

31A-32a-104 Administration of medical care savings account.

- (1) An account administrator shall administer the medical care savings account from which the payment of claims is made and has a fiduciary duty to the person for whose benefit the account administrator administers an account.
- (2)
 - (a) Except as provided in Subsection 31A-32a-105(1), the account administrator shall use the funds held in a medical care savings account solely for the purpose of paying or reimbursing the employee or account holder for eligible medical expenses of the employee or account holder or of the employee's or account holder's dependents.
 - (b) The commissioner shall adopt rules concerning the coordination of benefits between a medical care savings account and medical expenses payable from automobile insurance policies, workers' compensation insurance policies, or other health care insurance policies or contracts.
- (3) The employee or account holder may submit documentation of eligible medical expenses paid by the employee or account holder in the taxable year to the account administrator, and the account administrator shall reimburse the employee or account holder from the employee's or account holder's account for eligible medical expenses.
- (4) If an employer makes contributions to a medical care savings account program on a periodic installment basis, the employer may advance to an employee an amount necessary to cover eligible medical expenses incurred that exceed the amount in the employee's medical care savings account at the time the expense is incurred if the employee agrees to repay the advance.

Amended by Chapter 389, 2008 General Session