

1 **HEALTH BENEFIT PLAN AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Curtis S. Bramble**

5 House Sponsor: James A. Dunnigan

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6  
7 **LONG TITLE**

8 **General Description:**

9 This bill addresses provisions related to a health benefit plan.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ prohibits denial of coverage under a health benefit plan because of life expectancy

14 or a terminal condition under certain circumstances;

- 15 ▶ provides that the prohibition may not be interpreted to require an insurer to offer a particular benefit or service as part of a health benefit plan **§→ or alter certain policies of a health**

16a **benefit plan ←§** ;

17 ▶ provides that the prohibition provisions do not create a new or additional private right of action; and

- 19 ▶ makes technical and conforming changes.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 ENACTS:

26 **31A-22-644**, Utah Code Annotated 1953



59 (i) of the life expectancy of the person described in Subsection (3)(b)(i); or

60 (ii) the person has been diagnosed with a terminal condition.

61 (4) A denial of coverage described in Subsection (3) for medically necessary treatment  
62 is a violation of this section.

63 (5) Whether treatment is considered to be medically necessary treatment is determined  
64 by the defined standards and policies of the health benefit plan.

65 (6) This section may not be interpreted to ~~§~~ :

65a (a) ~~§~~ require an insurer to offer a particular benefit

66 or service as part of a health benefit plan ~~§~~ [;] ; or

66a (b) alter the clinical policies of a health benefit plan regarding the appropriate location  
66b for services. ~~§~~

67 (7) This section does not create a new or additional private right of action.

Legislative Review Note  
as of 2-25-15 11:04 AM

Office of Legislative Research and General Counsel