

HOSPITAL PROVIDER ASSESSMENT ACCOUNT AMENDMENTS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Margaret Dayton

AN ACT RELATING TO HEALTH; REPEALING THE HOSPITAL PROVIDER ASSESSMENT UPON THE RECEIPT OF TOBACCO SETTLEMENT FUNDS AFTER JANUARY 2000.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

26-40-114, as enacted by Chapter 360, Laws of Utah 1998

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-40-114** is amended to read:

26-40-114. Repeal of assessment.

(1) This assessment shall be repealed upon:

(a) the certification by the executive director or court order that the sooner of the following has occurred:

~~[(1)]~~ (i) the effective date of any existing or future action by Congress to disqualify the assessments from counting toward state funds available to be used to determine the federal financial participation in the program; or

~~[(2)]~~ (ii) the effective date of any decision, enactment, or other determination by the Legislature or by any court, officer, department, or agency of the state or of the federal government that has the effect of disqualifying the assessments from counting toward state funds available to be used to determine federal financial participation in the program; or

(b) the July 1 following the date on which the state receives the first annual payment after January 1, 2000, of at least \$22,000,000 under the terms of the settlement agreement that the state entered into with leading tobacco manufacturers on November 23, 1998.

(2) Nothing in Subsection (1)(b) may be construed as relating to the initial payment, as defined under the terms of the settlement agreement, that the state is scheduled to receive before June 30, 2000, and in addition to annual payments.

