

HEALTH INSURANCE MANDATES PROGRAM

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Rebecca D. Lockhart

This act relates to Health Insurance. The act modifies the Insurance Code and the Utah State Retirement Act to require health coverage offered to the state employees' risk pool to adopt health insurance mandates proposed for other accident and health insurance plans.

The act takes effect on July 1, 2002. The act provides a coordination clause.

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

ENACTS:

31A-22-605.5, Utah Code Annotated 1953

49-8-406, Utah Code Annotated 1953

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

Section 1. Section **31A-22-605.5** is enacted to read:

31A-22-605.5. Application.

(1) For purposes of this section "insurance mandate":

(a) means a mandatory obligation with respect to coverage, benefits, or the number or types of providers imposed on policies of accident and health insurance; and

(b) does not mean an administrative rule imposing a mandatory obligation with respect to coverage, benefits, or providers unless that mandatory obligation was specifically imposed on policies of accident and health insurance by statute.

(2) (a) Notwithstanding the provisions of Subsection 31A-1-103(3)(f), any law imposed under this title that becomes effective after January 1, 2002, which provides for an insurance mandate for policies of accident and health insurance shall also apply to health coverage offered to the state employees' risk pool under Section 49-8-201.

(b) If health coverage offered to the state employees' risk pool under Section 49-8-201 offers coverage in the same manner and to the same extent as the coverage required by the insurance mandate imposed under this title or coverage that is greater than the insurance mandate imposed under this title, the coverage offered to state employees under Section 49-8-201 will be

considered in compliance with the insurance mandate.

(c) The program regulated under Section 49-8-201 shall report to the Quasi-Governmental Entities Interim Committee by November 30 of each year in which a mandate is imposed under the provisions of this section. The report shall include the costs and benefits of the particular mandatory obligation.

Section 2. Section **49-8-406** is enacted to read:

49-8-406. Insurance mandates.

Notwithstanding the provisions of Subsection 31A-1-103(3)(f), health coverage offered to the state employee risk pool under Section 49-8-201 shall comply with the provisions of Section 31A-22-605.5.

Section 3. **Effective date.**

This act takes effect on July 1, 2002.

Section 4. **Coordination clause.**

If this bill and H.B. 250, Retirement Law Recodification, both pass, it is the intent of the Legislature that:

(1) the provisions of the coordination clause in this bill supersede the provisions of the coordination clause in H.B. 250 with respect to this bill; and

(2) the Office of Legislative Research and General Counsel shall make the following changes in preparing the database for publication:

(a) references in H.B. 105 to "Section 49-8-201" shall be changed to "Subsection 49-20-202(1)(a)"; and

(b) Section "49-8-406" in this bill be renumbered to "49-20-407".