

28 in advance, its recommended benefit adjustments for state employees to . . . the Legislature;  
29 and . . . the executive director of the state Department of Human Resource Management";

30 WHEREAS, Utah Code Subsection 49-20-401(1)(1) provides that the program  
31 "determine benefits and rates based on the total estimated costs and the employee premium  
32 share established by the Legislature, upon approval of the board, for state employees";

33 WHEREAS, the federal Affordable Care Act requires health benefit plans to adopt a  
34 total maximum out-of-pocket cap that does not exceed the highest deductible permitted for a  
35 health savings account qualified plan;

36 WHEREAS, the state's traditional, non-health savings account qualified health benefits  
37 plan has multiple, separate maximum out-of-pocket limits that, when combined,

37a ~~H~~→ will ←~~H~~ exceed the cap  
38 permitted under federal law ~~H~~→ at the state's next renewal ←~~H~~ ; and

39 WHEREAS, the Public Employees' Benefit and Insurance Program's medical risk pool  
40 for the state of Utah contains excess reserves:

41 NOW, THEREFORE, BE IT RESOLVED that the Legislature directs the Public  
42 Employees' Benefit and Insurance Program to modify the traditional health benefit plan by  
43 merging all deductibles into a single ~~H~~→ medical ←~~H~~ deductible and all maximum  
43a out-of-pockets into a single  
44 maximum out-of-pocket within 1% of the plan's current actuarial value.

45 BE IT FURTHER RESOLVED that the Legislature directs the Public Employees'  
46 Benefit and Insurance Program to transfer to the state and its employees based on relative  
47 contribution shares \$ ~~H~~→ [~~18~~] 19 ←~~H~~ million in excess reserves by July 1, 2015.

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**Legislative Review Note**  
as of **1-16-15 10:37 AM**

**Office of Legislative Research and General Counsel**