

1 **HIGHER EDUCATION HEALTH INSURANCE REVISIONS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Daniel Hemmert**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts provisions related to the authority of a state institution of higher
10 education to offer certain insurance products.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ prohibits a state institution of higher education from:
- 14 • offering certain health insurance products; and
 - 15 • permitting a person to use the name, trademark, or trade name of the state
- 16 institution of higher education for the purpose of selling certain health insurance
17 products.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **53B-1-116**, Utah Code Annotated 1953

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

27 Section 1. Section **53B-1-116** is enacted to read:



28 **53B-1-116. Prohibition on involvement in the health insurance marketplace.**
29 (1) As used in this section:
30 (a) (i) "Health insurance product" means, regardless of whether the product or service
31 is subject to regulation by the state:
32 (A) health care insurance as defined in Section [31A-1-301](#);
33 (B) a Medicare supplemental policy as defined under the Social Security Act, 42
34 U.S.C. Sec. 1395ss(g)(1); or
35 (C) any other product or service that competes directly with a product or service that is
36 offered by an insurer, as defined in Section [31A-1-301](#), that is not a state institution of higher
37 education.
38 (ii) "Health insurance product" does not include a contract with the state Medicaid
39 program to provide services as an accountable care organization as defined in Section
40 [26-36d-103](#).
41 (b) "State institution of higher education" means the same as that term is defined in
42 Section [53B-3-102](#).
43 (2) A state institution of higher education may not:
44 (a) sell a health insurance product; or
45 (b) permit any person to use, for the purpose of selling a health insurance product, the
46 name of the state institution of higher education or a trademark or a trade name belonging to
47 the state institution of higher education.
48 (3) This section does not prohibit a state institution of higher education from receiving
49 payment for services under the Medicaid program.