



UTAH HEALTH POLICY PROJECT

Quality Health Care Coverage for All Utahns
 (801) 433-2299
www.healthpolicyproject.org

Health Bill Tracker for 2009 General Session

Contact: UHPP, Stacey@healthpolicyproject.org

☐ = UHPP-led initiatives or Top Priority. □ = New Discovery or concerning development
 1=high interest 2=moderate interest 3= monitor FINAL Issue #8 March 13, 2009

Welcome to the 8th and final post-Session ‘wrap-up’ edition of our Tracker! The 2009 General Session is over sine die, and we are all grateful to tell the tale...

House Bills (numbered)	Cost	Summary / Analysis	Status	Position	Who
HB 17 Expedited Partner Therapy Treatment (Rep. J. Seelig)	\$ 0	Recommended by the HHS Interim Committee, HB 17 makes it possible, through changes to the Pharmacy Practice Act, to prescribe an antibiotic to the partner of a patient who has gonorrhea or chlamydia. <u>UHPP</u> : Responds to the sharp increase in gonorrhea or chlamydia; protects fertility. A tremendous victory: kudos to Rep. Seelig and the PPAC!	Passed both the House and Senate. Sent to enrolling.	Support (3)	JH
HB 31 Utah Sudden Cardiac Arrest Survival Act (Rep. C. Wimmer)	\$0	Recommended by HHS Interim Committee, the bill requires businesses who have automatic external defibrillator (AED) to report its location to the public safety answering point that provides emergency dispatch services. Encourages state, federal and local entities to work together to train and educate people on the use of AED. Protects people who use the AED or CPR in good faith from liability. <u>UHPP</u> : Positive in that it protects good Samaritans and increases the likelihood that a person in cardiac arrest can be successfully revived.	Awaiting the Governor's signature.	Support (3)	EG
HB 33 Refund of Unearned Health Insurance Premiums and Medicare Supplement Premiums (Rep. P. Ray)	\$	Recommended by HHS Interim Committee, the bill further defines unearned amount of collected premium and adds Medicare supplemental insurance as an insurance that can be refunded if cancelled by either party for reasons other than material misrepresentation. <u>UHPP</u> : Allows consumers to be refunded dollars that are rightfully theirs.	Awaiting the Governor's signature.	Support (2)	EG
HB 52 Insurance Code Amendments (Rep. Dunnigan)		Recommended by Business and Labor Interim Committee, the bill modifies the Insurance Code. <u>UHPP</u> : Many of the changes are clean up.	Awaiting the Governor's signature.	Neutral (2)	EG
HB81 Health Care Patient Identity Protection (Rep. S. Sandstrom)	\$	Takes measures to prevent identity theft. <u>UHPP</u> : There is really no point to this bill, as there is no real evidence of identity fraud in clinical settings. Also, clinics already ask for evidence of identity. Adds yet another layer of administrative complexity.	Awaiting the Governor's signature.	Oppose (3)	JH
HB 89 Prosthetic Limb Health Insurance Parity (Rep. D. Litvack)	\$	Run last year, this bill requires accident and health insurers to cover prosthetics and associated services. <u>UHPP</u> : The bill ensures that consumers who need prosthetics can purchase necessary devices and services.	Sadly, bill died on Senate calendar.	Support (3)	EG
HB 101 Assertive Community Mental Health Treatment Pilot Program (Rep. Moss)	\$?	Creates a pilot program for people with mental disorders to ease the transition from inpatient treatment or incarceration into the community.	Died on Senate calendar.	Support (3)	LN
HB 108 Hormone Restoration Amendments (Rep. D. Aagard)	\$	Allows naturopathic physicians to administer and prescribe testosterone in specific forms to bring testosterone levels up to normal. <u>UHPP</u> : Provides additional choices to consumers.	Awaiting the Governor's signature.	Support (3)	EG

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
 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

HB 121 Retired Volunteer Health Care Practitioner Act (Rep. M. Brown)	\$	Makes it easier, at least in concept, for retired providers to serve the uninsured by waiving license fees and other incentives. <u>UHPP</u> : <i>Well meaning but unclear how the practitioner would prove that he or she is in good health or qualified to deliver care in the given specialty.</i>	Awaiting the Governor's signature.	Neutral (3)	JH
HB128 Electronic Prescribing Act (Rep. R. Menlove)	\$0	Requires all practitioners with prescribing privileges to provide patients with option to participate in electronic prescribing; also requires pharmacies to cooperate. <u>UHPP</u> : <i>An essential step in the transition to electronic health records.</i>	Awaiting the Governor's signature.	Support (3)	JH
HB144 Medical Language Interpreter Act (Rep. R. Chavez-Houck)	\$ 6,000 1-time set up costs; \$1,500 per year to operate	This bill enacts a new act creating a <i>voluntary</i> certification process for medical interpreting. It also outlines requirements for meeting the new quality standards. <u>UHPP</u> : <i>This is a tremendous victory for Utah Multicultural Health Network and UHPP. AND, it has very little cost.</i>	Awaiting the Governor's signature.	Support (1)	JH YH
HB 165 Health Reform -Administrative Simplification (Rep. Newbold)		One of 3 bills coming from the Task Force, this bill addresses consumer billing, payment reforms, coordination of benefits, standardization of health benefit cards, and streamlining payment and pre-authorization processes. <u>UHPP</u> : <i>has just enough 'hooks' to enhance quality and reduce costs over the long run.</i>	Signed by the Governor on 3/11/09.	Support (1)	EG
HB 171 Legal Immigrant Children Health Care Amendments (Rep. Holdaway)	\$391,600	Removes the 5-year waiting period for legal immigrant children to qualify for Medicaid or CHIP. This is a new state option that was created when SCHIP was fully re-authorized Congress and signed into law Feb. 4.	Died on the Senate calendar and not funded—however, we came so close on this one! It will be a top priority for next year.	Support (1)	JH YH
HB178 Health Insurance and Program Amendments (Rep. Dunnigan)		Introduced on the last day of the session at UHPP's initiative, this bill passed both bodies. The bill does two things. First, it allows the state to put the CHIP contract out to bid, building on a bill that was passed last year. Second, the bill allows workers in small businesses (firm size 2-19) laid off from September 1, 2008 to February 17, 2009 to take advantage of a second election period for the state mini-COBRA. We asked Rep. D. to do this after passage of the American Recovery and Reinvestment Act was signed into law by Pres. Obama. This economic stimulus package includes a new 65% COBRA premium subsidy during 2009. For further info on this new option see: http://www.cbpp.org/3-12-09health2.pdf . We will be working to get these new options properly implemented in Utah—stay tuned for further details.	Passed both House and Senate and sent to enrolling.	Support (1)	EG
HB 188 Health System Reform – Insurance Market (Speaker D. Clark)	\$70,000 ongoing and possibly \$100,000 one time in 2012.	This bill has many components including: increasing transparency around insurers and brokers, creating limited benefit and mandate-lite packages (COBRA alternative option), increasing reporting requirements so that the impact of such changes can be monitored, expanding the <i>portal</i> to include defined contribution, and creating a risk adjuster board that will develop a plan for a new risk adjustment mechanism in the defined contribution market and the methodology for implementing the defined contribution market. <u>UHPP</u> : <i>The bill, while not comprehensive reform, lays the foundation for broader reforms in the future.</i>	Signed by the Governor on 3/11/09.	Support w/our many amendments (1)	EG
HB 219 Tobacco Tax Increase (Rep. Ray)	(\$44 million)	Automatically adjust Utah's tobacco tax to be \$0.01 higher than the national average. For FY2010 this would raise the state tobacco tax by \$1.63 per pack.	Died on the House calendar	Support (1)	LN

HB 331 Health Reform – Health Insurance Coverage in State Contracts (Rep. Dunnigan)		One of 3 Task Force bills, the bill requires state contractors with contracts are valued at \$1.5 mil. or sub contracts of \$750,000 to provide health insurance to their employees. <u>UHPP</u> : <i>The bill is a start to requiring contractors to provide health insurance, though the impact would actually be minimal.</i>	Signed by the Governor on 3/11/09.	Neutral (2)	EG
HB 339 Legislator- Benefit Plans (Rep. Hutchings)		Allows the House, Senate or Legislature to annually adjust legislator’s health benefits, consistent with federal laws, to include personal responsibility and purchase plans on the individual market. Permits the legislature to offer benefits in a defined contribution market starting in 2012. <u>UHPP</u> : <i>Having legislators on PEHP, because it is a large group, helps keep costs down. Large groups spread risk efficiently so that a comprehensive benefit package is affordable.</i>	Never heard.	Oppose (2)	EG
HB 365 Small Group Health Insurance Amendments (Rep. Biskupski)		Under investigation.	Abandoned		EG
HB 398 State Employee Health Insurance Amendments (Rep Daw)		According to bill sponsor Rep. Daw, the intent is to improve the HSA (Health Savings Account) offering within the Public Employee Health Plan. <u>UHPP</u> : <i>There is no reason to offer HSAs to state employees and the other large groups (like school districts) who have coverage in PEHP because these groups are large enough to share risk around a comprehensive and affordable benefit package. HSAs have been offered already in PEHP and the take-up was very low, suggesting that the demand for decent, affordable coverage is stronger than the mostly philosophical desire for consumer-driven health plans.</i>	Abandoned	Oppose (1)	JH
HB 454 Health Benefit Plan Reinsurance (Rep. Biskupski)		The bill establishes a reinsurance pool for small businesses. This will help curb the significant spikes in premiums that force small businesses to drop coverage.	Included in HJR21 Master Study Resolution to be studied during the interim.	Support (1)	EG
HJR 22 Utah’s Medicaid Asset Test (Rep. Chavez-Houck)		Resolution highlighting the barriers to self-sufficiency that Medicaid’s asset test creates. See recent Tribune article: http://www.sltrib.com/ci_11680544 . Based on the positive response from this Session, UHPP plans to mount a campaign to completely remove the asset test in Children’s Medicaid.	Died on Senate Calendar.	Support (1)	LN
Senate Bills					
SB 43 Insurance Coverage for Autism Spectrum Disorders (Sen. H. Stephenson)	\$?	“Clay’s Law” requires accident and health insurers to cover treatment for autism spectrum disorder and defines coverage limits. <u>UHPP</u> : <i>This will ensure that children born with autism can access therapies that can help them lead more productive lives.</i>	Died on the House calendar.	Support (3)	EG
SB55 Governor’s Interagency Coordinating Council on Health Disparities and Economic Self Sufficiency (Sen. L. Robles)	\$2,300	Would have created a new Governor’s Interagency Coordinating Council on Disparities and Economic Self Sufficiency (“Council”) to dig underneath the broader socio-economic determinants of health (SEDs of H). Modeled loosely after a promising initiative in Washington state, the Council would engage all state agencies and private sector players who play a role in addressing the SEDs of H. Most of the disparities in health status and access to care are actually related to the broader SEDs of H (for example, income, educational attainment, etc.). Among other duties, the Council would respond to requests for Disparities and Self Sufficiency Impact Statements (a legislator can request a systematic review of the impact of any proposed law or appropriation on SEDs.	Included in HJR21 Master Study Resolution to be studied during the interim. Once we discovered the interest in covering Legal Immigrant Children (SB225 and HB171), we decided to drop this for this year.	Support (1)	JH

SB 62 Insurance Coverage for Essential Medical Services (Sen. Waddoups)	\$0	Requires health care facilities and providers who are 1) the only ones offering an essential medical service, or 2) are the only ones in a geographic area to provide the service to any managed care organization at the same discounted price. Creates reporting requirements and enforcement provisions. According to the purpose statement, the bill is aimed at expanding access, creating competition, preventing monopolies and ensuring health plan solvency. <i>UHPP: The bill was presumably introduced for conversation.</i>	Never heard.	Neutral (3)	EG
SB79 Health System Reform Medical Malpractice Amendments (Sen. Knudson)	\$0	Heavily amended, the bill establishes a standard of proof of clear and convincing evidence for malpractice actions based on emergency care and in emergency rooms. <i>UHPP: The bill may make it more difficult for consumers to seek restitution. There is also no evidence that it will improve quality or bring down medical malpractice costs.</i>	Signed by Governor on 3/11/09.	Neutral (3)	EG
SB 86 Amendments to Preferred Drug List (Sen. A. Christensen)	(\$800,000)	Replaces the psychotropic exclusion of drugs with a more appropriate narrow definition that excludes <i>typical or atypical</i> anti-psychotic drugs. <i>UHPP: UHPP supports a clearer definition of what drugs should be excluded from the PDL, however, we believe more drug classes (categories) should be added than are currently included in this bill.</i>	Bill abandoned	Support (2)	LN
SB 87 Preferred Drug List Revisions (Sen. A. Christensen)	(\$1.4 million) in savings	This bill will allow the state to require prior-authorization before a non-preferred drug can be prescribed. <i>UHPP: This will bring Utah's Preferred Drug List program in line with best-practices of other state Medicaid programs and private health plans. And the savings make it very worthwhile.</i>	Awaiting the Governor's signature. A key victory for UHPP and partners.	Support (1)	LN
SB 111 Health Care Workforce Financial Assistance Program Amendments (Sen. G. Davis)	\$	Adds geriatric providers to the list of qualified providers who are eligible for the Workforce Financial Assistance Program.	Awaiting Governor's signature.	Support (2)	JH
SB 114 Tobacco Tax Amendments (Sen. A. Christensen)	(\$56 million)	Would have increased tobacco tax to \$2 per pack with revenues going to health programs (including Medicaid), tobacco cessation, and cancer research.	Tabled in Senate Tax & Rev 4-3.	Support (2)	LN
SB 117 Advance Health Care Directive (Sen. A. Christensen)	?	Adds psychologists and physician's assistants to the list of practitioners authorized to determine whether an adult lacks health care decision making capacity and to sign a <i>life with dignity order</i> (order that gives direction to health care providers regarding the health care decisions of the person to whom the order relates).	Awaiting the Governor's signature.	Support (3)	JH
SB 119 Hospital Emergency Room Task Force (Sen. D. C Buttars)	\$35,000	Sets up a task force to study and make recommendations on determining the appropriate use of hospital emergency rooms, creating incentives to decrease inappropriate use of hospital EDs, staffing issues, alternative care centers and funding of alternative care centers. <i>UHPP: This addresses some big issues with our health system. The issue should be studied as part of health system reform.</i>	Passed Senate, but never heard in House.	Neutral (2)	EG
SB158 Child Support Cash Medical Support (Sen. G. Bell)		This bill defines the term "cash medical support" as an obligation to equally share all reasonable and necessary medical and dental expenses of children and requires the court and the Office of Recovery Services to provide cash medical support provisions in child support orders. <i>UHPP: The word "reasonable" and language already in the code address our concerns around affordability for these separated or divorced families.</i>	Awaiting Governor's signature.	Support (3)	JH

<p>SB 225 Health Amendments for Legal Immigrant Children (<i>Sen. L. Robles</i>)</p>	<p>\$391,600</p>	<p>Would have removed the 5 year waiting period for legal immigrant children from enrolling in Medicaid or CHIP. This will be a top priority for UHPP next year. Huge congrats to Sen. Robles and Rep. Holdaway for HB171 for their patient and masterful efforts to build consensus around this complicated and contentious set of issues. Also, big kudos to the many organizations and individuals who stepped forward to educate and re-educate policymakers on the issue.</p>	<p>Died on the House calendar and not funded—though we came very close. See Health Matters for the full story.</p>	<p>Support (1)</p>	<p>JH YH</p>
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