

DEPARTMENT OF HEALTH - FEE PROCESS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Kevin S. Garn

This act modifies the Health Code to clarify the oversight the Legislature has regarding fees assessed by the Department of Health for services. The act makes technical changes.

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

AMENDS:

26-1-6, as enacted by Chapter 126, Laws of Utah 1981

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

Section 1. Section **26-1-6** is amended to read:

26-1-6. Fee schedule adopted by department.

(1) The department may adopt a schedule of fees that may be assessed for services rendered by the department, provided that ~~such~~ the fees ~~shall be~~ are:

(a) reasonable and fair; and ~~shall be~~

(b) submitted to ~~and approved by~~ the Legislature as part of the department's annual appropriations request. ~~Such fees~~

(2) When the department submits a fee schedule to the Legislature, the Legislature, in accordance with Section ~~h [63-38-3.5]~~ **63-38-3.2 h** may:

(a) approve the fee;

(b) increase or decrease and approve the fee; or

(c) reject any fee submitted to it.

(3) Fees approved by the Legislature pursuant to this section shall be paid into the state treasury in accordance with Section 63-38-9.



Legislative Review Note
as of 11-20-00 12:46 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel