



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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March 2, 2020

Mr. President,

The Business and Labor Committee recommends **1st Sub. H.B. 37**, INSURANCE AMENDMENTS, by Representative J. A. Dunnigan, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 37**, INSURANCE AMENDMENTS with the following amendments:

1. *Page 3, Lines 69 through 71:*

69 Other Special Clauses:

70 {~~None~~} **This bill provides a special effective date.**

71 Utah Code Sections Affected:

2. *Page 162, Lines 4988 through 4990:*

4988 (a) {~~"Dentist" means an individual licensed under Title 58, Chapter 69,~~
Dentist and

4989 Dental Hygienist Practice Act.

4990 ~~—(b)—~~ "Health care provider" means a person licensed to provide health care
under:

3. *Page 162, Line 4993:*

4993 {~~(c)~~} **(b)** "Insurer" means an admitted or authorized insurer, as defined
in Section

Bill Number



HB0037S02

Action Class



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Action Code



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4. Page 162, Line 5000:

5000 ~~{(d)}~~ (c) "Provider" means a health care provider to whom an insurer is
 obligated to pay

5. Page 167, Line 5163 through Page 168, Line 5177:

5163 (16) (a) ~~{(i) An insurer shall remit in full the payment the insurer is~~
 obligated to pay to a
5164 dentist or insured.
5165 ~~— (ii) An insurer's payment under this Subsection (16)(a) may not be reduced for~~
 fees
5166 incurred for the method of payment, regardless of the payment method.
5167 ~~— (b) }~~ An insurer may offer the remittance of payment through a credit card or
 other
5168 similar arrangement {, if the dentist or insured is not charged a fee} .
5169 ~~{(c)}~~ (b) (i) A ~~{dentist}~~ health care provider may elect not
 to receive remittance through a credit card or other
5170 similar arrangement.
5171 (ii) An insurer:
5172 (A) shall permit a ~~{dentist's}~~ health care provider's election described
 in Subsection ~~{(c)}~~ (b) (i) to apply to the
5173 ~~{dentist's}~~ health care provider's entire practice; and
5174 (B) may not require a ~~{dentist's}~~ health care provider's election
 described in Subsection ~~{(c)}~~ (b) (i) to be made on a
5175 patient-by-patient basis.
5176 ~~{(d)}~~ (c) An insurer may not require a ~~{dentist}~~ health care
 provider or insured to accept remittance through a credit
5177 card or other similar arrangement.

6. Page 202, Line 6250:

6250 subcontractor hold the administrator harmless for an action arising under this section.
 Section 60. **Effective date.**

This bill takes effect on May 12, 2020, except that Section 31A-17-404 takes effect on January 1, 2021.

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Respectfully,

Curtis S. Bramble
Chair

Voting: 5-0-3

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