

- 100 quality assurance statutes or common law.
- 101 (6) ~~[(a)]~~ Nothing in this section or in Chapter 8, Part 5, Utah Health Data Authority,
- 102 shall be construed to require a data supplier to supply health data identifying a patient by name
- 103 or describing detail on a patient beyond that needed to achieve the approved purposes included
- 104 in the plan.
- 105 (7) No request for health data shall be made of health care providers and other data
- 106 suppliers until a plan for the use of such health data has been adopted.
- 107 (8) (a) If a proposed request for health data imposes unreasonable costs on a data
- 108 supplier, due consideration shall be given by the committee to altering the request.
- 109 (b) If the request is not altered, the committee shall pay the costs incurred by the data
- 110 supplier associated with satisfying the request that are demonstrated by the data supplier to be
- 111 unreasonable.
- 112 (9) After a plan is adopted as provided in Section 26B-8-504, the committee may
- 113 require any data supplier to submit fee schedules, maximum allowable costs, area prevailing
- 114 costs, terms of contracts, discounts, fixed reimbursement arrangements, capitations, or other
- 115 specific arrangements for reimbursement to a health care provider.
- 116 (10) (a) The committee may not publish any health data collected under Subsection (9)
- 117 that would disclose specific terms of contracts, discounts, or fixed reimbursement
- 118 arrangements, or other specific reimbursement arrangements between an individual provider
- 119 and a specific payer.
- 120 (b) Nothing in Subsection (9) shall prevent the committee from requiring the
- 121 submission of health data on the reimbursements actually made to health care providers from
- 122 any source of payment, including consumers.
- 123 (11) The committee shall be composed of ~~[15]~~ 18 members.
- 124 (12) (a) ~~[One]~~ Four member shall be:
- 125 (i) the commissioner of the Utah Insurance Department~~[; or]~~ or
- 126 ~~[(ii)]~~ the commissioner's designee who shall have knowledge regarding the health care
- 127 system and characteristics and use of health data.
- 128 (ii) two legislators from different political parties jointly appointed by the speaker of
- 129 the House of Representatives and the president of the Senate; and
- 130 (iii) a member appointed by the governor who is knowledgeable regarding the health
- 131 care system and the characteristics and use of health data.
- 132 (b) (i) Fourteen members shall be appointed by the ~~[governor with the advice and~~
- 133 ~~consent of the Senate]~~ executive director in accordance with Subsection (13)~~[-and in accordance~~

with Title 63G, Chapter 24, Part 2, Vacancies].

(ii) No more than seven members of the committee appointed by the

[governor] executive director may be members of the same political party.

(13) The members of the committee appointed under Subsection (12)(b) shall:

(a) be knowledgeable regarding the health care system and the characteristics and use of health data;

(b) be selected so that the committee at all times includes individuals who provide care;

(c) include one person employed by or otherwise associated with a general acute hospital as defined in Section 26B-2-201, who is knowledgeable about the collection, analysis, and use of health care data;

(d) include two physicians, as defined in Section 58-67-102:

(i) who are licensed to practice in this state;

(ii) who actively practice medicine in this state;

(iii) who are trained in or have experience with the collection, analysis, and use of health care data; and

(iv) one of whom is selected by the Utah Medical Association;

(e) include three persons:

(i) who are:

(A) employed by or otherwise associated with a business that supplies health care insurance to the business's employees; and

(B) knowledgeable about the collection and use of health care data; and

(ii) at least one of whom represents an employer employing 50 or fewer employees;

(f) include three persons representing health insurers:

(i) at least one of whom is employed by or associated with a third-party payor that is

not licensed under Title 31A, Chapter 8, Health Maintenance Organizations and Limited Health

Plans;

(ii) at least one of whom is employed by or associated with a third party that is licensed

under Title 31A, Chapter 8, Health Maintenance Organizations and Limited Health Plans; and

(iii) who are trained in, or experienced with the collection, analysis, and use of health care data;

(g) include two consumer representatives:

- 166 (i) from organized consumer or employee associations; and  
167 (ii) knowledgeable about the collection and use of health care data;
- 168 (h) include one person:
- 169 (i) representative of a neutral, non-biased entity that can demonstrate that the entity has  
170 the broad support of health care payers and health care providers; and  
171 (ii) who is knowledgeable about the collection, analysis, and use of health care data;  
172 and
- 173 (i) include two persons representing public health who are trained in or experienced  
174 with the collection, use, and analysis of health care data.
- 175 (14) (a) Except as required by Subsection (14)(b), as terms of current committee  
176 members expire, the ~~[governor]~~ executive director shall appoint each new member or  
177 reappointed member to a four-year term.
- 178 (b) Notwithstanding the requirements of Subsection (14)(a), the ~~[governor]~~ executive  
179 director shall, at the time of appointment or reappointment, adjust the length of terms to ensure  
180 that the terms of committee members are staggered so that approximately half of the committee  
181 is appointed every two years.
- 182 (c) Members may serve after the members' terms expire until replaced.
- 183 (15) When a vacancy occurs in the membership for any reason, the replacement shall  
184 be appointed for the unexpired term.
- 185 (16) Committee members shall annually elect a chair of the committee from among the  
186 committee's membership. The chair shall report to the executive director.
- 187 (17) (a) The committee shall meet at least once during each calendar quarter. Meeting  
188 dates shall be set by the chair upon 10 working days' notice to the other members, or upon  
189 written request by at least four committee members with at least 10 working days' notice to  
190 other committee members.
- 191 (b) ~~[Eight]~~ Ten committee members constitute a quorum for the transaction of  
192 business. Action may not be taken except upon the affirmative vote of a majority of a quorum  
193 of the committee.
- 194 (c) All meetings of the committee shall be open to the public, except that the  
195 committee may hold a closed meeting if the requirements of Sections 52-4-204, 52-4-205, and  
196 52-4-206 are met.
- 197 (18) A member:
- 198 (a) may not receive compensation or benefits for the member's service, but may receive  
199 per diem and travel expenses in accordance with: