

1 **ARRESTED PERSONS' HEALTH INSURANCE PROVISIONS**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Bradley M. Daw**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

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

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ applies to health maintenance organizations and other health insurers;
- 14 ▶ prohibits a health benefit plan from cancelling coverage of an individual who is
15 incarcerated pending disposition of the criminal charges; and
- 16 ▶ does not prohibit that cancellation of coverage under a health benefit plan for other
17 reasons specified in the health benefit plan.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **31A-22-640**, Utah Code Annotated 1953

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

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



28 **31A-22-640. Cancellation of health benefit plan due to incarceration.**

29 (1) Except as permitted by Subsection (2), an insurer offering a health benefit plan
30 under this chapter or Chapter 8, Health Maintenance Organizations and Limited Health Plans,
31 may not cancel an individual's coverage under a health benefit plan while the individual is
32 incarcerated and waiting on the disposition of the criminal charges against the individual.

33 (2) Subsection (1) does not prohibit an insurer from cancelling an individual's coverage
34 under a health benefit plan for reasons other than the incarceration of the individual pending
35 disposition of charges, if the reason for cancellation is provided for in the health benefit plan
36 contract.

Legislative Review Note
as of 11-30-11 3:53 PM

Office of Legislative Research and General Counsel