

28 Section 1. Section **58-1-501.6** is enacted to read:

29 **58-1-501.6. Health care provider advertisements and disclosure -- Unprofessional**  
 30 **conduct.**

31 For purposes of this section:

32 (1) (a) "Advertisement" includes:

33 (i) billboards;

34 (ii) written documents such as:

35 (A) brochures;

36 (B) pamphlets;

37 (C) direct mail solicitations;

38 (D) radio, television, and telephone solicitation scripts; and

39 (E) telephone directories;

40 (iii) media, including television, radio, and Internet websites; and

41 (iv) any other means of promotion intended to directly or indirectly induce a person to  
 42 enter into an agreement for services with a health care provider.

43 (b) "Advertisement" does not include materials that provide information about health  
 44 care provider networks established by health insurance carriers.

45 (2) "Health care provider" means a natural person who is:

46 (a) defined as a health care provider in Section 78B-3-403; and

47 (b) licensed under this title.

48 (3) (a) This section does not provide authority for a health care provider to advertise  
 49 the services offered by the health care provider.

50 (b) If a health care provider's licensing authority and professional ethics permit the  
 51 health care provider to advertise, the provisions of this section apply to any advertisement for  
 52 the health care provider's services, on or after July 1, 2011.

53 (4) An advertisement for a health care provider's services that includes the health care  
 54 provider's name shall identify the ~~§~~→ **classification** ←~~§~~ license type ~~§~~→ [~~, as used by the division,~~]  
 54a as printed on the license ←~~§~~ under which the health  
 55 care provider is practicing.

56 (5) (a) A physician licensed under Chapter 67, Utah Medical Practice Act, may comply  
 57 with the requirements of this section by using any one of the designations in the definitions of  
 58 "practice of medicine" in Section 58-67-102.