

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:

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) the cochairs of the council shall appoint a member who shall represent the hospital
59 industry;

60 (j) the cochairs of the council shall appoint a member who shall represent medical
61 doctors;

62 (k) a senator appointed by the president of the Senate; and

63 (l) a representative appointed by the speaker of the House.

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

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

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

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

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

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

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

79 (7) (a) The council shall study issues and make recommendations concerning:

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

81 (ii) benefits design;

82 (iii) eligibility criteria;

83 (iv) outreach;

84 (v) evaluation;

85 (vi) special strategies for underserved populations;

86 (vii) funding and potential reserve requirements; and

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

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