

Stephanie Gricius proposes the following substitute bill:

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

2 **LONG TITLE**

3 **General Description:**

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

6 **Highlighted Provisions:**

7 This bill:

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

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

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

17 ▶ defines terms.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 **AMENDS:**

24 **26B-2-221**, as renumbered and amended by Laws of Utah 2023, Chapter 305

25 **ENACTS:**

26 **58-67-809**, Utah Code Annotated 1953

27 **58-68-809**, Utah Code Annotated 1953

29
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.