

**Effective 7/1/2015**

**Part 3  
Cost-sharing Agreements**

**53-17-301 Cost-sharing agreements -- Deadlines -- Terms -- Reports -- Rulemaking.**

- (1)
- (a) An employer shall participate in the trust fund by:
    - (i) entering into a cost-sharing agreement with the commissioner under this section; and
    - (ii) paying the cost-sharing rate determined by the board.
  - (b)
    - (i) In accordance with the requirements of this Subsection (1)(b), a participating employer that employs a public safety officer or firefighter but does not cover the public safety officer or firefighter as a public safety service employee or firefighter service employee for retirement purposes may elect to participate in the trust fund in accordance with the requirements of this Subsection (1)(b).
    - (ii) A participating employer described in Subsection (1)(b)(i) may participate in the trust fund by:
      - (A) making an election described in Subsection (1)(b)(iii);
      - (B) entering into a cost-sharing agreement with the commissioner under this section; and
      - (C) paying the cost-sharing rate determined by the board.
    - (iii) An election under Subsection (1)(b)(ii)(A) shall be documented by a resolution adopted by the participating employer.
    - (iv) If a participating employer makes an election under Subsection (1)(b)(ii), the provisions of this part apply to:
      - (A) the participating employer as an employer; and
      - (B) all employees of the participating employer as members.
    - (v) An employee of a participating employer described in this Subsection (1)(b) is not eligible for coverage under Part 2, Health Coverage for a Surviving Spouse, if the employee is not eligible to earn service credit in a Utah Retirement System under Title 49, Utah State Retirement and Insurance Benefit Act.
- (2)
- (a) Subject to the terms of the cost-sharing agreement, an employer that participates in accordance with this section, and stays current with its payments, shall be considered to have paid the employer's full obligation under Subsection 53-17-201(1)(b).
  - (b) An employer that participates in accordance with this section and that does not stay current with its payments may not be covered from the trust fund.
  - (c) An employer is liable to the trust fund for failure to make a payment pursuant to the cost-sharing agreement in violation of this part.
- (3) An employer shall be covered from the trust fund for a line-of-duty death that occurs on or after July 1, 2005.
- (4) The commissioner shall:
- (a) in consultation with the board, establish a form and language for a cost-sharing agreement required to use trust funds in accordance with this section;
  - (b) as directed by the board, assess the annual fee amount established by the board;
  - (c) as directed by the board, establish procedures for an employer participating in the trust fund to be reimbursed for the costs of providing the health coverage benefit under Subsection 53-17-201(1)(b);

- (d) prepare and submit to the governor and the Legislature, by October 1 of each year, an annual written report of the trust fund, including its balance, expenditures, and revenues, and the operations and activities of the board under this chapter; and
- (e) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to implement this chapter.

Amended by Chapter 303, 2018 General Session