

CHILDREN'S HEALTH INSURANCE PROGRAM

- OPEN ENROLLMENT

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Greg J. Curtis

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Utah Children's Health Insurance Act.

Highlighted Provisions:

This bill:

- ▶ makes technical drafting amendments; and
- ▶ requires the Department of Health to keep enrollment in the Children's Health Insurance Program open so that an eligible child who applies for coverage under the Children's Health Insurance Program can enroll in the program.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-40-105, as enacted by Laws of Utah 1998, Chapter 360

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

Section 1. Section **26-40-105** is amended to read:

26-40-105. Eligibility.



28 (1) ~~[To be eligible to enroll in the program, a child must]~~ A child is eligible to enroll in
29 the program if the child:

- 30 (a) ~~[be]~~ is a bona fide Utah resident;
- 31 (b) ~~[be]~~ is a citizen or legal resident of the United States;
- 32 (c) ~~[be]~~ is under 19 years of age;
- 33 (d) ~~[not have]~~ does not have access to or coverage under other health insurance,
34 including any coverage available through a parent or legal guardian's employer;
- 35 (e) ~~[be]~~ is ineligible for Medicaid benefits;
- 36 (f) ~~[reside]~~ resides in a household whose gross family income, as defined by rule, is at
37 or below 200% of the federal poverty level; and
- 38 (g) ~~[not be]~~ is not an inmate of a public institution or a patient in an institution for
39 mental diseases.

40 (2) A child ~~[may not be determined to be ineligible to enroll in the program based on]~~
41 who qualifies for enrollment in the program under Subsection (1) may not be denied
42 enrollment due to a diagnosis or pre-existing condition.

43 (3) (a) The department shall determine eligibility and send notification of the eligibility
44 decision within 30 days after receiving the application for coverage.

45 (b) If the department cannot reach a decision because the applicant fails to take a
46 required action, or because there is an administrative or other emergency beyond the
47 department's control, the department shall:

- 48 ~~[(a)]~~ (i) document the reason for the delay in the applicant's case record; and
- 49 ~~[(b)]~~ (ii) inform the applicant of the status of the application and time frame for
50 completion.

51 (4) The department may not close enrollment in the program for a child who is eligible
52 to enroll in the program under the provisions of Subsection (1).

Legislative Review Note
as of 1-22-08 12:50 PM

Office of Legislative Research and General Counsel

H.B. 326 - Children's Health Insurance Program - Open Enrollment

Fiscal Note

2008 General Session
State of Utah

State Impact

Enactment of this Legislation will require an appropriation of \$2,063,000 General Fund and \$8,079,600 Federal Funds in FY 2009 and \$2,856,000 General Fund and \$11,424,000 Federal Funds in FY 2010.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
General Fund	\$0	\$2,856,000	\$2,856,000	\$0	\$0	\$0
General Fund, One-Time	\$0	(\$793,000)	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$8,079,600	\$11,424,000	\$0	\$0	\$0
Total	\$0	\$10,142,600	\$14,280,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

The businesses contracting with the State to provide these services will receive increased revenues. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or local governments.
