

Senator Michael G. Waddoups proposes the following substitute bill:

**NOTICE OF AVAILABLE CHARITY CARE**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael G. Waddoups**

House Sponsor: James A. Dunnigan

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**LONG TITLE**

**General Description:**

This bill amends the Health Care Assistance Act of the Health Code to require notice of available charity care.

**Highlighted Provisions:**

This bill:

- ▶ requires a nonprofit health care provider to give notice of available charity care to certain patients and to the Department of Health; and
- ▶ requires the Department of Health to post the notice of available charity care.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**26-47-104**, Utah Code Annotated 1953

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

Section 1. Section **26-47-104** is enacted to read:



26 **26-47-104. Notification of availability of charitable care.**

27 (1) For purposes of this section:

28 (a) "Affiliate" means an organization that directly or indirectly through one or more  
29 intermediaries controls, is controlled by, or is under common control with a nonprofit  
30 organization.31 (b) "Clinic" includes:32 (i) a medical clinic that is owned or operated by a nonprofit health care provider;33 (ii) a medical clinic in which a health care professional who is employed by a nonprofit  
34 health care provider or its affiliates, practices; and35 (iii) a federally qualified health center as defined in Section 31A-8-501.36 (c) "Nonprofit health care provider" means a hospital or clinic that is owned or  
37 operated by, or is an affiliate of, an organization that is exempt from income taxation under  
38 501(c)(3), Internal Revenue Code.39 (2) (a) (i) No later than July 1, 2007, a nonprofit health care provider in the state shall  
40 post notice of the availability of charity care in a place with public access at hospitals and  
41 clinics owned or operated by the nonprofit health care provider.42 (ii) The notice required by this Subsection (2) shall be updated annually.43 (b) The notice required by this Subsection (2):44 (i) may be combined with the notice of charity care required by the Hill-Burton Act, 42  
45 C.F.R. Part 142;46 (ii) shall include ~~§~~ → either:47a (A) ~~←~~ ~~§~~ the names and locations of the clinics and hospitals owned or operated  
47 by the nonprofit health care provider that provide charity care within the same service area and  
48 county as the reporting facility; ~~§~~ → ; or48a (B) information about literature or a website that contains the information required by  
48b Subsection (2)(b)(ii)(A) ~~←~~ ~~§~~ and49 (iii) shall be provided to the department.50 (3) The department shall:51 (a) include the list of charity care facilities it receives in accordance with Subsection52 (2) on its website for the state's Primary Care Network program, the Utah Premium Partnership  
53 for Health Assistance Program, and the Utah Children's Health Insurance Program;54 (b) provide the list of charity care facilities it receives in accordance with Subsection55 (2) to Medicaid and TANF eligibility workers; and56 (c) publish the list it receives in accordance with Subsection (2) in any other locations

**01-23-07 6:59 PM**

**1st Sub. (Green) S.B. 107**

57 the department determines will provide citizens of the state with notice of available charity  
58 care.

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**S.B. 107 1st Sub. (Green) - Notice of Available Charity Care**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or local governments. Any significant additional expenses incurred by nonprofit hospitals or medical clinics will depend on the method of notification they choose to implement.

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*1/29/2007, 11:46:48 AM, Lead Analyst: Greer, W.*

**Office of the Legislative Fiscal Analyst**