

Effective 7/1/2015

26-37a-108 Repeal of assessment.

- (1) This chapter is repealed when, as certified by the executive director of the department, any of the following occurs:
 - (a) an action by Congress that disqualifies the assessment imposed by this chapter from state Medicaid funds available to be used to determine the federal financial participation takes legal effect; or
 - (b) an action, decision, enactment, or other determination by the Legislature or by any court, officer, department, or agency of the state or federal government takes effect that:
 - (i) disqualifies the assessment from counting toward state Medicaid funds available to be used to determine federal financial participation for Medicaid matching funds; or
 - (ii) creates for any reason a failure of the state to use the assessments for the Medicaid program as described in this chapter.
- (2) If this chapter is repealed under Subsection (1):
 - (a) money in the Ambulance Service Provider Assessment Expendable Revenue Fund that was derived from assessments imposed by this chapter, deposited before the determination made under Subsection (1), shall be disbursed under Section 26-37a-107 to the extent federal matching is not reduced due to the impermissibility of the assessments; and
 - (b) any funds remaining in the special revenue fund shall be refunded to each ambulance service provider in proportion to the amount paid by the ambulance service provider.

Enacted by Chapter 440, 2015 General Session