



**UTAH HEALTH POLICY PROJECT**

*Quality Health Care Coverage for All Utahns*

(801) 433-2299 [www.healthpolicyproject.org](http://www.healthpolicyproject.org)

**UHPP Bill Tracker: FINAL 2012 General Session**

1=UHPP has lead role; 2=supporting; 3=monitoring. **R**= possible red flag in otherwise good bill

*SB=monitored by Shelly Braun; JC=by Jason Cooke; JH=by Judi Hilman; RS=Randal Serr*

Priority Bills for UHPP (page 1 only)	Cost	Description/Background (UHPP Publication and/or analysis)	Status	Position (UHPP lead)	
<a href="#">SB208 1st Substitute</a> Healthcare Compact (Sen. Adams)	\$0	This bill joins Utah to the "Health Care Compact" –opting out of ACA and taking health funds in a block grant at 2010 levels. <i>This will underfund Medicare, Medicaid, and other vital health care in Utah and tie Utah to bottom-feeder states. This is a dangerous messaging bill and will take time and attention away from issues vital to health care coverage in Utah.</i>	Final Passage: House 45:27:3 Senate 17:7:5 ☹	Oppose 1 (JH)	
<a href="#">HB144 3rd Substitute</a> Health System Reform Amendments (Rep. Dunnigan)	\$40,000 FY2012 \$7,100 FY 2013	Renews Health System Reform Task Force. Among the duties: research and make recommendations about <b>navigators; governance of X; stakeholder and advisory input</b> on the exchange; <b>essential health benefits</b> + Basic Health Plan. Adds <b>wellness incentive</b> premium discount for small group employers. <i>Rep. Dunnigan addressed the concerns expressed by UHPP and U-SHARE. The bill still needs stronger language around the process for including public input into the Essential Health Benefits process during interim and consumer protections around how the UHE will "collect fees" to fund operations. See our new <a href="#">HB144 bill Matrix</a></i>	Final Passage: House 70:0:5 Senate 23:0:6 ☺	Support 1 (SB)	
		<b>*UPP Simplification</b> (UHPP & U-SHARE content for HB144)			
		This proposal directs DOH to amend Utah's Medicaid Waiver to raise the UPP (Utah Premium Partnership) eligibility for adults to 200% ☺			Support 1 (SB/RS)
		<b>*Mental Health Integration Study and Plan Development</b> (UHPP & Mental Health Integration Team content for HB144)			
		Initiates a study process to develop a plan, based on effective models around the U.S. and in Utah, for integration of physical and mental/behavioral health care for sake of better health <i>and</i> lower costs. ☺		Support 1 (JC/JH)	
<a href="#">SB111</a> Health Amendments for Legal Immigrant Children (Sen. Robles)	\$1,715,300	Gets rid of the 5 year wait and allows legal immigrant kids to enroll in Medicaid and CHIP. Priority bill that advances the goal of optimizing the most cost-effective coverage option for children. <i>Download <a href="#">our new position paper.</a></i>	Stuck (and stayed stuck) in Rules ☹	Support 1 (RS/LG/JH)	
<a href="#">HB 55</a> Health Care Associated Infections (Rep. Draxler)	<del>\$138,000</del> Funded at \$105,200	Requires public reporting of healthcare associated infection rates by institution of Utah's ambulatory surgical facilities, general acute + specialty hospitals, and renal facilities following the federal schedule of infections to be reported; states that the report shall not be used as evidence in a criminal, civil, or administrative proceeding. <i>UHPP has been working with Rep. Draxler to expand the number and type of facilities to which the bill would apply, amended bill includes End-State Renal Facilities.</i>	Final Passage: House 48:22:5 Senate 27:2:0 ☺	Support 1 (SB/JC)	

**PLEASE NOTE: Our positions on the various bills are tentative, pending further research and approval/refinement by UHPP's Board of Trustees.**

For fact sheets and position papers on UHPP priority bills, visit [www.healthpolicyproject.org](http://www.healthpolicyproject.org)

To obtain more information on bills and appropriations or to watch live coverage of floor debates and committee hearings, go to [www.le.utah.gov](http://www.le.utah.gov)

<p><a href="#">HB 247</a> Cost Sharing for Smokers Enrolled in Medicaid (Rep. Ray)</p>	<p>\$8,000</p>	<p>Requires state Medicaid to apply for a waiver that would allow the state to require Medicaid enrollees who use tobacco to pay higher co-payments and cost sharing. <i>UHPP applauds Rep. Ray for holding the bill while working on alternative tobacco cessation wellness program legislation. See <a href="#">our position paper</a>. Rep. Ray has agreed to study wellness initiatives over coming year.</i></p>	<p>Bill's enacting clause stricken and filed Mar 8 ☺</p>	<p>Oppose 1 (JC)</p>
<p><b>House Bills</b></p>				
<p><a href="#">HB19 1st substitute</a> State-Issued ID Numbers (Rep. Harper)</p>	<p>\$10.6 mil</p>	<p>Prevents state from requiring SS# unless required by Federal law. Fiscal note: \$10.6 mil, 1-time (!). <i>Expensive message bill? ☹ 1st substitute: requires gov't entities to phase out use of 9 digit id numbers if they can under existing appropriations or if redesigning IT system and can.</i></p>	<p>Final Passage: House 68:2:5 Senate 23:4:2</p>	<p>? 2 (JC)</p>
<p><a href="#">HB 24 2nd substitute</a> Health Insurance for School Districts (Rep. Bird)</p>	<p>\$0</p>	<p>Requires local school boards, charter schools, and <del>higher ed institutions</del> to seek competitive bids on health insurance benefits it offers school district employees beginning in 2012-13 school year and every 3-5 years thereafter.</p>	<p>Failed 3rd House reading: 25:49:1 Jan 31 (Fiscal Note Feb 1)</p>	<p>? 3 (RS)</p>
<p><a href="#">HB 25</a> Patient Identity Validation (Rep. Barlow)</p>	<p>FY2012 \$221,200 FY2013 \$73,700</p>	<p>Recommended by HHS Interim Committee, authorizes Department of Health to establish measures for health care providers, public health entities, and insurers to coordinate verification of patient identity; <del>It?</del> includes immunity from suit the of the methods or measures used... <i>UHPP: We get nervous when we see immunity from lawsuits and patients are involved—meeting this week with Rep. Barlow to get the full scoop.</i></p>	<p>Final Passage: House 51:17:7 Senate 28:0:1</p>	<p>Investigating w/sponsor (JH)</p>
<p><a href="#">HB29 1st substitute</a> Insurance Amendments (Rep. Dunnigan)</p>	<p>\$0</p>	<p>This bill modifies definition provisions; addresses catastrophic coverage of mental health conditions; amends provisions related to adverse benefit determination review process; addresses when uniform waiver of coverage forms may be combined or modified; provides for the establishment of surplus lines producers; modifies definitions related to insurance marketing and licensing; addresses what constitutes administrative action taken against a person that is to be reported to the commissioner; clarifies when a line of authority no longer remains in force for a person; addresses references to the federal Violent Crime Control and Law Enforcement Act; requires a person who wants to reinstate a voluntarily surrendered license to comply with continuing education requirements modifies special requirements for bail bond producers and bail bond enforcement agents; addresses special requirements for variable contracts lines of authority; addresses disbursements from certain trust accounts; modifies language regarding trust obligation for certain money; addresses payments of claims by administrator; addresses commissioner's administrative actions; grants rulemaking authority to the commissioner regarding model regulations related to determining hazardous financial condition of an insurer; changes dates related to coverage under a pool policy; deletes definition of basic benefit plan; addresses health benefit plan choices; grants immunity related to good faith</p>	<p>Final Passage: House 70:0:5 Senate 27:0:2</p>	<p>Neutral 2 (SB)</p>

		communications between insurers or employees of insurers; addresses reporting by the board of directors of the Utah Defined Contribution Risk Adjuster; and makes technical and conforming amendments.		
<a href="#">HB 46 (1st Substitute)</a> Electronic Personal Medical Records (Amended) (Rep. Menlove)	FY 2013 \$90,500 FY 2014 \$20,400	This bill amends the duties of state Medicaid plan to enroll Medicaid beneficiaries in the electronic exchange of clinical health records <b>unless the individual opts out</b> ; amends the duties of the Children's Health Insurance Program to enroll the members of the Children's Health Insurance Program in the electronic exchange of clinical health records <b>unless individual opts out</b> ; amends duties of the Public Employees Health Program to enroll members in the electronic exchange of clinical health records <b>unless the individual opts out</b> . <i>UHPP: While we support the CHIE it is not clear how individuals enrolled in Medicaid or CHIP will/can be given a meaningful choice to opt out. Amended to require notification of enrollment and option to opt out at any time. See <a href="#">interview with CHIE Director in Matters</a>.</i>	Final Passage: House 66:7:2 Senate 27:0:2	Support 2 (JH)
<a href="#">HB 54</a> Prescription Drug Access in Rural Areas(Rep. Pitcher)	\$0	This bill amends provisions of the Pharmacy Practice Act to prohibit a third party payor of prescription drug benefits from charging a patient higher copayments for a prescription drug if the patient resides in a rural area of the state and chooses not to use an out-of-state mail order pharmacy. <i>UHPP: protects consumers in rural areas from unfair pricing.</i>	Bill's enacting clause stricken and filed Mar 8	Support 2 (SB)
<a href="#">HB64 1st Substitute</a> Amendments to Public Employee Health Care (Rep. Doughty).	?(probably around \$2-3 million)	Allows unmarried partner benefits in PEHP. This bill should affect affordability by allowing partners on PEHP rather than the individual market and aligns with UHPP's mission of quality health care coverage for all.	Bill's enacting clause stricken and filed Mar 8	Support 2 (RS)
<a href="#">HB69</a> Insurance Coverage for Autism Spectrum Disorders (Rep. Menlove)	\$8.8 mill	This bill requires that an accident or health insurance policy that provides a health insurance benefit shall provide coverage for treatment of autism spectrum disorders (ASD) grants rulemaking authority to the Insurance Commissioner; describes minimum coverage amounts and limits for the insurance coverage required by this bill; provides for annual adjustment of the coverage amounts based on the Consumer Price Index; and <del>re</del> limits the coverage if the Patient Protection and Affordable Care Act's determination of essential health benefits would require the state to pay premium subsidies related to autism coverage. <i>This bill includes an exemption of ASD from ACA subsidies.</i>	Bill's enacting clause stricken and filed Mar 8	? 2 (RS)
<a href="#">HB93</a> Child Support- Health Insurance for Children with Disabilities (Rep. Edwards)	\$483,000	Allows adults with disabilities to be added to parent + guardian health insurance.	Bill's enacting clause stricken and filed Mar 8	Support ? 3 (JC)
<a href="#">HB98</a> Medicaid continuous eligibility (Rep. Sanpei)	\$0	Authorizes DOH to amend the Medicaid state plan or seek a waiver: to allow 12 month continuous eligibility for an individual if it would increase quality of care and if it is cost-effective; to include incentives for appropriate care in appropriate settings in managed care contracts; to limit those state plan provisions to certain populations or geographic areas; and to calculate and transfer to DOH from DWS any administrative savings from continuous eligibility.	Final Passage: House 70:0:5 Senate 26:0:3	Support 2 (RS)
<a href="#">HB125</a> Access to Dental Health Care (Rep. Cosgrove)	\$0	Establishes a pilot program for delivery and payment reform in dental health care benefits in the state Medicaid program. To increase the number of dentists available for Medicaid	Final passage:	Support 2 (JC)

		dental services by establishing a compensation model for dentists and hygienists.	House 68:2:5 Senate 23:4:2	
<a href="#">HB134</a> Patient Access Reform (Rep. Mel Brown)	\$0	“Any Willing Provider” Prohibits a hospital from using discounts to restrict patient access to other health care facilities. Includes “remedy”: plaintiff can have 3x amount of actual damages or \$2000 whichever is greater. <i>UHPP: this will raise costs for everyone because insurers/Hospitals will not be able to negotiate discounts, which will really disrupt the market. The language in this bill is not the usual “any willing provider” language. Not sure Rep. Brown will run this bill.</i>	Bill’s enacting clause stricken and filed Mar 8	Oppose 2 (SB)
<a href="#">HB190 1<sup>st</sup> Substitute</a> Nurse Midwife Practice Act Amendments (Rep D. Brown)	\$0	Amends provisions related to a practice plan with a consulting physician; amends the definition of practice as a certified nurse midwife; and amends the unprofessional conduct provisions.	Final Passage: House 65:1:9 Senate 27:0:2	Support 3 (JH)
<a href="#">HB 211</a> Insurance Coverage for Amino Acid-Based Formula (Rep. Spackman Moss)	\$21,900	Defines terms; requires that health plans cover the use of an amino acid-based elemental formula, regardless of the delivery method of the formula, for the diagnosis or treatment of an eosinophilic gastrointestinal disorder if a licensed physician issues a written order stating that the formula is medically necessary; grants rulemaking authority to insurance commissioner; requires the coverage described in this bill to be similar to, or identical to, the coverage provided for other illnesses or diseases; provides that exemptions to insurance mandates for health plans do not apply to the insurance coverage described in this bill. <i>UHPP: will explore application to Medicaid, which only covers the formula if administered through the stomach.</i>	Bill’s enacting clause stricken and filed Mar 8	? 2 (JC)
<a href="#">HB 2725<sup>th</sup> Substitute</a> Pilot Program for Insurance Coverage for Autism Spectrum Disorders (Rep. Menlove)	\$8.7 mill each FY 2013+2014	This bill amends the Public Employees’ Benefit and Insurance Program Act to create a pilot program to provide coverage for treatment of autism spectrum disorders.	Final Passage: House 67:3:5 Senate 19:8:2	? (RS)
<a href="#">HB 278 1<sup>st</sup> substitute</a> Arrested Persons’ Health Insurance Provisions (Rep. B. Daw)	\$0	Requires insurers to continue coverage of an individual who is incarcerated pending disposition of criminal charges. <i>UHPP: this promotes access and continuity of care</i>	Bill’s enacting clause stricken and filed Mar 8	Support 3 (JH)
<a href="#">HB303</a> Insurance Coverage for Children with Hearing Impairments (Rep. Edwards)	\$240K	Requires health benefit plans (including PEHP) to cover hearing aids for children	Bill’s enacting clause stricken and filed Mar 8	Support 2 (JH)
<a href="#">HB306</a> Disposal of Unused Prescription Drugs (Rep, Daw)	\$0	Requires that the pharmacy board allow a pharmacy to take back unused Rx if the federal rules permit a pharmacy take back program; and requires the pharmacy board to enact administrative rules regarding unused drug take back programs once federal rules related to drug take back programs are published.	Final Passage: House 68:0:7	Support 3 (SB)

			Senate 20:0:1	
<a href="#">HB437 1st Substitute</a> Public Employee Health Care Benefits (Rep. Daw)	FY2012 \$12,400 FY2013 \$42,700 FY2014 \$42,700	Requires state employees to be enrolled in a high deductible health plan unless the employee chooses to enroll in a different health benefit plan during each open enrollment period; requires the Public Employee Health Plan to provide training on changing coverages to the high deductible plan with a health savings account, including coordination of benefits with other insurances; and makes technical changes.	Final Passage: House 70:0:5 Senate 23:0:6	? 3 (JH)
<a href="#">HB463</a> Medicaid Inspector General (Rep. Wright)		Limits the period of time in which the Office of the Inspector General may investigate a Medicaid claim to 36 months, unless the claim is fraudulent; clarifies the application of the Utah Administrative Procedures Act to an administrative proceeding with the Office of the Medicaid Inspector General; and clarifies the order of authority for the state Medicaid program.	Bill's enacting clause stricken and filed Mar 8	? 3 (JC)
<a href="#">HB496</a> Mental Health Practice Act Revisions (Rep. Ray)	\$1,000	Changes the name of the Professional Counselor Licensing Act to the Clinical Mental Health Counselor Licensing Act and changes counselor names from professional counselor to clinical mental health counselor; replaces the term "substance abuse" with "substance use disorder" throughout the Mental Health Professional Practice Act; changes the name of the Substance Abuse Counselor Act to the Substance Use Disorder Counselor Act; amends the definition of a mental health therapist to include a certified psychology resident, an associate marriage and family therapist, and an associate clinical mental health counselor; amends the class of licenses and adjusts qualifications for a substance use disorder counselor; provides for the transition to the new substance use disorder counselor license classifications; requires the Division of Substance Abuse and Mental Health to make rules establishing a peer support services program for substance use disorder services; and makes technical changes. <i>UHPP: exploring whether this has any implications for mental health integration efforts.</i>	Final Passage: House 71:0:4 Senate 25:0:4	? 2 (JC)
<b>Senate Bills</b>				
<a href="#">SB32</a> Breast Cancer Prevention Amendments (Sen. Mayne).	\$0	Encourages facilities that perform screening or diagnostic mammography to provide a patient who has dense breast tissue with information about options for additional screening.	Final Passage: House 66:6:3 Senate 22:5:2	Neutral 3 (JH)
<a href="#">SB37</a> Intergenerational Poverty Provision (Sen Reid)	\$0	Requires the Department of Workforce Services to establish and maintain a system to track intergenerational poverty related data to identify at-risk children and other groups, identify trends, and to assist case workers, social scientists, and government officials to study and develop plans and programs to assist individuals and families to break the cycle of poverty.	Final Passage: House 71:0:4 Senate 28:0:1	Support 2 (RS/JH)
<a href="#">SB85 1st substitute</a> Medicaid Cost Control Amendments (Sen. A Christensen)	FY2013 \$300,100 FY2014 \$3,927,900	Putting Mental Health Drugs on Medicaid PDL. <i>Sen. Christensen has added safeguards.</i>	Final Passage: House 64:10:1 Senate	Oppose 2 JC

			20:6:3	
<a href="#">SB106 1<sup>st</sup> substitute</a> Tobacco Settlement Account Amendments (Sen. Hillyard).	\$0	Changes the priority list for spending tobacco settlement proceeds by inserting 2 items ahead of CHIP: \$66,600 to the Office of the Attorney General for ongoing enforcement and defense of the Tobacco Settlement Agreement; (b) \$18,500 to the State Tax Commission for ongoing enforcement of business compliance with Tobacco Tax Settlement Agreement. <i>UHPP: This is fine.</i>	Final Passage: House 73:0:2 Senate 28:0:1	Support 3 (JC/RS)
<a href="#">SB138 1<sup>st</sup> substitute</a> Health Insurance Mandate Accountability Amendments (Sen. Weiler)	FY2014 1,715,300	Applies a health insurance mandate after Jan 1, 2012 to public school district, charter school, state-funded institutions of higher education; state must evaluate the cost of the mandate; cost of mandate goes to the participating employers. <i>While UHPP supports fiscal transparency, this could be a "mandate killing" bill. Rev + Tax stated they want this bill in place before the myriad health insurance benefit bills are heard THIS session (HB 303, BH 272, BH 211, HB 69). UHPP is investigating-- there's something fishy about all of this.</i>	Final Passage: House 71:0:4 Senate 22:5:2	? 2 (SB)
<a href="#">SB2022<sup>nd</sup> substitute</a> Dentist Practice Act Amendments (Sen. Adams)	\$1,400	Establishes standards for a license as a dentist educator; establishes the scope of practice for a dentist educator license; and establishes the renewal schedule for a dentist educator license	Final Passage: House 67:1:7 Senate 27:0:2	(JC/LG)
<a href="#">SB220</a> Hospital and Health Care Provider Lien Amendments (Sen Christensen)	(?)	This bill changes the name of the Hospital Lien Law to the Hospital and Health Care Provider Lien Law; <del>It</del> <b>adds health care provider under the same lien provisions</b> as a hospital changes the name of the Hospital Lien Law to the Hospital and Health Care Provider Lien Law adds health care provider under the same lien provisions as a hospital	Bill's enacting clause stricken and filed Mar 8	(JC)
<a href="#">SB252</a> Amendments to Dentist Practice Act (Sen. Hinkins)	\$0	This bill permits an individual to practice dentistry without a Utah license if the individual: is invited by a Utah dental school to teach at the school; is licensed in good standing to practice dentistry in another state; renders services for an educational purpose; and does not engage in unlawful or unprofessional conduct; and makes technical changes.	Final Passage: House 71:0:4 Senate 27:0:2	(JC/LG)
<b>Other Bills: to oppose or of interest</b>				
<a href="#">SB157</a> Utah Immigration and Accountability (Sen. Urquhart)		Repeals the Utah Immigration Accountability and Enforcement Act, except for provisions that existed before the enactment of that act, renames the chapter to "Identification and Verification"; modifies the provision concerning the receipt of state, local, or federal public benefits; renumbers and amends the provision regarding public employers and contractors; removes the repeal date of the Private Employer Verification Act; removes from the list of non-lapsing funds and accounts the Immigration Act Restricted Account; removes the Identity Theft Victims Restricted Account; and makes technical and conforming amendments.	Bill's enacting clause stricken and filed Mar 8	(JH)
<b>New "Boxcar" Bills as of Feb 6</b>				
<a href="#">HB361</a> Assisted Outpatient Treatment for Patients with a History of Noncompliance (Rep. Duckworth)		Boxcar: <i>Rep. Duckworth states that this bill would allow for the commitment of individuals who have stopped taking mental health medications. The Legislative Coalition for People with Disabilities will keep their eyes on this bill.</i>		(SB)
<a href="#">HB396</a> Health Care Amendments (Rep.		Boxcar: <i>Rep. Bird states that this is about health insurance and medical services but has</i>		(LG)

Bird)		<i>no specific information about the content yet.</i>		
<a href="#">HB409</a> Heath Care Cost Control Commission (Rep. M. Brown)		Boxcar <i>Rep Brown states this bill would build on the concern about the rising cost of health care, but has no specific information about the content yet.</i>		(SB)
<a href="#">HB426</a> Hospital Insurance Billing (Rep. Greenwood)		Boxcar		(SB)
<a href="#">HB475</a> Medicaid Amendments (Rep. Ray)		Boxcar: <i>According to Rep. Ray, he will not run this bill.</i>		3 (JC)
<a href="#">HB498</a> Medical Amendments (Rep Butterfield)		Boxcar:		(LG)
<a href="#">SB279</a> Health Funding Priorities (Sen. Osmond)		Boxcar: <i>This is a "Defunding Planned Parenthood" bill, which would not allow the state to appropriate federal money. There is a good chance he won't run this bill—he has 15 titled bills!</i>		Oppose 3 (JC)
SBXXX Medicaid Amendments (Sen. Knudson)		<i>Sen Knudson asked permission to open a new bill.</i>		