

HB0164S01 compared with HB0164

~~{Omitted text}~~ shows text that was in HB0164 but was omitted in HB0164S01

inserted text shows text that was not in HB0164 but was inserted into HB0164S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Patient Disclosure Amendments}~~ Health Care Patient
Reporting to the Division of Professional Licensing

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Gricius

Senate Sponsor: Stephanie Pitcher

LONG TITLE

General Description:

This bill ~~{requires health care providers}~~ addresses nondisclosure clauses and required disclosures that must be made to ~~{inform patients how the}~~ a patient ~~{can report unprofessional or unlawful conduct in certain circumstances}~~ regarding reporting to the Division of Professional Licensing.

Highlighted Provisions:

This bill:

- requires health care providers that receive a disclosure of potential unprofessional or unlawful conduct to provide information about how to report the concern to the Division of Professional Licensing~~{:}~~ ;

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

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

▸ defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

58-67-809 , Utah Code Annotated 1953

58-68-809 , Utah Code Annotated 1953

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

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

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

- (1) A health care facility licensed under this part which reports disciplinary information on a licensed nurse to the Division of Professional Licensing within the Department of Commerce as required by Section 58-31b-702 is entitled to the immunity from liability provided by that section.
- (2) A health care provider or a health care provider's employee shall provide, in writing at the time of the disclosure, information about how an individual may file a complaint with the Division of Professional Licensing if the individual discloses a concern about a current or former provider's potential unprofessional or unlawful conduct.

Section 2. Section **2** is enacted to read:

58-67-809. Nondisclosure clauses.

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

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

(3) The division shall:

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

(b) include on the model notice:

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

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

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

(c) publish the notice online for download.

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

Section 3. Section 3 is enacted to read:

58-68-809. Nondisclosure clauses.

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

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

(3) The division shall:

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

(b) include on the model notice:

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

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

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

(c) publish the notice online for download.

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

83 Section 4. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-5-26 10:13 AM