

1 **PERSONAL INJURY PROTECTION INSURANCE**

2 **AMENDMENTS**

3 2012 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Allen M. Christensen**

6 House Sponsor: _____

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Insurance Code by amending provisions relating to personal
11 injury protection insurance.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides that an insurer that provides personal injury protection coverage under this
15 section may not discount the reimbursement for a medical expense in excess of the
16 amount of the reasonable value of that medical expense as determined by the
17 relative value study unless the increased discount is allowed through a contract
18 between:

- 19 • the medical provider; and
- 20 • the insurer that provides the personal injury protection coverage **§→ [-] ;**

20a ▶ **provides that the medical provider will accept the payments made pursuant to the**
20b **Utah RVS fee schedule for covered services as full and final payment and may not submit the**
20c **balance of the bill to the patient; and**

20d ▶ **provides that the original amount of the medical provider's bill shall be used for**
20e **purposes of determining whether a person who has or is required to have direct benefit**
20f **coverage under a policy which includes personal injury protection may maintain a cause of**
20g **action for general damages arising out of personal injuries alleged to have been caused by an**
20h **automobile accident.** ←§



90 not discount the reimbursement for a medical expense in excess of the
 91 reasonable value of the medical expense as determined by the relative value study under
 92 Subsection (2)(b) unless the increased discount is allowed through a contract between:

93 (i) the medical provider; and

94 (ii) the insurer that provides the personal injury protection coverage.

94a **§→ (g)(i) The medical provider will accept the payments made pursuant to the Utah**
 94b **RVS fee schedule for covered services as full and final payment and may not submit the**
 94c **balance of the bill to the patient.**

94d **(ii) The original amount of the medical provider's bill shall be used for purposes of**
 94e **determining whether the requirement of Section 31A-22-309(1)(a)(v) has been met. ←§**

95 (3) Medical expenses as provided for in Subsection (1)(a) and in Subsection
 96 31A-22-309(1)(a)(v) include expenses for any nonmedical remedial care and treatment
 97 rendered in accordance with a recognized religious method of healing.

98 (4) The insured may waive for the named insured and the named insured's spouse only
 99 the loss of gross income benefits of Subsection (1)(b)(i) if the insured states in writing that:

100 (a) within 31 days of applying for coverage, neither the insured nor the insured's spouse
 101 received any earned income from regular employment; and

102 (b) for at least 180 days from the date of the writing and during the period of insurance,
 103 neither the insured nor the insured's spouse will receive earned income from regular
 104 employment.

105 (5) This section does not:

106 (a) prohibit the issuance of a policy of insurance providing coverages greater than the
 107 minimum coverage required under this chapter; or

108 (b) require the segregation of those minimum coverages from other coverages in the
 109 same policy.

110 (6) Deductibles are not permitted with respect to the insurance coverages required
 111 under this section.

Legislative Review Note
as of 2-16-12 5:05 PM

Office of Legislative Research and General Counsel