

# HB0278S01 compared with HB0278

~~{deleted text}~~ shows text that was in HB0278 but was deleted in HB0278S01.

inserted text shows text that was not in HB0278 but was inserted into HB0278S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Bradley M. Daw proposes the following substitute bill:

## ARRESTED PERSONS' HEALTH INSURANCE PROVISIONS

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bradley M. Daw**

Senate Sponsor: \_\_\_\_\_

---

### LONG TITLE

#### General Description:

This bill amends the Insurance Code to require health insurers to continue coverage of an individual who is incarcerated pending disposition of criminal charges.

#### Highlighted Provisions:

This bill:

- ▶ applies to health maintenance organizations and other health insurers; and
- ▶ prohibits a health benefit plan from ~~{cancelling}~~ excluding coverage ~~{of}~~ for an individual who is incarcerated pending disposition of the criminal charges ~~{, and}~~;

~~{—————> does not prohibit that cancellation of coverage under a health benefit plan for other reasons specified in the health benefit plan.}~~

#### ~~{~~Money Appropriated in this Bill:

None

## HB0278S01 compared with HB0278

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

31A-22-640, Utah Code Annotated 1953

---

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

Section 1. Section 31A-22-640 is enacted to read:

**31A-22-640.** ~~{ Cancellation of health benefit plan due to incarceration.~~

~~— (1) Except as permitted by Subsection (2)}~~ **Exclusion of coverage based on incarceration of an individual.**

(1) When an individual is incarcerated and waiting on the disposition of criminal charges, an insurer offering a health benefit plan under this chapter or Chapter 8, Health Maintenance Organizations and Limited Health Plans, may not ~~cancel an individual's coverage under a health benefit plan while}~~ **exclude coverage for the individual's health insurance claim based on:**

(a) the incarceration of the individual;

(b) whether the individual is ~~incarcerated and waiting on the disposition of the criminal charges against the individual}~~ **charged with, but not convicted of a felony that may be directly related to the claim; or**

(c) losses directly related to an illegal activity for which the person is charged, but not yet convicted.

(2) Subsection (1) does not prohibit an insurer from ~~cancelling}~~ **requiring an individual described in Subsection (1) from meeting co-payment, co-insurance, deductibles, or provider restrictions that are otherwise a part of the individual's health benefit plan** ~~for reasons other than the incarceration of the individual pending disposition of charges, if the reason for cancellation is provided for in the health benefit plan contract}.~~

{

**HB0278S01 compared with HB0278**

**Legislative Review Note**

~~as of 11-30-11 3:53 PM~~

~~Office of Legislative Research and General Counsel}~~