

1 **Health Care Patient Reporting to the Division of Professional Licensing**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Gricius**

Senate Sponsor: Stephanie Pitcher

Cosponsor:

Anthony E. Loubet

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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses nondisclosure clauses and required disclosures that must be made to a  
6 patient regarding reporting to the Division of Professional Licensing.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ requires health care providers that receive a disclosure of potential unprofessional or  
10 unlawful conduct to provide information about how to report the concern to the Division  
11 of Professional Licensing;

12 ▶ makes the validity of a nondisclosure clause preventing a patient from reporting the  
13 conduct of the patient's health care provider to the Division of Professional Licensing  
14 contingent on the provider having provided the division's model notice to the patient  
15 before the execution of the nondisclosure clause;

16 ▶ requires the division to make a model notice and publish the notice online for download;  
17 and

18 ▶ defines terms.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **26B-2-221**, as renumbered and amended by Laws of Utah 2023, Chapter 305

26 ENACTS:

27 **58-67-809**, Utah Code Annotated 1953

28 **58-68-809**, Utah Code Annotated 1953

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

31 Section 1. Section **26B-2-221** is amended to read:

32 **26B-2-221 . Reporting health care providers.**

33 (1) A health care facility licensed under this part which reports disciplinary  
 34 information on a licensed nurse to the Division of Professional Licensing within the  
 35 Department of Commerce as required by Section 58-31b-702 is entitled to the immunity  
 36 from liability provided by that section.

37 (2) A health care provider or a health care provider's employee shall provide, in writing at  
 38 the time of the disclosure, information about how an individual may file a complaint  
 39 with the Division of Professional Licensing if the individual discloses a concern about a  
 40 current or former provider's potential unprofessional or unlawful conduct.

41 Section 2. Section **58-67-809** is enacted to read:

42 **58-67-809 . Nondisclosure clauses.**

43 (1) As used in this section, "nondisclosure clause" means a contractual requirement that  
 44 operates to preclude a patient from reporting, to the division, the conduct of an  
 45 individual licensed under this chapter who provided health care services to the patient.

46 (2) After June 1, 2025, for a nondisclosure clause to be valid and enforceable, the  
 47 individual licensed under this chapter must provide the notice described in Subsection (3)  
 48 to the patient or the patient's personal representative before the contract containing the  
 49 nondisclosure clause is executed.

50 (3) The division shall:

51 (a) create a model notice that includes information about a patient's option to report  
 52 unprofessional or unlawful conduct of an individual licensed under this chapter to the  
 53 division;

54 (b) include on the model notice:

55 (i) information regarding what constitutes unprofessional or unlawful conduct;

56 (ii) information about the process for reporting a complaint of unprofessional or  
 57 unlawful conduct to the division; and

58 (iii) a reference to Section 58-1-501; and

59 (c) publish the notice online for download.

60 (4) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
61 Administrative Rulemaking Act, that are necessary to administer this section.

62 Section 3. Section **58-68-809** is enacted to read:

63 **58-68-809 . Nondisclosure clauses.**

64 (1) As used in this section, "nondisclosure clause" means a contractual requirement that  
65 operates to preclude a patient from reporting, to the division, the conduct of an  
66 individual licensed under this chapter who provided health care services to the patient.

67 (2) After June 1, 2025, for a nondisclosure clause to be valid and enforceable, the  
68 individual licensed under this chapter must provide the notice described in Subsection (3)  
69 to the patient or the patient's personal representative before the contract containing the  
70 nondisclosure clause is executed.

71 (3) The division shall:

72 (a) create a model notice that includes information about a patient's option to report  
73 unprofessional or unlawful conduct of an individual licensed under this chapter to the  
74 division;

75 (b) include on the model notice:

76 (i) information regarding what constitutes unprofessional or unlawful conduct;

77 (ii) information about the process for reporting a complaint of unprofessional or  
78 unlawful conduct to the division; and

79 (iii) a reference to Section 58-1-501; and

80 (c) publish the notice online for download.

81 (4) The division may make rules, in accordance with Title 63G, Chapter 3, Utah  
82 Administrative Rulemaking Act, that are necessary to administer this section.

83 Section 4. **Effective Date.**

84 This bill takes effect on May 6, 2026.