

**Effective 5/12/2015**

**31A-8a-103 Scope and purposes.**

- (1) A person shall comply with the provisions of this chapter if the person operates a health discount program in this state.
- (2) Notwithstanding any provision in this title, a person who only operates or markets a health discount program is exempt from:
  - (a) Section 31A-4-113;
  - (b) Section 31A-4-113.5;
  - (c) Chapter 6a, Service Contracts;
  - (d) Chapter 7, Nonprofit Health Service Insurance Corporations;
  - (e) Section 31A-8-209;
  - (f) Section 31A-8-211;
  - (g) Section 31A-8-214;
  - (h) Chapter 9, Insurance Fraternal, Chapter 10, Annuities, Chapter 11, Motor Clubs, and Chapter 12, State Risk Management Fund;
  - (i) Chapter 17, Determination of Financial Condition, and Chapter 18, Investments;
  - (j) Chapter 19a, Utah Rate Regulation Act;
  - (k) Sections 31A-23a-103 and 31A-23a-104;
  - (l) Chapter 25, Third Party Administrators, and Chapter 26, Insurance Adjusters;
  - (m) Chapter 28, Guaranty Associations, and Chapter 29, Comprehensive Health Insurance Pool Act; and
  - (n) Chapter 35, Bail Bond Act, Chapter 36, Life Settlements Act, Chapter 37, Captive Insurance Companies Act, and Chapter 38, Federal Health Care Tax Credit Program Act.
- (3) A person licensed under this title as an accident and health insurer or health maintenance organization:
  - (a) is not required to obtain a license as required by Section 31A-8a-201 to operate a health discount program; and
  - (b) is required to comply with all other provisions of this chapter.
- (4) The purposes of this chapter include:
  - (a) full disclosure in the sale of health discount programs;
  - (b) reasonable regulation of the marketing and disclosure practices of health discount program operators; and
  - (c) licensing standards for health discount programs.
- (5) Nothing in this chapter prohibits a health discount program operator from marketing a health discount program operator's own services without a health discount program marketer license.

Amended by Chapter 258, 2015 General Session