

**Representative Steven R. Mascaro** proposes the following substitute bill:

**UTAH SMALL BUSINESS HEALTH PLAN**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steven R. Mascaro**

Senate Sponsor: \_\_\_\_\_

Cosponsor: Fred R. Hunsaker

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**LONG TITLE**

**General Description:**

This bill creates the Utah Small Business Health Plan Advisory Council to study issues and make recommendation concerning the creation of a Utah Small Business Health Plan to insure small businesses.

**Highlighted Provisions:**

This bill:

- ▶ provides definitions; and
- ▶ creates a Utah Small Business Health Plan Advisory Council, including its membership, cochairs, duties, and required report.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**31A-30-115**, Utah Code Annotated 1953

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

27 Section 1. Section **31A-30-115** is enacted to read:

28 **31A-30-115. Utah Small Business Health Plan Advisory Council -- Membership --**  
29 **Cochairs -- Duties -- Report.**

30 (1) As used in this section:

31 (a) "Small business" means an employer that has between two and 50 employees and  
32 their immediate families; and

33 (b) "Small business" does not include:

34 (i) an aggregate employer or majority ownership employer with greater than 50 total  
35 employees; and

36 (ii) a business created for the purpose of obtaining small business insurance.

37 (2) (a) There is created a Utah Small Business Health Plan Advisory Council  
38 consisting of 15 members.

39 (b) The term of each appointment shall be three years.

40 (c) The appointments shall be staggered at one-year intervals to ensure continuity of  
41 the council.

42 (3) The council shall meet as needed to carry out its duties, but at least quarterly.

43 (4) The membership of the council shall include the following membership:

44 (a) the governor shall appoint one cochair for the council who shall have a small  
45 business background;

46 (b) the governor shall appoint one cochair for the council who shall be an executive of  
47 a Utah domiciled private health insurance company;

48 (c) the cochaurs of the council shall appoint three members who shall respectively  
49 represent small business, one of which shall be an employee of a small business;

50 (d) the cochaurs of the council shall appoint two members who shall respectively  
51 represent the insurance industry;

52 (e) Utah's insurance commissioner or the commissioner's designee;

53 (f) the executive director of the Department of Health or the director's designee;

54 (g) the director of the Governor's Office of Economic Development or the director's  
55 designee;

56 (h) the executive director of the Public Employees' Benefit and Insurance Program or

57 the executive director's designee;

58 (i) two senators, one from each political party, appointed by the President of the  
59 Senate; and

60 (j) two representatives, one from each political party, appointed by the Speaker of the  
61 House.

62 (5) (a) (i) Council members who are not government employees may not receive  
63 compensation or benefits for their services, but may receive per diem and expenses incurred in  
64 the performance of the member's official duties at the rates established by the Division of  
65 Finance under Sections 63A-3-106 and 63A-3-107.

66 (ii) Council members may decline to receive per diem and expenses for their service.

67 (b) (i) State government officer and employee members who do not receive salary, per  
68 diem, or expenses from their agency for their service may receive per diem and expenses  
69 incurred in the performance of their official duties from the council at the rates established by  
70 the Division of Finance under Sections 63A-3-106 and 63A-3-107.

71 (ii) State government officer and employee members may decline to receive per diem  
72 and expenses for their service.

73 (c) A legislator on the council shall receive compensation and expenses as provided by  
74 law and legislative rule.

75 (6) (a) A majority of the members of the council constitute a quorum.

76 (b) The action of a majority of a quorum constitutes the action of the council.

77 (7) (a) The council shall study issues and make recommendation concerning:

78 (i) the creation of a Utah Small Business Health Plan to insure small businesses;

79 (ii) benefits design;

80 (iii) eligibility criteria;

81 (iv) outreach;

82 (v) evaluation;

83 (vi) special strategies for under-served populations;

84 (vii) funding and potential reserve requirements; and

85 (ix) other plan benefit recommendations as determined by the council.

86 (b) The council shall deliver an actuarially sound plan proposal to the Business and  
87 Labor Standing Committees in the 2007 General Session.

**State Impact**

Passage of this bill will necessitate an annual General Fund appropriation of \$4,600 (for the minimum of quarterly meetings called for in the bill) for compensation and expenses for the four legislators appointed to the Utah Small Business Health Plan Advisory Council. Other council members may receive per diem and expenses incurred in the performance of their council duties at the rate established by the Division of Finance, currently \$60.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$4,600	\$4,600	\$0	\$0
	\$0	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$4,600</b>	<b>\$4,600</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

No fiscal impact.

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