

Todd Weiler proposes the following substitute bill:

Newborn Child Insurance Notification Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Stephanie Gricius

LONG TITLE

General Description:

This bill amends provisions related to employment and health insurance.

Highlighted Provisions:

This bill:

- defines terms;
- requires certain employers that offer health insurance to notify employees who are birthing or adopting a child that the employee has a certain number of days to add the child to the employee's health insurance plan; and
- requires the Public Employees' Benefit and Insurance Program to allow a newly born or adopted child to be added to a health plan within 60 days of the birth or the adoption.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

49-20-407, as last amended by Laws of Utah 2017, Chapter 292

ENACTS:

34-49-301, Utah Code Annotated 1953

REPEALS:

34-49-101, as enacted by Laws of Utah 2015, Chapter 156

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

Section 1. Section **34-49-301** is enacted to read:

CHAPTER 49. PARENTS AND THE WORKPLACE

Part 3. Parental Notification

34-49-301 . Parental notification of insurance enrollment deadline.

- (1) As used in this section, "employer" means any person that provides, offers, contributes to, or arranges for health insurance or health benefits for at least 100 employees that the person exercises direction and control in the performance of work, regardless of business structure or industry.
- (2) An employer shall provide a notice described in Subsection (3)(a) to the employer's employee when the employee is approved for:
- (a) maternity leave or paternity leave offered by the employer, if offered; or
- (b) leave under the Family and Medical Leave Act of 1993, 29 U.S.C. Secs. 2601 et seq. for the birth or the adoption of a child.
- (3)(a) A notice shall inform the employee that the employee may enroll the child in the employer offered health insurance plan within the number of days that the health insurance plan allows a newly born child or adopted child to be enrolled in the health insurance plan.
- (b) An employer may use the following to comply with Subsection (2):
- "If you have a new dependent as a result of birth or adoption you may be able to enroll yourself and your dependents in provided health coverage. However, you must request enrollment within [insert 30 days or any longer period that applies under the plan] after the birth or adoption."
- (4) This section applies to an employer regardless of whether the employer provides fully insured health insurance or self-insured health insurance.

Section 2. Section **49-20-407** is amended to read:

49-20-407 . Insurance mandates -- Enrollment policy.

- (1) Notwithstanding the provisions of Subsection 31A-1-103(3)(f):
- [(1)] (a) health coverage offered to the state employee risk pool under Subsection 49-20-202(1)(a) shall comply with the provisions of Sections 31A-22-605.5 and 31A-45-501; and
- [(2)] (b) a health plan offered to public school districts, charter schools, and institutions of higher education under Subsection 49-20-201(1)(b) shall comply with the provisions of Section 31A-22-605.5.
- (2)(a) After a birth or adoption, the program shall allow an enrollee to add the enrollee's newly born or adopted child to the enrollee's health plan or health coverage for a period of 60 days after the day the birth or adoption of the child occurred.

63 (b) The requirement described in Subsection (2)(a) applies to any health plan or health
64 coverage administered by the program to the state risk pool or another government
65 entity, including a public school district, charter school, or institution of higher
66 education.

67 Section 3. **Repealer.**

68 This bill repeals:

69 Section **34-49-101, Title.**

70 Section 4. **Effective Date.**

71 This bill takes effect on May 7, 2025.