

31A-40-307 Voluntary surrender of professional employer organization license.

- (1) When a professional employer organization wants to voluntarily surrender its professional employer organization license, the professional employer organization shall:
 - (a) notify in writing each coemployer regarding the impending loss of the following provided under the professional employer agreement:
 - (i) workers' compensation insurance coverage;
 - (ii) health care benefits, if a coemployers' employee welfare plan includes fully insured or partially insured health insurance benefits; and
 - (iii) any other insurance benefit provided to coemployers by the professional employer organization; and
 - (b) submit a letter of intent to voluntarily surrender the license to the commissioner:
 - (i) after providing the notice to coemployers under Subsection (1)(a); and
 - (ii) not less than 45 days before the day on which the professional employer organization surrenders its professional employer organization license.
- (2) The letter of intent to voluntarily surrender a professional employer organization license shall include the following:
 - (a) the reason the professional employer organization license is being surrendered;
 - (b) a discussion of each process or plan to handle the obligations to coemployers and employees;
 - (c) a list of coemployers as of the date of the letter;
 - (d) a copy of the notice sent to the coemployers under Subsection (1)(a);
 - (e) certification that the professional employer organization has notified the coemployers located in Utah of the professional employer organization's intent to cease doing business in Utah; and
 - (f) the signature of the professional employer organization's chief executive officer or controlling individual.

Enacted by Chapter 10, 2010 General Session