Sec. 431.812; and

419 (14) conduct eligibility hearings and issue final decisions in adjudicative proceedings,  
420 including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for medical assistance  
421 eligibility under:

- 422 (a) Title 26, Chapter 18, Medical Assistance Act; or
- 423 (b) Title 26, Chapter 40, Utah Children's Health Insurance Act.

424 Section 10. Section **63I-2-226** is amended to read:

425 **63I-2-226. Repeal dates, Title 26 through 26B.**

426 (1) Subsection 26-1-7(1)(c), in relation to the Air Ambulance Committee, is repealed  
427 July 1, 2024.

428 (2) Subsection 26-7-8(3) is repealed January 1, 2027.

429 (3) Section 26-8a-107 is repealed July 1, 2024.

430 (4) Subsection 26-8a-203(3)(a)(i) is repealed January 1, 2023.

431 (5) Section 26-8a-211 is repealed July 1, 2023.

432 (6) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection  
433 26-8a-602(1)(a) is amended to read:



434 "(a) provide the patient or the patient's representative with the following information  
435 before contacting an air medical transport provider:

436 (i) which health insurers in the state the air medical transport provider contracts with;

437 (ii) if sufficient data is available, the average charge for air medical transport services  
438 for a patient who is uninsured or out of network; and

439 (iii) whether the air medical transport provider balance bills a patient for any charge  
440 not paid by the patient's health insurer; and".

441 (7) Subsection [26-18-2.4\(3\)\(e\)](#) is repealed January 1, 2023.

442 (8) Subsection [26-18-411\(8\)](#), related to reporting on the health coverage improvement  
443 program, is repealed January 1, 2023.

444 (9) Subsection [26-18-420\(5\)](#), related to reporting on coverage for in vitro fertilization  
445 and genetic testing, is repealed July 1, 2030.

446 [~~(10)~~ Subsection [26-21-28\(2\)\(b\)](#) is repealed January 1, 2021.]

447 [(11)] (10) In relation to the Air Ambulance Committee, July 1, 2024, Subsection  
448 [26-21-32\(1\)\(a\)](#) is amended to read:

449 "(a) provide the patient or the patient's representative with the following information  
450 before contacting an air medical transport provider:

451 (i) which health insurers in the state the air medical transport provider contracts with;

452 (ii) if sufficient data is available, the average charge for air medical transport services  
453 for a patient who is uninsured or out of network; and

454 (iii) whether the air medical transport provider balance bills a patient for any charge  
455 not paid by the patient's health insurer; and".

456 [(12)] (11) Subsection [26-33a-106.1\(2\)\(a\)](#) is repealed January 1, 2023.

457 [(13)] (12) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance  
458 Program, is repealed July 1, 2027.

459 [~~(14)~~ Subsection [26-55-107\(8\)](#) is repealed January 1, 2021.]

460 [(15)] (13) Subsection [26-61-202\(4\)\(b\)](#) is repealed January 1, 2022.

461 [~~16~~] (14) Subsection 26-61-202(5) is repealed January 1, 2022.

462 (15) Section 26B-1-201.1 is repealed July 1, 2022.

463 Section 11. **Appropriation.**

464 The following sums of money are appropriated for the fiscal year beginning July 1,  
465 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for  
466 fiscal year 2022.

467 Subsection 11(a). **Operating and Capital Budgets.**

468 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
469 Legislature appropriates the following sums of money from the funds or accounts indicated for  
470 the use and support of the government of the state of Utah.

471 ITEM 1

472 To Department of Health -- Executive Director's Operations

473 From General Fund (\$135,000)

474 From General Fund, One-time \$135,000

475 From Federal Funds (\$135,000)

476 From Federal Funds, One-time \$135,000

477 ITEM 2

478 To Department of Health -- Medicaid and Health Financing

479 From General Fund (\$486,500)

480 From General Fund, One-time \$486,500

481 From Federal Funds (\$486,500)

482 From Federal Funds, One-time \$486,500

483 ITEM 3

484 To Department of Health -- Executive Director's Operations

485 From General Fund (\$58,200)

486 From General Fund, One-time \$58,200

487 From Federal Funds (\$58,200)

488	<u>From Federal Funds, One-time</u>	<u>\$58,200</u>
489	<u>ITEM 4</u>	
490	<u>To Department of Health -- Executive Director's Operations</u>	
491	<u>From Department of Health and Human Services Transition Restricted</u>	
492	<u>Account, One-time</u>	<u>\$1,500,000</u>
493	<u>From Federal Funds, One-Time</u>	<u>\$1,500,000</u>
494	<u>Schedule of Programs:</u>	
495	<u>Program Operations</u>	<u>\$3,000,000</u>
496	<u>ITEM 5</u>	
497	<u>To Department of Human Services -- Executive Director Operations</u>	
498	<u>From Department of Health and Human Services Transition Restricted</u>	
499	<u>Account, One-time</u>	<u>\$1,500,000</u>
500	<u>From Federal Funds, One-Time</u>	<u>\$1,500,000</u>
501	<u>Schedule of Programs:</u>	
502	<u>Fiscal Operations</u>	<u>\$3,000,000</u>
503	<u>ITEM 6</u>	
504	<u>To Department of Workforce Services -- Operations and Policy</u>	
505	<u>From General Fund</u>	<u>\$486,500</u>
506	<u>From General Fund, One-time</u>	<u>(\$486,500)</u>
507	<u>From Federal Funds</u>	<u>\$486,500</u>
508	<u>From Federal Funds, One-time</u>	<u>(\$486,500)</u>
509	<u>ITEM 7</u>	
510	<u>To Department of Workforce Services -- Administration</u>	
511	<u>From General Fund</u>	<u>\$58,200</u>
512	<u>From General Fund, One-time</u>	<u>(\$58,200)</u>
513	<u>From Federal Funds</u>	<u>\$58,200</u>
514	<u>From Federal Funds, One-time</u>	<u>(\$58,200)</u>

515 Subsection 11(b). Restricted Fund and Account Transfers.

516 The Legislature authorizes the State Division of Finance to transfer the following  
517 amounts between the following funds or accounts as indicated. Expenditures and outlays from  
518 the funds to which the money is transferred must be authorized by an appropriation.

519 ITEM 1

520 To General Fund Restricted -- Department of Health and Human Services Transition  
521 Restricted Account

522 From General Fund, One-time \$1,500,000

523 From Federal Funds, One-time \$1,500,000

524 Schedule of Programs:

525 General Fund Restricted -- Department of Health and Human Services  
526 Transition Restricted Account \$3,000,000

527 Section 12. **Effective date.**

528 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members  
529 elected to each house, this bill takes effect upon approval by the governor, or the day following  
530 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's  
531 signature, or in the case of a veto, the date of veto override.

532 (2) The actions affecting the following sections take effect on July 1, 2022:

533 (a) Section [26-18-3](#);

534 (b) Section [35A-1-304](#);

535 (c) Section [35A-1-307](#); and

536 (d) Section [35A-3-103](#).