

**HEALTH CARE PATIENT IDENTITY
PROTECTIONS**

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen E. Sandstrom

Senate Sponsor: Carlene M. Walker

LONG TITLE

General Description:

This bill amends the facility licensing provisions for general acute hospitals.

Highlighted Provisions:

This bill:

- ▶ requires a general acute hospital to request identification from a patient prior to providing services;
- ▶ prohibits a hospital from denying services to an individual on the basis that the individual does not provide identification when requested; and
- ▶ prohibits the imposition of penalties if a hospital does not request documentation.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26-21-24, Utah Code Annotated 1953

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

Section 1. Section **26-21-24** is enacted to read:



28 **26-21-24. Patient identity protection.**

29 (1) (a) In order to discourage identity theft and health insurance fraud, a general acute
30 hospital shall request identification from an individual prior to providing in-patient or
31 out-patient services to the individual.

32 (b) If the individual who will receive services from the general acute hospital is a
33 minor under the age of 18 who is not permitted by law to consent to treatment, the general
34 acute hospital shall request identification from the individual who is consenting to treatment on
35 behalf of the minor.

36 (2) A hospital:

37 (a) may not refuse services to an individual on the basis that the individual did not
38 provide identification when requested;

39 (b) may not be penalized for failing to ask for identification; ~~H→~~ [and] ~~←H~~

40 (c) is not subject to a private right of action for failing to ask for identification ~~H→~~ ; and

40a (d) must post a notice in the hospital emergency department that informs patients of
40b their right to treatment for an emergency condition under the federal Emergency Medical
40c Treatment and Active Labor Act ~~←H~~ .

Legislative Review Note
as of 2-21-08 8:42 AM

Office of Legislative Research and General Counsel

H.B. 479 - Health Care Patient Identity Protections

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
