

1 **PREMIUM SUBSIDY AMENDMENTS**

2 2020 SIXTH SPECIAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: James A. Dunnigan**

5 Senate Sponsor: Luz Escamilla

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the maximum premium subsidy the Department of Health can request
10 for the Utah Premium Partnership for Health Insurance program.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ amends the maximum premium subsidy the Department of Health can request for
14 the Utah Premium Partnership for Health Insurance program in fiscal year 2020-21;

15 and

16 ▶ permits the Department of Health to increase that maximum in subsequent fiscal
17 years subject to:

- 18 • increases in premium costs; and
- 19 • appropriations.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 This bill provides a special effective date.

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **26-18-3.8**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapters 4
27 and 20



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

Section 1. Section **26-18-3.8** is amended to read:

26-18-3.8. Maximizing use of premium assistance programs -- Utah's Premium Partnership for Health Insurance.

(1) (a) The department shall seek to maximize the use of Medicaid and Children's Health Insurance Program funds for assistance in the purchase of private health insurance coverage for Medicaid-eligible and non-Medicaid-eligible individuals.

(b) The department's efforts to expand the use of premium assistance shall:

(i) include, as necessary, seeking federal approval under all Medicaid and Children's Health Insurance Program premium assistance provisions of federal law, including provisions of the Patient Protection and Affordable Care Act, Public Law 111-148;

(ii) give priority to, but not be limited to, expanding the state's Utah Premium Partnership for Health Insurance Program, including as required under Subsection (2); and

(iii) encourage the enrollment of all individuals within a household in the same plan, where possible, including enrollment in a plan that allows individuals within the household transitioning out of Medicaid to retain the same network and benefits they had while enrolled in Medicaid.

(2) The department shall seek federal approval of an amendment to the state's Utah Premium Partnership for Health Insurance program to adjust the eligibility determination for single adults and parents who have an offer of employer sponsored insurance. The amendment shall:

(a) be within existing appropriations for the Utah Premium Partnership for Health Insurance program; and

(b) provide that adults who are up to 200% of the federal poverty level are eligible for premium subsidies in the Utah Premium Partnership for Health Insurance program.

(3) For the fiscal year 2020-21, the department shall seek authority to increase the maximum premium subsidy per month for adults under the Utah Premium Partnership for Health Insurance program to \$300.

(4) Beginning with the fiscal year 2021-22, and in each subsequent fiscal year, the department may increase premium subsidies for single adults and parents who have an offer of

59 employer-sponsored insurance to keep pace with the increase in insurance premium costs,
60 subject to appropriation of additional funding.

61 Section 2. **Effective date.**

62 If approved by two-thirds of all the members elected to each house, this bill takes effect
63 upon approval by the governor, or the day following the constitutional time limit of Utah
64 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
65 the date of veto override.