

HOSPITAL ASSESSMENT MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

LONG TITLE

General Description:

This bill amends the inpatient hospital assessment.

Highlighted Provisions:

This bill:

- ▶ extends the sunset of the inpatient hospital assessment; and
- ▶ imposes restrictions on the types of Medicaid services for which the department may use funds from the inpatient hospital assessment.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 26B-3-504**, as renumbered and amended by Laws of Utah 2023, Chapter 306
- 63I-1-226**, as last amended by Laws of Utah 2023, Chapters 249, 269, 270, 275, 310, 332, 335, 420, and 495 and repealed and reenacted by Laws of Utah 2023, Chapter 329 and last amended by Coordination Clause, Laws of Utah 2023, Chapters 329, 332
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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26B-3-504** is amended to read:

26B-3-504. Collection of assessment -- Deposit of revenue -- Rulemaking.

(1) The collecting agent for the assessment imposed under Section 26B-3-503 is the department.

(2) The department is vested with the administration and enforcement of this part, and may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, necessary to:

(a) collect the assessment, intergovernmental transfers, and penalties imposed under this part;

(b) audit records of a facility that:

(i) is subject to the assessment imposed by this part; and

(ii) does not file a Medicare cost report; and

(c) select a report similar to the Medicare cost report if Medicare no longer uses a Medicare cost report.

(3) The department shall:

(a) administer the assessment in this part separately from the assessment in Part 7, Hospital Provider Assessment; ~~and~~

(b) deposit assessments collected under this part into the Medicaid Expansion Fund created by Section 26B-1-315~~[-]~~;

(c) ensure assessment monies collected under Subsection 26B-3-506(1)(c) are used, directly or indirectly, to fund the following Medicaid services:

(i) inpatient medical services;

(ii) services for pregnant women;

(iii) home health services;

(iv) housing supports; or

(v) services for individuals involved in the criminal justice system.

Section 2. Section **63I-1-226** is amended to read:

63I-1-226. Repeal dates: Titles 26A through 26B.

(1) Subsection 26B-1-204(2)(i), related to the Primary Care Grant Committee, is repealed July 1, 2025.

(2) Section 26B-1-315, which creates the Medicaid Expansion Fund, is repealed ~~July 1, 2024~~ July 1, 2034.

(3) Section 26B-1-319, which creates the Neuro-Rehabilitation Fund, is repealed January 1, 2025.

(4) Section 26B-1-320, which creates the Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

(5) Subsection 26B-1-324(4), the language that states "the Behavioral Health Crisis Response Commission, as defined in Section 63C-18-202," is repealed December 31, 2026.

64 (6) Subsection 26B-1-329(6), related to the Behavioral Health Crisis Response
65 Commission, is repealed December 31, 2026.

66 (7) Section 26B-1-402, related to the Rare Disease Advisory Council Grant Program, is
67 repealed July 1, 2026.

68 (8) Section 26B-1-409, which creates the Utah Digital Health Service Commission, is
69 repealed July 1, 2025.

70 (9) Section 26B-1-410, which creates the Primary Care Grant Committee, is repealed
71 July 1, 2025.

72 (10) Section 26B-1-416, which creates the Utah Children's Health Insurance Program
73 Advisory Council, is repealed July 1, 2025.

74 (11) Section 26B-1-417, which creates the Brain Injury Advisory Committee, is
75 repealed July 1, 2025.

76 (12) Section 26B-1-418, which creates the Neuro-Rehabilitation Fund and Pediatric
77 Neuro-Rehabilitation Fund Advisory Committee, is repealed January 1, 2025.

78 (13) Section 26B-1-422, which creates the Early Childhood Utah Advisory Council, is
79 repealed July 1, 2029.

80 (14) Section 26B-1-428, which creates the Youth Electronic Cigarette, Marijuana, and
81 Other Drug Prevention Program, is repealed July 1, 2025.

82 (15) Section 26B-1-430, which creates the Coordinating Council for Persons with
83 Disabilities, is repealed July 1, 2027.

84 (16) Section 26B-1-431, which creates the Forensic Mental Health Coordinating
85 Council, is repealed July 1, 2023.

86 (17) Section 26B-1-432, which creates the Newborn Hearing Screening Committee, is
87 repealed July 1, 2026.

88 (18) Section 26B-1-434, regarding the Correctional Postnatal and Early Childhood
89 Advisory Board, is repealed July 1, 2026.

90 (19) Section 26B-2-407, related to drinking water quality in child care centers, is
91 repealed July 1, 2027.

92 (20) Subsection 26B-3-107(9), which addresses reimbursement for dental hygienists, is
93 repealed July 1, 2028.

94 (21) Section 26B-3-136, which creates the Children's Health Care Coverage Program,

is repealed July 1, 2025.

(22) Section 26B-3-137, related to reimbursement for the National Diabetes Prevention Program, is repealed June 30, 2027.

(23) Subsection 26B-3-213(2), the language that states "and the Behavioral Health Crisis Response Commission created in Section 63C-18-202" is repealed December 31, 2026.

(24) Sections 26B-3-302 through 26B-3-309, regarding the Drug Utilization Review Board, are repealed July 1, 2027.

(25) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed [~~July 1, 2024~~] July 1, 2034.

(26) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed July 1, 2024.

(27) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.

(28) Section 26B-3-910, regarding alternative eligibility, is repealed July 1, 2028.

(29) Section 26B-4-710, related to rural residency training programs, is repealed July 1, 2025.

(30) Subsections 26B-5-112(1) and (5), the language that states "In consultation with the Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is repealed December 31, 2026.

(31) Section 26B-5-112.5 is repealed December 31, 2026.

(32) Section 26B-5-114, related to the Behavioral Health Receiving Center Grant Program, is repealed December 31, 2026.

(33) Section 26B-5-118, related to collaborative care grant programs, is repealed December 31, 2024.

(34) Section 26B-5-120 is repealed December 31, 2026.

(35) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:

(a) Subsection 26B-5-606(2)(a)(i), the language that states "and" is repealed; and

(b) Subsections 26B-5-606(2)(a)(ii), 26B-5-606(2)(b), and 26B-5-606(2)(c) are repealed.

(36) In relation to the Behavioral Health Crisis Response Commission, on December 31, 2026:

- 126 (a) Subsection 26B-5-609(1)(a) is repealed;
- 127 (b) Subsection 26B-5-609(3)(a), the language that states "With recommendations from
128 the commission," is repealed;
- 129 (c) Subsection 26B-5-610(1)(b) is repealed;
- 130 (d) Subsection 26B-5-610(2)(b), the language that states "and in consultation with the
131 commission," is repealed; and
- 132 (e) Subsection 26B-5-610(4), the language that states "In consultation with the
133 commission," is repealed.
- 134 (37) Subsections 26B-5-611(1)(a) and (10), in relation to the Utah Substance Use and
135 Mental Health Advisory Council, are repealed January 1, 2033.
- 136 (38) Section 26B-5-612, related to integrated behavioral health care grant programs, is
137 repealed December 31, 2025.
- 138 (39) Subsection 26B-7-119(5), related to reports to the Legislature on the outcomes of
139 the Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.
- 140 (40) Section 26B-7-224, related to reports to the Legislature on violent incidents and
141 fatalities involving substance abuse, is repealed December 31, 2027.
- 142 (41) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1, 2024.
- 143 (42) Section 26B-8-513, related to identifying overuse of non-evidence-based health
144 care, is repealed December 31, 2023.
- 145 **Section 3. Effective date.**
- 146 This bill takes effect on July 1, 2024.