

Noncitizen Health Insurance Policies Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: R. Neil Walter

LONG TITLE**General Description:**

This bill amends provisions relating to health insurance for certain noncitizens.

Highlighted Provisions:

This bill:

- modifies definitions;
- removes alternative eligibility for otherwise ineligible children under the Children's Health Insurance Program; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:**AMENDS:**

26B-3-901 (Effective 07/01/25), as last amended by Laws of Utah 2023, Chapter 332 and renumbered and amended by Laws of Utah 2023, Chapter 306

26B-3-903 (Effective 07/01/25), as last amended by Laws of Utah 2023, Chapter 332 and renumbered and amended by Laws of Utah 2023, Chapter 306

63I-1-226 (Effective 07/01/25), as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

REPEALS:

26B-3-910, as last amended by Laws of Utah 2024, Chapter 268

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

Section 1. Section **26B-3-901** is amended to read:

26B-3-901 (Effective 07/01/25). Definitions.

As used in this part:

(1) "Child" means an individual who is younger than 19 years old.

32 (2) "Eligible child" means, subject to limitations created by the federal government, a child
 33 who is:

34 (a) a citizen of the United States;

35 (b) a Supplemental Security Income recipient living in the United States on August 22,
 36 1996, that meets the federal government's criteria for one of the grand-fathered
 37 Supplemental Security Income recipient non-citizen groups; or

38 (c) a lawfully present child.

39 [(2)] (3) "Member" means a child enrolled in the program.

40 [(3)] (4) "Plan" means the department's plan submitted to the United States Department of
 41 Health and Human Services pursuant to 42 U.S.C. Sec. 1397ff.

42 [(4)] (5) "Program" means the Utah Children's Health Insurance Program created by this
 43 part.

44 [(5) "~~Traditionally eligible child~~" means, subject to limitations created by the federal
 45 government, a child who is:]

46 [(a) a citizen of the United States;]

47 [(b) a qualified non-citizen;]

48 [(c) a Supplemental Security Income recipient living in the United States on August 22,
 49 1996, that meets the federal government's criteria for one of the grand-fathered
 50 Supplemental Security Income recipient non-citizen groups; or]

51 [(d) a lawfully present child.]

52 Section 2. Section **26B-3-903** is amended to read:

53 **26B-3-903 (Effective 07/01/25). Eligibility.**

54 (1) [~~A traditionally~~] An eligible child may enroll in the program if the child:

55 (a) is a bona fide Utah resident;

56 (b) does not have access to or coverage under other health insurance, including any
 57 coverage available through a parent or legal guardian's employer;

58 (c) is ineligible for Medicaid benefits;

59 (d) resides in a household whose gross family income, as defined by rule, is at or below
 60 200% of the federal poverty level; and

61 (e) is not an inmate of a public institution or a patient in an institution for mental
 62 diseases.

63 (2) A child who qualifies for enrollment in the program under Subsection (1) may not be
 64 denied enrollment due to a diagnosis or pre-existing condition.

65 (3)(a) The department shall determine eligibility and send notification of the eligibility

- 66 decision within 30 days after receiving the application for coverage.
- 67 (b) If the department cannot reach a decision because the applicant fails to take a
68 required action, or because there is an administrative or other emergency beyond the
69 department's control, the department shall:
- 70 (i) document the reason for the delay in the applicant's case record; and
71 (ii) inform the applicant of the status of the application and time frame for
72 completion.
- 73 (4) The department may not close enrollment in the program for a child who is eligible to
74 enroll in the program under the provisions of Subsection (1).
- 75 (5) The program shall:
- 76 (a) apply for grants to make technology system improvements necessary to implement a
77 simplified enrollment and renewal process in accordance with Subsection (5)(b); and
78 (b) if funding is available, implement a simplified enrollment and renewal process.
- 79 Section 3. Section **63I-1-226** is amended to read:
- 80 **63I-1-226 (Effective 07/01/25). Repeal dates: Titles 26 through 26B.**
- 81 (1) Subsection 26B-1-204(2)(h), regarding the Primary Care Grant Committee, is repealed
82 July 1, 2025.
- 83 (2) Section 26B-1-315, Medicaid ACA Fund, is repealed July 1, 2034.
- 84 (3) Section 26B-1-318, Brain and Spinal Cord Injury Fund, is repealed July 1, 2029.
- 85 (4) Section 26B-1-402, Rare Disease Advisory Council Grant Program -- Creation --
86 Reporting, is repealed July 1, 2026.
- 87 (5) Section 26B-1-409, Utah Digital Health Service Commission -- Creation -- Membership
88 -- Duties, is repealed July 1, 2025.
- 89 (6) Section 26B-1-410, Primary Care Grant Committee, is repealed July 1, 2025.
- 90 (7) Section 26B-1-416, Utah Children's Health Insurance Program Advisory Council, is
91 repealed July 1, 2025.
- 92 (8) Section 26B-1-417, Brain and Spinal Cord Injury Advisory Committee -- Membership
93 -- Duties, is repealed July 1, 2029.
- 94 (9) Section 26B-1-422, Early Childhood Utah Advisory Council -- Creation --
95 Compensation -- Duties, is repealed July 1, 2029.
- 96 (10) Section 26B-1-425, Utah Health Workforce Advisory Council -- Creation and
97 membership, is repealed July 1, 2027.
- 98 (11) Section 26B-1-428, Youth Electronic Cigarette, Marijuana, and Other Drug Prevention
99 Committee and Program -- Creation -- Membership -- Duties, is repealed July 1, 2025.

- 100 (12) Section 26B-1-430, Coordinating Council for Persons with Disabilities -- Policy
 101 regarding services to individuals with disabilities -- Creation -- Membership --
 102 Expenses, is repealed July 1, 2027.
- 103 (13) Section 26B-1-432, Newborn Hearing Screening Committee, is repealed July 1, 2026.
- 104 (14) Section 26B-2-407, Drinking water quality in child care centers, is repealed July 1,
 105 2027.
- 106 (15) Subsection 26B-3-107(9), regarding reimbursement for dental hygienists, is repealed
 107 July 1, 2028.
- 108 (16) Section 26B-3-136, Children's Health Care Coverage Program, is repealed July 1, 2025.
- 109 (17) Section 26B-3-137, Reimbursement for diabetes prevention program, is repealed June
 110 30, 2027.
- 111 (18) Subsection 26B-3-213(2)(b), regarding consultation with the Behavioral Health Crisis
 112 Response Committee, is repealed December 31, 2026.
- 113 (19) Section 26B-3-302, DUR Board -- Creation and membership -- Expenses, is repealed
 114 July 1, 2027.
- 115 (20) Section 26B-3-303, DUR Board -- Responsibilities, is repealed July 1, 2027.
- 116 (21) Section 26B-3-304, Confidentiality of records, is repealed July 1, 2027.
- 117 (22) Section 26B-3-305, Drug prior approval program, is repealed July 1, 2027.
- 118 (23) Section 26B-3-306, Advisory committees, is repealed July 1, 2027.
- 119 (24) Section 26B-3-307, Retrospective and prospective DUR, is repealed July 1, 2027.
- 120 (25) Section 26B-3-308, Penalties, is repealed July 1, 2027.
- 121 (26) Section 26B-3-309, Immunity, is repealed July 1, 2027.
- 122 (27) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2034.
- 123 (28) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed
 124 July 1, 2034.
- 125 (29) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.
- 126 [~~(30) Section 26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility~~
 127 ~~Expendable Revenue Fund, is repealed July 1, 2028.~~]
- 128 [~~(31)~~ (30) Section 26B-4-710, Rural residency training program, is repealed July 1, 2025.
- 129 [~~(32)~~ (31) Subsection 26B-5-112(1)(b), regarding consultation with the Behavioral Health
 130 Crisis Response Committee, is repealed December 31, 2026.
- 131 [~~(33)~~ (32) Subsection 26B-5-112(5)(b), regarding consultation with the Behavioral Health
 132 Crisis Response Committee, is repealed December 31, 2026.
- 133 [~~(34)~~ (33) Section 26B-5-112.5, Mobile Crisis Outreach Team Grant Program, is repealed

134 December 31, 2026.

135 ~~[(35)]~~ (34) Section 26B-5-114, Behavioral Health Receiving Center Grant Program, is

136 repealed December 31, 2026.

137 ~~[(36)]~~ (35) Section 26B-5-118, Collaborative care grant program, is repealed December 31,

138 2024.

139 ~~[(37)]~~ (36) Section 26B-5-120, Virtual crisis outreach team grant program, is repealed

140 December 31, 2026.

141 ~~[(38)]~~ (37) Subsection 26B-5-609(1)(a), regarding the Behavioral Health Crisis Response

142 Committee, is repealed December 31, 2026.

143 ~~[(39)]~~ (38) Subsection 26B-5-609(3)(b), regarding the Behavioral Health Crisis Response

144 Committee, is repealed December 31, 2026.

145 ~~[(40)]~~ (39) Subsection 26B-5-610(1)(b), regarding the Behavioral Health Crisis Response

146 Committee, is repealed December 31, 2026.

147 ~~[(41)]~~ (40) Subsection 26B-5-610(2)(b)(ii), regarding the Behavioral Health Crisis Response

148 Committee, is repealed December 31, 2026.

149 ~~[(42)]~~ (41) Section 26B-5-612, Integrated behavioral health care grant programs, is repealed

150 December 31, 2025.

151 ~~[(43)]~~ (42) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed

152 July 1, 2029.

153 ~~[(44)]~~ (43) Subsection 26B-5-704(2)(a), regarding the Behavioral Health Crisis Response

154 Committee, is repealed December 31, 2026.

155 ~~[(45)]~~ (44) Subsection 26B-5-704(2)(b), regarding the Education and Mental Health

156 Coordinating Committee, is repealed December 31, 2024.

157 ~~[(46)]~~ (45) Title 26B, Chapter 5, Part 8, Utah Substance Use and Mental Health Advisory

158 Committee, is repealed January 1, 2033.

159 ~~[(47)]~~ (46) Section 26B-7-119, Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.

160 ~~[(48)]~~ (47) Section 26B-7-122, Communication Habits to reduce Adolescent Threats Pilot

161 Program, is repealed July 1, 2029.

162 ~~[(49)]~~ (48) Section 26B-7-123, Report on CHAT campaign, is repealed July 1, 2029.

163 ~~[(50)]~~ (49) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1,

164 2026.

165 Section 4. **Repealer.**

166 This bill repeals:

167 Section **26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility Account.**

168 Section 5. **Effective Date.**

169 This bill takes effect on July 1, 2025.