

R. Neil Walter proposes the following substitute bill:

**Noncitizen Health Insurance Policies Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: R. Neil Walter**

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**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

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*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:

- 31 (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;
- 38 (c) a lawfully present child; or
- 39 (d) a qualified non-citizen.
- 40 [(2)] (3) "Member" means a child enrolled in the program.
- 41 [(3)] (4) "Plan" means the department's plan submitted to the United States Department of  
 42 Health and Human Services pursuant to 42 U.S.C. Sec. 1397ff.
- 43 [(4)] (5) "Program" means the Utah Children's Health Insurance Program created by this  
 44 part.
- 45 [(5) "~~Traditionally eligible child~~" means, ~~subject to limitations created by the federal~~  
 46 ~~government, a child who is:~~]
- 47 [(a) ~~a citizen of the United States;~~]
- 48 [(b) ~~a qualified non-citizen;~~]
- 49 [(c) ~~a Supplemental Security Income recipient living in the United States on August 22,~~  
 50 ~~1996, that meets the federal government's criteria for one of the grand-fathered~~  
 51 ~~Supplemental Security Income recipient non-citizen groups; or]~~
- 52 [(d) ~~a lawfully present child.~~]
- 53 Section 2. Section **26B-3-903** is amended to read:
- 54 **26B-3-903 (Effective 07/01/25). Eligibility.**
- 55 (1) [~~A traditionally~~] An eligible child may enroll in the program if the child:
- 56 (a) is a bona fide Utah resident;
- 57 (b) does not have access to or coverage under other health insurance, including any  
 58 coverage available through a parent or legal guardian's employer;
- 59 (c) is ineligible for Medicaid benefits;
- 60 (d) resides in a household whose gross family income, as defined by rule, is at or below  
 61 200% of the federal poverty level; and
- 62 (e) is not an inmate of a public institution or a patient in an institution for mental  
 63 diseases.
- 64 (2) A child who qualifies for enrollment in the program under Subsection (1) may not be

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

- 99 (11) Section 26B-1-428, Youth Electronic Cigarette, Marijuana, and Other Drug Prevention  
100 Committee and Program -- Creation -- Membership -- Duties, is repealed July 1, 2025.
- 101 (12) Section 26B-1-430, Coordinating Council for Persons with Disabilities -- Policy  
102 regarding services to individuals with disabilities -- Creation -- Membership --  
103 Expenses, is repealed July 1, 2027.
- 104 (13) Section 26B-1-432, Newborn Hearing Screening Committee, is repealed July 1, 2026.
- 105 (14) Section 26B-2-407, Drinking water quality in child care centers, is repealed July 1,  
106 2027.
- 107 (15) Subsection 26B-3-107(9), regarding reimbursement for dental hygienists, is repealed  
108 July 1, 2028.
- 109 (16) Section 26B-3-136, Children's Health Care Coverage Program, is repealed July 1, 2025.
- 110 (17) Section 26B-3-137, Reimbursement for diabetes prevention program, is repealed June  
111 30, 2027.
- 112 (18) Subsection 26B-3-213(2)(b), regarding consultation with the Behavioral Health Crisis  
113 Response Committee, is repealed December 31, 2026.
- 114 (19) Section 26B-3-302, DUR Board -- Creation and membership -- Expenses, is repealed  
115 July 1, 2027.
- 116 (20) Section 26B-3-303, DUR Board -- Responsibilities, is repealed July 1, 2027.
- 117 (21) Section 26B-3-304, Confidentiality of records, is repealed July 1, 2027.
- 118 (22) Section 26B-3-305, Drug prior approval program, is repealed July 1, 2027.
- 119 (23) Section 26B-3-306, Advisory committees, is repealed July 1, 2027.
- 120 (24) Section 26B-3-307, Retrospective and prospective DUR, is repealed July 1, 2027.
- 121 (25) Section 26B-3-308, Penalties, is repealed July 1, 2027.
- 122 (26) Section 26B-3-309, Immunity, is repealed July 1, 2027.
- 123 (27) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2034.
- 124 (28) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed  
125 July 1, 2034.
- 126 (29) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.
- 127 [~~(30) Section 26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility~~  
128 ~~Expendable Revenue Fund, is repealed July 1, 2028.~~]
- 129 [~~(31)~~ (30) Section 26B-4-710, Rural residency training program, is repealed July 1, 2025.
- 130 [~~(32)~~ (31) Subsection 26B-5-112(1)(b), regarding consultation with the Behavioral Health  
131 Crisis Response Committee, is repealed December 31, 2026.
- 132 [~~(33)~~ (32) Subsection 26B-5-112(5)(b), regarding consultation with the Behavioral Health

133 Crisis Response Committee, is repealed December 31, 2026.  
134 [~~(34)~~] (33) Section 26B-5-112.5, Mobile Crisis Outreach Team Grant Program, is repealed  
135 December 31, 2026.  
136 [~~(35)~~] (34) Section 26B-5-114, Behavioral Health Receiving Center Grant Program, is  
137 repealed December 31, 2026.  
138 [~~(36)~~] (35) Section 26B-5-118, Collaborative care grant program, is repealed December 31,  
139 2024.  
140 [~~(37)~~] (36) Section 26B-5-120, Virtual crisis outreach team grant program, is repealed  
141 December 31, 2026.  
142 [~~(38)~~] (37) Subsection 26B-5-609(1)(a), regarding the Behavioral Health Crisis Response  
143 Committee, is repealed December 31, 2026.  
144 [~~(39)~~] (38) Subsection 26B-5-609(3)(b), regarding the Behavioral Health Crisis Response  
145 Committee, is repealed December 31, 2026.  
146 [~~(40)~~] (39) Subsection 26B-5-610(1)(b), regarding the Behavioral Health Crisis Response  
147 Committee, is repealed December 31, 2026.  
148 [~~(41)~~] (40) Subsection 26B-5-610(2)(b)(ii), regarding the Behavioral Health Crisis Response  
149 Committee, is repealed December 31, 2026.  
150 [~~(42)~~] (41) Section 26B-5-612, Integrated behavioral health care grant programs, is repealed  
151 December 31, 2025.  
152 [~~(43)~~] (42) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed  
153 July 1, 2029.  
154 [~~(44)~~] (43) Subsection 26B-5-704(2)(a), regarding the Behavioral Health Crisis Response  
155 Committee, is repealed December 31, 2026.  
156 [~~(45)~~] (44) Subsection 26B-5-704(2)(b), regarding the Education and Mental Health  
157 Coordinating Committee, is repealed December 31, 2024.  
158 [~~(46)~~] (45) Title 26B, Chapter 5, Part 8, Utah Substance Use and Mental Health Advisory  
159 Committee, is repealed January 1, 2033.  
160 [~~(47)~~] (46) Section 26B-7-119, Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.  
161 [~~(48)~~] (47) Section 26B-7-122, Communication Habits to reduce Adolescent Threats Pilot  
162 Program, is repealed July 1, 2029.  
163 [~~(49)~~] (48) Section 26B-7-123, Report on CHAT campaign, is repealed July 1, 2029.  
164 [~~(50)~~] (49) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1,  
165 2026.  
166 Section 4. **Repealer.**

167           This bill repeals:  
168           Section **26B-3-910, Alternative eligibility -- Report -- Alternative Eligibility Account.**  
169           Section 5. **Effective Date.**  
170    This bill takes effect on July 1, 2025.