

PROMOTION OF HEALTH CARE COVERAGE

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kory M. Holdaway

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill amends the Medical Assistance Act and the Individual, Small Employer, and Group Health Insurance Act.

Highlighted Provisions:

This bill:

► requires the Department of Workforce Services, the State Board of Education, and the Department of Health to:

- collaborate with one another to develop a process to promote the health insurance awareness and coverage of children in schools;

- report to the Legislature on the development of the process; and

- implement the process no later than the 2009-10 school year;

► requires the Department of Workforce Services to promote and facilitate the enrollment of the children identified in public schools without health insurance in the Utah Children's Health Insurance Program or the Medicaid program; and

► provides that under certain conditions an individual who qualifies for premium assistance under the Utah's Premium Partnership for Health Insurance Program, or the individual's dependents, may enroll in an employer health benefit plan outside an open enrollment period.

Monies Appropriated in this Bill:

This bill appropriates:

► as an ongoing appropriation subject to future budget constraints, \$60,000 from the General Fund for fiscal year 2008-09 to the Division of Health Care Financing within

30 the Department of Health to promote awareness of and facilitate enrollment in the Utah's
31 Premium Partnership for Health Insurance Program.

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 ENACTS:

36 **26-18-12**, Utah Code Annotated 1953

37 **31A-22-610.6**, Utah Code Annotated 1953



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

40 Section 1. Section **26-18-12** is enacted to read:

41 **26-18-12. Process to promote health insurance coverage for children.**

42 (1) The Department of Workforce Services, the State Board of Education, and the
43 department shall:

44 (a) collaborate with one another to develop a process to promote health insurance
45 coverage for a child in school when:

46 (i) the child applies for free or reduced price school lunch;

47 (ii) a child enrolls in or registers in school; and

48 (iii) other appropriate school related opportunities;

49 (b) report to the Legislature on the development of the process under Subsection (1)(a)
50 no later than November 19, 2008; and

51 (c) implement the process developed under Subsection (1)(a) no later than the 2009-10
52 school year.

53 (2) The Department of Workforce Services shall promote and facilitate the enrollment
54 of children identified under Subsection (1)(a) without health insurance in the Utah Children's
55 Health Insurance Program, the Medicaid program, or the Utah Premium Partnership for Health
56 Insurance Program.

57 Section 2. Section **31A-22-610.6** is enacted to read:

58 31A-22-610.6. Special enrollment for individuals receiving premium assistance.

59 (1) As used in this section:

60 (a) "Premium assistance" means assistance under Title 26, Chapter 18, Medical
61 Assistance Act, in the payment of premium.

62 (b) "Qualified beneficiary" means an individual who is approved to receive premium
63 assistance.

64 (2) Subject to the other provisions in this section, an individual may enroll under this
65 section at a time outside of an employer health benefit plan open enrollment period, regardless
66 of previously waiving coverage, if the individual is:

67 (a) a qualified beneficiary who is eligible for coverage as an employee under the
68 employer health benefit plan; or

69 (b) a dependent of the qualified beneficiary who is eligible for coverage under the
70 employer health benefit plan.

71 (3) To be eligible to enroll outside of an open enrollment period, an individual described
72 in Subsection (2) shall enroll in the employer health benefit plan by no later than 30 days from
73 the day on which the qualified beneficiary receives written notification that the qualified
74 beneficiary is eligible to receive premium assistance.

75 (4) An individual described in Subsection (2) may enroll under this section only in an
76 employer's health benefit plan that is available at the time of enrollment to similarly situated
77 eligible employees or dependents of eligible employees.

78 (5) Coverage under an employer health benefit plan for an individual described in
79 Subsection (2) may begin as soon as the first day of the month immediately following
80 enrollment of the individual in accordance with this section.

81 (6) This section does not modify any requirement related to premiums that applies
82 under an employer health benefit plan to a similarly situated eligible employee or dependent of
83 an eligible employee under the employer health benefit plan.

84 (7) An employer health benefit plan may require an individual described in Subsection
85 (2) to satisfy a preexisting condition waiting period that:

86 (a) is allowed under the Health Insurance Portability and Accountability Act of 1996,
87 Pub. L. 104-191, 110 Stat. 1936; and

88 (b) is not longer than 12 months.

89 Section 3. **Appropriation.**

90 As an ongoing appropriation subject to future budget constraints, there is appropriated
91 from the General Fund for fiscal year 2008-09, \$60,000 to the Division of Health Care
92 Financing within the Department of Health to promote awareness of and facilitate enrollment in
93 the Utah's Premium Partnership for Health Insurance Program.