

31A-22-634 Prohibition against certain use of Social Security number -- Exceptions --

Applicability of section.

- (1) As used in this section:
 - (a) "Insurer" means:
 - (i) insurers governed by this part as described in Section 31A-22-600, and includes:
 - (A) a health maintenance organization; and
 - (B) a third-party administrator that is subject to this title; and
 - (ii) notwithstanding Subsection 31A-1-103(3)(f) and Section 31A-22-600, a health, dental, medical, Medicare supplement, or conversion program offered under Title 49, Chapter 20, Public Employees' Benefit and Insurance Program Act.
 - (b) "Publicly display" or "publicly post" means to intentionally communicate or otherwise make available to the general public.
- (2) An insurer or its subcontractors, including a pharmacy benefit manager, may not do any of the following:
 - (a) publicly display or publicly post in any manner an individual's Social Security number; or
 - (b) print an individual's Social Security number on any card required for the individual to access products or services provided or covered by the insurer.
- (3) This section does not prevent the collection, use, or release of a Social Security number as required by state or federal law, or the use of a Social Security number for internal verification or administrative purposes, or the release of a Social Security number to a health care provider for claims administration purposes, or as part of the verification, eligibility, or payment process.
- (4) If a federal law takes effect requiring the United States Department of Health and Human Services to establish a national unique patient health identifier program, an insurer that complies with the federal law shall be considered in compliance with this section.
- (5) An insurer shall comply with the provisions of this section by July 1, 2004.
- (6)
 - (a) An insurer may obtain an extension for compliance with the requirements of this section in accordance with Subsections (6)(b) and (c).
 - (b) The request for extension:
 - (i) shall be submitted in writing to the department prior to July 1, 2004; and
 - (ii) shall provide an explanation as to why the insurer cannot comply with the requirements of this section by July 1, 2004.
 - (c) The commissioner shall grant a request for extension:
 - (i) for a period of time not to exceed March 1, 2005; and
 - (ii) if the commissioner finds that the explanation provided under Subsection (6)(b)(ii) is a reasonable explanation.

Amended by Chapter 297, 2011 General Session