



FINAL REPORT ON 2009 HEALTHCARE LEGISLATION

UHA, Utah Hospitals & Health Systems Association

Revised: March 17, 2009

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS					
Bigelow, R.	HB 03	<p><u>Current Fiscal Year Supplemental Appropriations</u> This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2008 and ending June 30, 2009. This bill provides budget increases and decreases for the use and support of certain state agencies; provides budget increases and decreases for the use and support of certain institutions of higher education; provides budget increases and decreases for other purposes as described.</p>		BILL HAS FISCAL IMPACT	PASSED
Seelig, J.	HB 13	<p><u>Crime of Strangulation of Smothering</u> This bill modifies the Criminal Code by including the offense of suffocation or strangulation as an aggravated assault. This bill amends the offense of aggravated assault to include the offenses of intentionally impeding a person's circulation by applying pressure to a person's neck or throat or impeding a person's normal breathing; and provides that these offenses of strangulation or smothering are third degree felonies.</p>		BILL HAS FISCAL IMPACT	FAILED
Seelig, J.	HB 17 Amended	<p><u>Expedited Partner Therapy Treatment</u> This bill amends the Pharmacy Practice Act in the Division of Occupational and Professional Licensing Act. This bill defines terms; excludes from the definition of unprofessional conduct and unlawful conduct under the Division of Occupational and Professional Licensing, issuing a prescription for an antibiotic to an unnamed partner of a person who has any one of certain designated sexually transmitted diseases; does not mandate the use of expedited partner therapy; provides an option for physicians to use expedited partner therapy; makes conforming changes to the Pharmacy Practices Act; and makes technical changes.</p>		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Wimmer, C.	HB 31 Amended	<p><u>Utah Sudden Cardiac Arrest Survival Act</u></p> <p>This bill enacts the Utah Sudden Cardiac Arrest Survival Act and amends civil liability immunity provisions relating to the act. This bill defines terms; provides for expiration of the automatic external defibrillator (AED) statewide database on September 1, 2009, and replaces it with local systems operated by emergency medical dispatch centers; permits a person to administer CPR or use an AED on a person reasonably believed to be in sudden cardiac arrest: without a license or certificate; and regardless of whether the person is trained to administer CPR or to use an AED; provides immunity from civil liability for certain acts or omissions relating to administering CPR, operating, designing, or managing a CPR or AED program, or providing instructions or training, or taking other specified action, in relation to CPR or AEDs, unless the actions constitute gross negligence or willful misconduct; provides that this bill does not relieve a manufacturer, designer, developer, marketer, or commercial distributor from liability relating to an AED or an AED accessory; requires a person who owns or leases an AED to report certain information, including the location of, or removal of, the AED, to the emergency medical dispatch center that provides emergency dispatch services for that area; describes the duties of an emergency medical dispatch center to disclose information relating to the location of an AED; describes the duties of the Bureau of Emergency Medical Services and a person who owns or leases an AED in relation to providing education and training on the administration of CPR and the use of an AED; and makes technical changes.</p>		BILL HAS NO FISCAL IMPACT	PASSED
Ray, P.	HB 33	<p><u>Refund of Unearned Health Insurance Premiums and Medicare Supplement Insurance Premiums</u></p> <p>This bill amends provisions of the Insurance Code relating to the refund of unearned health insurance premiums and Medicare supplement insurance premiums. This bill defines the term "unearned amount of the collected premium";</p>		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Dunnigan, J.	HB 52 Amended	<p><u>Insurance Code Amendments</u> This bill modifies the Insurance Code and related provisions. This bill modifies definitions; provides for rulemaking authority related to annual financial reporting requirements similar to those adopted by the National Association of Insurance Commissioners; modifies provisions related to audit committees: making the board of directors an audit committee in certain circumstances; providing rulemaking authority for rules pertaining to an audit committee requirement; and clarifying insider directors; addresses single risk limitations; addresses the suicide provisions; authorizes the commissioner to make rules related to federal law requirements involving genetic information and involving marketing; addresses general requirements for licensing and when the commissioner may deny a license application; modifies license types and classifications; addresses reinstatement of a voluntarily surrendered license; modifies requirements related to a title insurance producer's reserve fund; addresses designations by an insurer, agency licensee, or organization of an individual licensee; makes certain records private records under the Government Records Access and Management Act; addresses loss of a license if an individual licensee commits an act or fails to perform a duty; exempts a nonresident licensee from trust account requirements of this state by requiring that the licensee comply with the trust account requirements of the licensee's home state; modifies notice requirements related to termination of coverage when an employer receives premium by deducting wages or salary; modifies exemptions from the prohibition on sharing commissions; modifies provisions related to a bail bond licensee; shortens the period of time an applicant for a bail bond surety company license has to request a hearing for a denial; modifies the renewal process for a bail bond surety company; permits the commissioner to accept a comprehensive annual independent audit in lieu of an examination for a captive insurance company; provides for the sharing of information with the Insurance Department related to professional employer organizations; and makes technical and conforming amendments, including repealing outdated language.</p>		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Dougall, J.	HB 70	Cigarette Tax Exemption Amendments This bill amends the Cigarette and Tobacco Tax and Licensing Act relating to exemptions from the state tax on cigarettes. This bill amends a citation to the Internal Revenue Code relating to federal law exemptions that also apply to the state tax on cigarettes; and makes technical changes.		BILL HAS NO FISCAL IMPACT	FAILED
Sandstrom, S.	HB 81 Substitute 1	Health Care Patient Identity Protection This bill amends the Health Care Facility Licensing and Inspection Act by providing measures to discourage identity theft and health insurance fraud, and to protect the accuracy of medical records. This bill defines terms; requires a medical facility or a health professional office to, prior to providing services to a patient, request identification for: the patient; and an individual who consents to the provision of services to the patient, if the patient lacks the capacity to consent; permits a medical facility or a health professional office to use certain methods to document or confirm a patient's identity; prohibits a medical facility or a health professional office that is subject to the federal Emergency Medical Treatment and Active Labor Act (EMTALA) from denying services to an individual on the basis that the individual does not provide identification when requested; provides that a medical facility or a health professional office is not subject to a private right of action for failing to ask for identification; and prohibits the imposition of penalties if a medical facility or a health professional office does not request documentation.	SUPPORT	BILL HAS NO FISCAL IMPACT	PASSED
Litvack, D.	HB 89 Amended	Prosthetic Limb Health Insurance Parity This bill amends the Insurance Code to require a health benefit plan to provide coverage for prosthetic devices. This bill defines terms; requires a health benefit plan to provide coverage for prosthetic devices; and establishes the terms of coverage and the minimum requirements for access to providers.		BILL HAS NO FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Ray, P.	HB 90 Substitute 1 Amended	<u>Abortion Law Amendments</u> This bill amends portions of the Utah Criminal Code relating to abortion. This bill removes an unconstitutional provision requiring that all abortions performed 90 days or more after the commencement of a pregnancy be performed in a hospital; defines the term "viable"; provides that an abortion may only be performed in this state if: the unborn child is not viable; or the unborn child is viable, if the abortion is necessary to avert the death of the woman on whom the abortion is performed, the abortion is necessary to avert a serious risk of substantial and irreversible impairment of a major bodily function of the woman, two physicians who practice maternal fetal medicine concur, in writing, that the fetus has a defect that is uniformly diagnosable and uniformly lethal , or the woman is pregnant as a result of rape, rape of a child, or incest; provides that a violation of the provisions in the preceding paragraph constitute the second degree felony offense of "killing an unborn child"; provides that a woman who seeks to have, or obtains, an abortion for herself is not criminally liable; makes technical changes; and enacts an uncodified severability clause.		BILL HAS NO FISCAL IMPACT	PASSED
Moss, C.	HB 101	<u>Assertive Community Mental Health Treatment Pilot Program</u> This bill establishes a pilot program within the Substance Abuse and Mental Health Act for the provision of assertive community treatment services to people with a severe mental disorder, who are not receiving or are transitioning out of other mental health services, and to their families. This bill establishes a pilot program, beginning on July 1, 2009, and ending on July 1, 2012, for the provision of assertive community treatment mental health services to eligible people, who are not receiving or are transitioning out of other mental health services; grants rulemaking authority to the division; describes a person who is eligible to receive services under this bill; provides that a local mental health authority shall establish criteria to determine the order of priority for receiving services under this bill; provides that the services provided under the pilot program described in this bill do not constitute an entitlement and may be withdrawn from a person at any time; requires the director of the division to repo		BILL HAS FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Daw, B.	HB 106 Amended	<p>Controlled Substance Database Amendments This bill amends provisions of the Utah Controlled Substances Act relating to the controlled substance database. This bill defines terms; expands the purposes for which a practitioner or pharmacist may access information on the controlled substance database; grants access to the controlled substance database to a mental health therapist under certain circumstances; permits a practitioner to designate up to three employees, subject to approval by the Division of Occupational and Professional Licensing, who can access the controlled substance database on the practitioner's behalf; provides that a practitioner, or an employee of the practitioner, who obtains information from the controlled substance database may include the information in the patient's medical chart or file and may provide the information to others in accordance with the requirements of the Health Insurance Portability and Accountability Act of 1996; grants rulemaking authority to the Division of Occupational and Professional Licensing; permits the Division of Occupational and Professional Licensing to impose a fee on practitioners who designate an employee to access the controlled substance database, in order to recover the cost of determining whether the employee is a security risk; provides that a person who is a licensed practitioner or a mental health therapist shall be denied access to the database when the person is no longer licensed; provides that a person who is a relative of a deceased individual is not entitled to access information from the database relating to the deceased individual based on the fact or claim that the person is related to, or subrogated to the rights of, the deceased individual; and makes technical changes.</p>		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Clark, S.	HB 107 Substitute 2	<p>Economic Impact of Illegal Aliens</p> <p>This bill provides for a study on the economic impact of illegal aliens residing within the state. This bill provides for a study, by the Office of the Legislative Auditor General, on the economic impact of illegal aliens residing within the state; provides that the study shall identify and summarize state and local costs incurred from providing services to illegal aliens residing within the state as well as revenues received from illegal aliens residing within the state through the payment of taxes and fees to state and local government; and provides that the study shall include projections of costs and revenues for five, ten, and 25 years in the future and be a baseline for potential state legislation; and provides for a report of study findings to the Legislative Audit Subcommittee and the Executive Appropriations Committee prior to the 2010 Legislature's General Session.</p>		BILL HAS NO FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Aagard, D.	HB 108 Amended	<p>Hormone Restoration Amendments</p> <p>This bill amends the Utah Controlled Substances Act and the Naturopathic Physician Practice Act to permit a naturopathic physician to, pursuant to a license issued by the Division of Occupational and Professional Licensing, prescribe or administer testosterone in specified forms for the purpose of restoring a low testosterone level to a normal level. This bill adds "naturopathic physician" to the definition of "practitioner" in the Utah Controlled Substances Act in order to allow a naturopathic physician to prescribe only testosterone, in the form and for the purposes described in this bill; requires a naturopathic physician to keep a record of testosterone: received by the naturopathic physician; and administered, dispensed, or professionally used by the naturopathic physician, other than by a prescription; permits a naturopathic physician to prescribe or administer testosterone, pursuant to the requirements of federal and state law, if the testosterone is: bio-identical; designed to be administered topically, for transdermal absorption or</p> <p>designed to be absorbed across the mucosal membranes of the mouth; and prescribed solely for the purpose of treating a patient with a low testosterone level in order to restore the patient to a normal testosterone level; provides that the provisions of Title 58, Chapter 71, Naturopathic Physician Practice Act, do not mandate health insurance coverage for the prescription or administration of testosterone by a naturopathic physician; and makes technical changes.</p>		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Sumsion, K.	HB 114 Amended	<p><u>Abortion Litigation Trust Account Amendments</u></p> <p>This bill amends provisions of the Abortion Litigation Trust Account. This bill defines the term, "account" as the Abortion Litigation Trust Account; provides that money may be deposited into the account, by private entities or by the Legislature, for the purpose of defending any law passed by the Legislature on or after January 1, 2009, and on or before July 1, 2014, that challenges the legal concept that a woman has the right to an abortion, even when the woman is not threatened with the loss of her life substantial and irreversible impairment of a major bodily function, rape, or incest; provides that money remaining in the account on May 11, 2009 that is not used to offset the monies expended by the state in connection with litigation regarding Senate Bill 23, passed in the 1991 General Session, shall be used for the purpose described in the preceding paragraph; provides that money in the account that is not used for the purposes described in this bill shall be used by the Division of Child and Family Services, within the Department of Human Services, for adoption assistance; and makes technical changes.</p>		BILL HAS NO FISCAL IMPACT	PASSED
Brown, M.	HB 121 Substitute 2	<p><u>Retired Volunteer Health Care Practitioner Act</u></p> <p>This bill enacts the Retired Volunteer Health Care Practitioner Act in the Occupations and Professions Code. This bill defines terms; establishes eligibility for a volunteer health care practitioner license; provides a waiver of division fees for licensing of a volunteer health care practitioner; limits the practice of a volunteer health care practitioner to exclusive charity care at a charity location; and requires supervision of a volunteer health care practitioner.</p>		BILL HAS NO FISCAL IMPACT	PASSED
Johnson, C.	HB 124 Amended	<p><u>Insurance Coverage for Eosinophilic Gastrointestinal Disorders and Short Bowel Syndrome</u></p> <p>This bill amends the Accident and Health Insurance part of the Insurance Code to require an offer of coverage for eosinophilic gastrointestinal disorders and short bowel syndrome. This bill defines terms; requires that an insurer that provides a health benefit plan shall offer at least one plan that provides coverage for the use of an amino acid-based elemental formula, regardless of the delivery method of the</p>		BILL HAS FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Menlove, R.	HB 128 Amended	Electronic Prescribing Act This bill enacts the Electronic Prescribing Act within Title 58, Occupations and Professions. this bill defines terms; requires a practitioner to provide each existing patient of the practitioner with the option to participate in electronic prescribing; provides that a practitioner may not issue a prescription through electronic prescribing for a drug or device that the practitioner is prohibited by federal law or federal rule from issuing through electronic prescribing; requires a pharmacy to accept and comply with an electronic prescription that is transmitted in accordance with the requirements of this section and rules made by the Division of Occupational and Professional Licensing; and grants rulemaking authority to the Division of Occupational and Professional Licensing to: enforce the provisions of this bill; ensure that electronic prescribing is done in a secure manner, consistent with industry standards; ensure that each patient is fully informed of the patient's rights, restrictions, and obligations pertaining to electronic prescribing; and grant a hardship exemption to a pharmacy or a practitioner, to the extent that the requirements of this bill would impose an extreme financial hardship on the pharmacy or the practitioner.		BILL HAS NO FISCAL IMPACT	PASSED
Biskupski, J.	HB 132 Substitute 1 Amended	Sexual Assault Victim Protocols This bill enacts Sexual Assault Victim Protocols within the Utah Health Code. This bill defines terms; requires a designated facility to provide to a victim of sexual assault with: information regarding emergency contraception; and emergency contraception, upon request by the victim; requires a designated facility to: maintain a protocol, prepared by a physician, for the administration of emergency contraception at the designated facility to a victim of sexual assault; and develop and implement a written policy to ensure that a person is present at the facility, or on-call, who has authority and training to comply with the requirements of this bill; requires a practitioner who is not at a designated facility to: provide a victim of sexual assault with information regarding emergency contraception; and provide the victim of sexual assault with emergency contraception, upon her request, or inform her of the nearest location where she may obtain emergency contraception; grants rulemaking authority to the Department of Health; and provides for the enforcement		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
King, B.	HB 135 Amended	<p><u>Lien Revisions</u> This bill amends the Hospital Lien Law. This bill amends provisions of health care claims practices; prohibits a hospital from filing a lien for the balance of the charges if the patient is covered by an individual or group health insurance policy; prohibits a hospital from filing a lien if a patient is covered by Medicare and the hospital does not reasonably expect payment by a liable third party; prohibits a hospital from filing a lien if a patient is covered by Medicaid and the hospital has not established the probable existence of third-party liability; requires a hospital to pay a share of a patient's attorney fees for lien payment recovered by the patient's attorney; and makes technical corrections.</p>	OPPOSE	BILL HAS NO FISCAL IMPACT	FAILED
Hemingway, L.	HB 142 Amended	<p><u>Reporting Abuse or Neglect of the Elderly or Disabled</u> This bill amends the Health Code and the Human Services Code to permit background checks for an individual who cares for an elderly or disabled person and creates a private right of action for failure to report abuse or neglect. This bill permits a person who is hiring an individual to come into the home of an elderly or disabled person to obtain a background check of the person; authorizes the Department of Health to conduct the background check and access the database of substantiated abuse and neglect cases when requested by an individual seeking home care; authorizes the Department of Health to: communicate its findings to the individual seeking home care; and to charge a reasonable fee for the background check; limits the use of the information by the individual seeking home care to purposes directly related to hiring an individual for care of an elderly or disabled person in their private home; makes it an infraction and subjects the person to civil liability if the person submits information about an individual to the department for a background check for any purpose other than hiring for the care of an elderly or disabled person; and establishes a private right of action against a health care facility that is required to report elder and disabled abuse or neglect and intentionally fails to make the required report.</p>		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Chavez-Houck, R.	HB 144	<p>Medical Language Interpreter Act</p> <p>This bill enacts the Medical Language Interpreter Act, within the Division of Occupational and Professional Licensing Act. This bill defines terms; provides that a person who renders language interpretation services between a health care provider who speaks English and another person (medical interpreter services), in Spanish, Russian, Bosnian, Somali, Mandarin Chinese, Cantonese, or Navajo may voluntarily obtain certification as a certified medical language interpreter; provides that a person may provide medical interpreter services without obtaining the certification described in the preceding paragraph; describes the requirements that a person must comply with in order to obtain certification; makes it a class A misdemeanor to represent or hold oneself out as a certified medical language interpreter when not certified under the provisions of this bill; permits the division to charge a fee to recover the costs of administering the certification examination and issuing the certificate described in this bill; grants rulemaking authority to the division; and allow</p> <p>Department of Health and the Department of Human Services to give priority to contracting with companies that use certified medical language interpreters.</p>	SUPPORT	BILL HAS FISCAL IMPACT	PASSED
Beck, T.	HB 145 Substitute 1 Amended	<p>Workplace Drug Testing Programs</p> <p>This bill modifies provisions applicable to drug testing programs of nongovernmental employers. This bill addresses procedures related to confirmation of tests; and makes technical and conforming amendments.</p>		BILL HAS NO FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Newbold, M.	HB 165 Substitute 3	<p>Health Reform - Administrative Simplification</p> <p>This bill modifies the Health Code and the Insurance Code to provide standards for the exchange of information between health care providers, health care insurers, and patients regarding payment for services. This bill amends the timing of the requirement that a hospital sends an itemized bill to a patient; creates a systemwide, broad based demonstration project between health care payers and health care providers for innovating the payment and delivery of health care in the state; establishes a committee to study and develop a more efficient coordination of benefits process; requires health benefit plans to issue to enrollees a printed card containing health plan information; requires an insurer to provide access to information sufficient for a health care provider to determine the compensation or payment terms for health care services; requires the Insurance Department to convene a group of providers and payers to establish standards for the electronic exchange of health plan information using card</p> <p>swipe technology which is compatible with national electronic standards; prohibits an insurer from requiring less than one business day's notice of an emergency in-patient hospital admission; and amends the period of time in which an insurer can recover an amount paid to a health care provider when the insurer determines the payment was incorrect.</p>	SUPPORT	BILL HAS NO FISCAL IMPACT	PASSED
Noel, M.	HB 167	<p>County Hospital Retirement Provisions</p> <p>This bill modifies the Utah State Retirement and Insurance Benefit Act to allow certain employers and employees to be excluded from participation in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System. This bill allows an employer that is a hospital created as a special service district to elect to be excluded from participation in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System under certain circumstances; provides procedures for the exclusion; excludes new and existing employees of a special service district hospital from participation in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System under certain circumstances; and makes technical changes.</p>	SUPPORT	BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Holdaway, K.	HB 171 Amended	Children's Health Insurance Program This bill amends the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage and health insurance coverage to a legal immigrant child, regardless of the length of time that the child has been in the United States. This bill exercises the option to remove the five-year residency requirement for a legal immigrant child to be eligible for coverage under Medicaid or the Utah Children's Health Insurance Program; and directs the Department of Health to amend the state Medicaid plan and the Utah Children's Health insurance Program to provide coverage to an eligible legal immigrant child, regardless of the length of time that the child has been in the United States.		BILL HAS FISCAL IMPACT	FAILED
Litvack, D.	HB 176	Commission on Basic Health Care Numbered Title Without any Substance			FAILED
Clark, D.	HB 188 Substitute 2 Amended	Health System Reform - Insurance Market This bill amends the Insurance Code and the Governor's Office of Economic Development Code to expand access to the health insurance market, increase market flexibility, and provide greater transparency in the health insurance market. This bill prohibits balanced billing by certain health care providers in certain circumstances; revises the basic benefit plan used for consumer comparison of health benefit products; requires the Insurance Department to include in its annual market report a summary of the types of plans sold through the Internet portal, including market penetration of mandate lite products; allows insurers to offer lower cost health insurance products that do not include certain state mandates in the individual market, the small employer group market, and in the conversion market; creates the Utah NetCare Plan, a low cost health benefit plan as an alternative to current federal COBRA, state mini-COBRA, and conversion products; requires health insurance brokers and producers to disclose their	SUPPORT	BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
	HB 188 (continued)	<p>commissions and compensation to their customers prior to selling a health benefit plan; modifies the number and type of products an insurer must offer in the small employer group market and the individual market; establishes a defined contribution arrangement market available on the Internet portal, which: beginning January 1, 2010, is available to small employer groups; offers a range of health benefit plan choices to an employer's eligible employees; beginning January 1, 2012, is available to eligible large employer groups; and beginning January 1, 2012, will offer a wider range of choices of health benefit plans to employees; establishes a board within the Insurance Department that is given the responsibility to develop a risk adjustment mechanism that will apportion risk among the insurers participating in the Internet portal defined contribution market to protect insurers from adverse risk selection; requires insurers who offer health benefit plans on the Internet portal to provide greater transparency and disclose information about the plan benefits, provider networks, wellness programs, claim payment practices, and solvency ratings; establishes a process for a consumer to compare health plan features on the Internet portal and to enroll in a health benefit plan from the Internet portal; requires the Office of Consumer Health Services to convene insurers and health care providers to monitor and report to the Health Reform Task Force and to the Business and Labor Interim Committee regarding progress towards expanding access to the defined contribution market, greater choice in the market, and payment reform demonstration projects; establishes limited rulemaking authority for the Office of Consumer Health Services to: assist employers and insurance carriers with interacting with the Internet portal; and facilitate the receipt and payment of health plan premium payments from multiple sources; authorizes the Office of Consumer Health Services to establish a fee to cover the transaction cost associated with the Internet portal functions such as sending and processing an application or processing multiple premium payment sources; and re-authorizes the Health Reform Task Force for one year.</p>			

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Hemingway, L.	HB 189 Amended	<u>Instruction In Health Amendments</u> This bill modifies provisions related to health courses taught in public schools. This bill defines terms; requires instruction in health in the public schools to be age-appropriate and medically accurate; provides components of instruction for health courses; and makes technical changes.		BILL HAS NO FISCAL IMPACT	FAILED
Dunnigan, J.	HB 192 Amended	<u>Personal Injury Judgment Interest</u> This bill amends the date that a plaintiff may claim interest on special damages, and defines interest as simple interest and not compounded interest. This bill requires interest accrued on special damages to be simple interest, not compound interest; and changes the date from which interest is accrued for special damages from the date of the occurrence of the act giving rise to the cause of the action to the date that the damage was actually incurred.		BILL HAS NO FISCAL IMPACT	PASSED
Hansen, N.	HB 217	<u>Utah Indoor Clean Air Act Amendments</u> This bill provides an exception to the Utah Indoor Clean Air Act. This bill excludes from the smoking prohibition of the Utah Indoor Clean Air Act, a business that receives at least 25% of its annual gross receipts from the on-site sale of tobacco; and makes technical changes.		BILL HAS NO FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Ray, P.	HB 219 Substitute 1	<p><u>Tobacco Tax Increase</u> This bill amends the Cigarette and Tobacco Tax Act by increasing the tax rates on the sale, use, storage, or distribution of tobacco products in the state for the 2009-10 fiscal year and allowing the rates to fluctuate in subsequent fiscal years. This bill increases the tax rate for the sale, use, storage, or distribution of tobacco products in the state, for the 2009-10 fiscal year, as follows: for cigarettes weighing not more than three pounds per thousand cigarettes, from 3.475 cents per cigarette to 6.55 cents per cigarette; for cigarettes weighing in excess of three pounds per thousand cigarettes, from 4.075 cents per cigarette to 7.68 cents per cigarette; for tobacco products, except moist snuff, from 35% to 66% of the manufacturer's sales price; and for moist snuff, from \$.75 to \$1.41 per ounce; sets the tax rate for the sale, use, storage, or distribution of tobacco products in the state, for each year after the 2009-10 fiscal year, as follows: for cigarettes weighing not more than three pounds per thousand cigarettes, at one-tenth of one cent above the national average</p> <p>tobacco producing states; for cigarettes weighing in excess of three pounds per thousand cigarettes, at a rate that is 1.173 times higher than the rate described in the preceding paragraph; for tobacco products, except moist snuff, at a percentage rate that is modified by the percentage change in the rate for cigarettes weighing not more than three pounds per thousand cigarettes; and for moist snuff, at an amount that is modified by the percentage change described in the preceding paragraph; and makes technical changes.</p>	SUPPORT	BILL HAS FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Wimmer, C.	HB 222 Amended	<p><u>Unborn Child Pain Prevention Act</u> This bill amends provisions of the Utah Criminal Code relating to abortion. This bill requires that at least 24 hours before a physician performs an abortion of an unborn child who is at least 20 weeks gestational age, the woman on whom the abortion is performed shall except when a medical emergency exists and there is not adequate time to comply with the requirements of this bill, be informed that, upon the woman's request, an anesthetic or analgesic will be administered to the unborn child, through the woman, to eliminate or alleviate organic pain to the unborn child; and of any medical risks to the woman associated with the anesthetic or analgesic; provides that a person providing the information described in the preceding paragraph is not prohibited from informing the woman of the person's own opinion regarding the administration of an anesthetic or analgesic to alleviate fetal pain; requires the Department of Health to produce a brochure that: subject to certain exceptions, is to be provided to a woman seeking an abortion of an unborn child who is at least 20 weeks gestational age; and includes information relating to the ability of an unborn child to experience pain during an abortion procedure and the methods of alleviating or eliminating that pain; provides that a physician who performs an abortion of an unborn child who is at least 20 weeks gestational age shall administer an anesthetic or analgesic to the unborn child if the woman having the abortion consents to the administration of the anesthetic or analgesic, unless a medical emergency exists; and there is not adequate time to comply with the requirements of this bill; and makes technical changes.</p>		BILL HAS FISCAL IMPACT	PASSED
Sandstrom, S.	HB 224	<p><u>Health Care Provider Abusive Work Environment Prohibition Act</u> This bill enacts the Health Care Provider Abusive Work Environment Prohibition Act. This bill defines terms; establishes the scope of the chapter; prohibits abusive conduct and retaliation; provides for a private right of action; establishes factors in determining abusive conduct; provides for affirmative defenses; provides for remedies; addresses relationship to workers' compensation; provides for waiver of governmental immunity; and makes technical and conforming amendments.</p>	OPPOSE	BILL HAS FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Oda, C.	HB 239	<p><u>Utah Medical Examiner Act - Investigation and Autopsies Amendments</u></p> <p>This bill amends provisions of the Utah Medical Examiner Act relating to criminal investigations and autopsies. This bill grants the attorney general or an assistant attorney general the authority to investigate certain deaths; grants the attorney general the authority to request an autopsy; and makes technical changes.</p>		BILL HAS FISCAL IMPACT	PASSED
Last, B.	HB 254	<p><u>Health Professional Authority - Death Certificates</u></p> <p>This bill amends the Vital Statistics Act and the Motor Vehicle Act. This bill amends definitions in the Vital Statistics Act; except for fetal deaths, authorizes a nurse practitioner in certain circumstances to state or certify cause of death, and complete and sign a death certificate; provides additional definitions in the Motor Vehicle Act; and allows a nurse practitioner to certify that a person has a disability, and will have the disability for a particular length of time, for purposes of obtaining a disability special group license plate, a temporary removable windshield placard, or a removable windshield placard from the Motor Vehicle Division.</p>		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Daw, B.	HB 265 Amended	<p>Postmortem Procedures Amendments</p> <p>This bill amends provisions of the Utah Vital Statistics Act and the Division of Occupational and Professional Licensing Act relating to the signing and filing of a certificate of death, and the release, transportation, and disposition of a dead body or dead fetus. This bill defines terms; provides that, if a funeral service director is not retained, a designated agent or the next of kin of a decedent may sign and file the decedent's certificate of death; describes other rights and responsibilities of a designated agent or the next of kin of a decedent, when a funeral service director is not retained; makes it a class B misdemeanor for a person to intentionally sign the portion of a certificate of death that is required to be signed by a funeral service director or a dispositioner, unless the person: is a funeral service director, employed by a licensed funeral establishment; or is a dispositioner, if a funeral service director is not retained; provides that a dispositioner may not sign a certificate of death, unless the signature is witnessed by</p> <p>the state registrar or a local registrar; requires the state registrar to post information on the state registrar's website, providing instructions to a dispositioner for complying with the requirements of law relating to the dispositioner's responsibilities for: completing and filing a certificate of death; and possessing, transporting, and disposing of a dead body or dead fetus; provides that it is unlawful for a dispositioner to charge for, or receive remuneration for, signing a certificate of death or performing other duties of a dispositioner; provides that the Utah Vital Statistics Act shall be construed to avoid interference, to the fullest extent possible, with the ceremonies, customs, rites, or beliefs of the decedent and the decedent's next of kin for disposing of a dead body or dead fetus; provides civil immunity to a person or institution who, in good faith, releases a dead body or dead fetus to a funeral service director or a dispositioner; provides that, if an authorizing agent informs a funeral service establishment of the presence of a</p> <p>pacemaker or other battery-powered, potentially hazardous implant, and the funeral service establishment fails to have the pacemaker or implant removed prior to cremation, then the funeral service establishment is liable for resulting damages; and makes technical changes.</p>		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Fisher, Julie	HB 269 Substitute 2 Amended	Anesthesiologist Assistants This bill creates a new licensing chapter in the Division of Occupational and Professional Licensing for Anesthesiologist Assistants. This bill defines terms; puts anesthesiologist assistants under supervision of the Physician Assistant Licensing Board; requires licensure; establishes qualifications for licensure; establishes terms for the license; and defines unlawful and professional conduct.		BILL HAS FISCAL IMPACT	FAILED
Noel, M.	HB 273 Substitute 2 Amended	Contracting for Inter-facility Medical Transports This bill amends the Utah Emergency Medical Services System Act. This bill defines inter-facility transport; allows a political subdivision located within a county of the first or second class to issue a request for proposal for inter-facility transport services; allows a health care facility to contract with an inter-facility transport services provider who holds a license in a geographic service area in the state if: the 911 ambulance provider for the geographic service area is not the political subdivision; and a political subdivision has not issued an RFP for inter-facility transport; requires notice of a contract to be given to the department; establishes certain requirements for a limited inter-facility transport license; limits the marketing activities of an inter-facility transport provider; and defines certain activities as illegal activities.		BILL HAS NO FISCAL IMPACT	FAILED
Ray, P.	HB 277	Controlled Substance Amendments This bill modifies the Controlled Substances Act by adding salvia divinorum as a controlled substance. This bill adds the herb salvia divinorum to the statutory list of controlled substances; and designates salvia divinorum as a Schedule I controlled substance.		BILL HAS NO FISCAL IMPACT	FAILED
Bigelow, R.	HB 302	Distribution of Tobacco Settlement Monies Amendments This bill changes the amounts provided to the Departments of Health and Human Services from the Tobacco Settlement Funds. This bill reduces amounts allotted to the Departments of Health and Human Services from the Tobacco Settlement Funds; reduces the amount allotted to the Department of Human Services for a drug board pilot program; and changes the amount provided to the Department of Health for the Children's Health Insurance Program.		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Bigelow, R.	HB 303	<u>Utah Medicaid Hospital Provider Assessment Act</u> Numbered Title Without any Substance			FAILED
Bigelow, R.	HB 304	<u>Repeal of Pilot Program for Real-time Reporting of Controlled Substance Database</u> Numbered Title Without any Substance			FAILED
Bigelow, R.	HB 306	<u>Health-Related Commission, Committee and Council Amendments</u> This bill modifies provisions relating to the compensation for board members of certain health-related commissions, committees, and councils. This bill eliminates the following boards and transfers those board powers and responsibilities to their associated division: Board of Child and Family Services; Board of Services for People with Disabilities; Board of Public Guardian Services; Human Services Licensing Board; and Board of Substance Abuse and Mental Health; and makes the per diem and expenses for members of specified commissions, committees, and councils subject to the discretion of the executive director of the Department of Health or the executive director of the Department of Human Services.			PASSED
Dunnigan, J.	HB 331 Substitute 2	<u>Health Reform - Health Insurance Coverage in State Contracts</u> This bill requires certain state entities to require a contractor who contracts with the state entity to offer the contractor's employees qualified health insurance coverage during the duration of the contract if the contract is over a certain amount, and if the contract is a construction or design contract. This bill defines the following terms: "employee"; "qualified health insurance coverage"; and "subcontractor"; requires the following state entities to require a contractor who contracts with the state entity to offer qualified health insurance coverage to the contractor's eligible employees and the employee's dependents if the contract amount is above a certain amount: the Department of Environmental Quality; the Capitol Preservation Board; the Department of Natural Resources; the Division of Facilities Construction and Management; the Utah Department of Transportation; and public transit districts; establishes enforcement and penalties for a contractor who does not maintain an offer of qualified health insurance coverage for employees during the duration of the contract; deposits any penalties collected into the Medicaid Restricted Account; and applies to construction or design contracts entered into on or after July 1, 2009.	SUPPORT	BILL MAY HAVE FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Biskupski, J.	HB 335	Health Insurance Transparency Numbered Title Without any Substance			FAILED
Biskupski, J.	HB 365	Small Group Health Insurance Amendments Numbered Title Without any Substance			FAILED
Ray, P.	HB 372 Amended	Insurance Provisions Regarding Offenders This bill modifies the Insurance Code by requiring an insurance company providing health or accident policies to coordinate benefits for an insured individual housed in a correctional facility or offenders in the custody of the Department of Corrections. This bill provides that, if an insured is otherwise eligible for benefits under a policy, an accident and health insurer may not exclude coverage for: an inmate housed in a correctional facility; or an offender in the custody of the Department of Corrections; requires that an accident and health insurer coordinate benefits for an insured who is: an inmate housed in a correctional facility; or an offender in the custody of the Department of Corrections; requires an inmate who has medical or dental insurance coverage, upon entering into the Department of Correction's custody, to use that coverage as primary payer for medical and dental costs incurred while in the custody of the Department of Corrections; and provides specified exemptions regarding coverage by an inmate's health or dental insurance policy, including injuries caused by physical violence.		BILL HAS NO FISCAL IMPACT	FAILED
Ray, P.	HB 395	State Agency Realignment This bill moves the Medical Examiner's Office and the Bureau of Emergency Medical Services to the Department of Public Safety. This bill defines terms; recodifies the Utah Emergency Medical Services System Act; moves the State Emergency Medical Services Committee and the Bureau of Emergency Medical Services from the Department of Health to the Department of Public Safety; changes the name of the State Emergency Medical Services Committee to the State Emergency Medical Services Board; recodifies the Utah Medical Examiner Act; replaces the title "chief medical examiner" with the title "state medical examiner"; moves the Medical Examiner's Office to the Department of Public Safety; places the Medical Examiner's Office under the supervision and oversight of the Bureau of Emergency Medical Services; changes the name of the "Trauma System Advisory Committee" to the "Trauma System Advisory Council"; and makes technical changes.		BILL HAS FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Daw, B.	HB 398	<u>State Employee Health Insurance Amendments</u> Numbered Title Without any Substance			FAILED
Last, B.	HB 399 Amended	<u>Charitable Care Amendments</u> This bill amends the Health Care Providers Immunity from Liability Act. This bill makes technical amendments; amends the definition of health care provider; and amends the definition of remuneration to clarify that a charitable contribution is not considered payment to the facility.		BILL HAS NO FISCAL IMPACT	PASSED
Newbold, M.	HB 426	<u>Tobacco Monies</u> Numbered Title Without any Substance			FAILED
Greenwood, R.	HB 433	<u>Prison Security</u> Numbered Title Without any Substance			FAILED
Lockhart, R.	HB 435	<u>Pharmaceutical Benefits Amendments</u> Numbered Title Without any Substance			FAILED
Bigelow, R.	HB 445	<u>Health Program Revisions</u> This bill repeals the cervical cancer public awareness campaign provided by the Department of Health. This bill repeals the cervical cancer public awareness campaign required by the Department of Health or a local health department.		BILL HAS FISCAL IMPACT	PASSED
Edwards, R.	HB 446	<u>Medicaid Restricted Account Amendments</u> This bill amends the Medicaid Restricted Account to meet requirements of the Federal Funds - American Recovery and Reinvestment Act. This bill amends the Medicaid Restricted Account to designate unspent general fund money appropriated to the department for the Medicaid program as nonlapsing funds for fiscal years 2008-09, 2009-10, and 2010-11.		BILL HAS NO FISCAL IMPACT	PASSED
Bigelow, R.	HB 447	<u>Utah Emergency Medical Services System Act Amendments</u> This bill modifies the Utah Emergency Medical Services System Act by amending the distribution of monies allocated for grants to improve the delivery of emergency medical services. This bill redistributes monies allocated for grants to improve the delivery of emergency medical services from a statewide basis to rural areas of the state; repeals the funding allocation for high school emergency medical training programs; and makes technical changes.		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
HOUSE BILLS (continued)					
Biskupski, J.	HB 454	<p>Health Benefit Plan Reinsurance</p> <p>This bill amends the Insurance Code to establish a reinsurance pool for the small employer group health insurance and defined contribution arrangement market. This bill creates the Utah Reinsurance Pool as a nonprofit entity within the Department of Insurance; defines terms; establishes the applicability and scope of the act; creates the Utah Reinsurance Pool, the board and the terms and appointment of the board; requires the board to adopt a plan of operation; establishes the powers of the board; establishes the powers of the insurance commissioner; requires a financial examination and report; requires the board to select a pool administrator and establishes the pool administrator's powers; establishes eligibility for pool membership and ceding risk to the pool; permits assessments to fund the pool if premiums do not cover claims; and establishes the Utah Reinsurance Pool Enterprise Fund.</p>		BILL HAS FISCAL IMPACT	FAILED
Wimmer, C.	HJR 8 Substitute 1 Amended	<p>Joint Resolution Regarding Secret Ballot</p> <p>This joint resolution of the Legislature proposes to amend a provision of the Utah Constitution relating to voting by secret ballot. This resolution proposes to amend the Utah Constitution to include elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation or individual representation among the elections that are required to be by secret ballot; and make technical changes.</p>	SUPPORT	BILL HAS FISCAL IMPACT	PASSED
SENATE BILLS					
Hillyard, L.	SB 02 Amended	<p>New Fiscal Year Supplemental Appropriations Act</p> <p>This bill appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2009 and ending June 30, 2010. This bill provides appropriations for the use and support of certain state agencies; provides appropriations for the use and support of certain institutions of higher education; provides appropriations for other purposes as described; provides intent language; approves employment levels for internal service funds; approves capital acquisition amounts for internal service funds; authorizes rates and fees.</p>		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Stowell, D.	SB 20 Amended	Local Public Health Emergency Funding This bill modifies provisions relating to funding relating to health expenses. This bill requires the Department of Health to establish a local health emergency assistance program; establishes requirements for the program; and requires the Department of Health to submit an annual written report on program activity to the Health and Human Services Interim Committee, with a copy of the report to the designated appropriations subcommittee.		BILL HAS FISCAL IMPACT	PASSED
Stowell, D.	SB 21 Substitute 1	State and Local Health Authorities Amendments This bill modifies provisions relating to the Department of Health and local health department responsibilities. This bill modifies responsibilities of the Department of Health and local health departments with respect to their interrelationship; requires the Department of Health to establish a committee consisting of Department of Health and local health department representatives; provides for the responsibilities of the committee; provides a process for processing applications for federal grants and establishing the goals and budget for federal grants; and allows the Department of Health to use federal grant money to pay certain administrative costs.		BILL HAS NO FISCAL IMPACT	PASSED
McCoy, S.	SB 32 Substitute 1	Wrongful Death Amendments This bill expands the definition of "heirs" to include a wrongful death designee. This bill defines wrongful death designee as a person who: is designated as the only wrongful death heir in the decedent's will, trust, or other notarized written directive; has been adjudicated by a court of competent jurisdiction, by clear and convincing evidence, to have had a mutual supportive and dependent relationship with the decedent; and provides minor children with priority over other heirs in the event of a wrongful death settlement; and allows for the wrongful death designee to bring suit or participate in an action brought by the other heirs under certain circumstances.		BILL HAS NO FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Jenkins, S.	SB 39 Amended	<u>Immigration Amendments</u> This bill modifies provisions of the Identity Documents and Verification Act. This bill defines a contract in relation to verification of the federal authorization status of a new employee as an agreement for the procurement of services that is awarded through a request for proposals process with a public employer; provides an exception from verification of lawful presence in the country for an individual who is to receive a state public benefit under Title 49, Utah State Retirement and Insurance Benefit Act; and makes certain technical changes.		BILL HAS NO FISCAL IMPACT	PASSED
Stephenson, H.	SB 43 Amended	<u>Insurance Coverage for Autism Spectrum Disorders - Clay's Law</u> This bill amends the Accident and Health Insurance part of the Insurance Code to provide coverage for treatment of autism spectrum disorders. This bill defines terms; requires that a health benefit plan shall provide coverage for treatment of autism spectrum disorders; grants rulemaking authority to the Insurance Commissioner; describes minimum coverage amounts and limits for the insurance coverage required by this bill; and provides for annual adjustment of the coverage amounts described in the preceding paragraph, based on the Consumer Price Index.		BILL HAS FISCAL IMPACT	FAILED
Robles, L.	SB 55	<u>Governor's Interagency Coordinating Council on Health Disparities and Economic Self-sufficiency</u> This bill creates the Governor's Interagency Coordinating Council on Health Disparities and Economic Self-sufficiency. This bill creates the Governor's Interagency Coordinating Council on Health Disparities and Economic Self-sufficiency; specifies duties of the council; requires state agencies to provide assistance to the council, within available appropriations; and sunsets the council July 1, 2017.		BILL HAS FISCAL IMPACT	FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Waddoups, M.	SB 62	<u>Insurance Coverage for Essential Medical Services</u> This bill amends the Health Care Facility Licensing and Inspection Act and the Physician Licensing Act. This bill defines terms; requires a health care facility that is the only provider in a service area to offer an essential medical service to make the essential medical service available to an unaffiliated managed care organization; requires individual physicians and groups of physicians in a clinic who provide essential medical services to: make those services available to all managed care organizations; and provide discounted pricing on the same basis to all managed care organizations. regulates the pricing of an essential medical service; creates a reporting requirement; adds members to the Health Facility Committee within the Department of Health; creates enforcement provisions for access to essential medical services, including a private right of action; and makes technical and cross referencing amendments.		BILL HAS FISCAL IMPACT	FAILED
Knudson, P	SB 79 Substitute 3	<u>Health Reform - Medical Malpractice Amendments</u> This bill amends the standard of proof necessary for a malpractice claim in an emergency room. This bill defines terms; establishes a standard of proof of clear and convincing evidence for malpractice actions based on emergency care received in an emergency room; and sunsets the clear and convincing standard of proof on July 1, 2013.	SUPPORT	BILL HAS NO FISCAL IMPACT	PASSED
Stowell, D.	SB 82 Amended	<u>Local Health Authority Funding Amendments</u> This bill modifies a provision relating to the funding of local health authorities. This bill repeals and reenacts a provision relating to the funding of local health authorities; clarifies the allowable sources of funding for a local health authority; prohibits counties from using general fund money for local health authorities unless the county levies a separate local health department tax at the maximum rate; and makes technical changes.		BILL HAS NO FISCAL IMPACT	FAILED
Christensen, A.	SB 86	<u>Amendments to Preferred Drug List</u> This bill amends the Medical Assistance Act. This bill amends exceptions to the preferred drug list in the state Medicaid program; and makes technical amendments.		BILL HAS FISCAL IMPACT	FAILED
Christensen, A.	SB 87 Amended	<u>Preferred Drug List Revisions</u> This bill amends the Medical Assistance Act. This bill removes the automatic override to the preferred drug list in the state Medicaid program.		BILL HAS FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Davis, G.	SB 111 Amended	<u>Health Care Workforce Financial Assistance Program Amendments</u> This bill amends the Utah Health Care Workforce Financial Assistance chapter of the Utah Health Code to include loan repayment assistance to geriatric professionals. This bill defines the term, "geriatric professional"; provides that the professional education scholarships and loan repayment assistance provided by the Health Care Workforce Financial Assistance Program are to be provided within the funds appropriated by the Legislature for that purpose; provides for loan repayment assistance, within funds appropriated by the Legislature for this purpose, to geriatric professionals; adds two members to the Utah Health Care Workforce Financial Assistance Program Advisory Committee; and makes technical changes.		BILL HAS NO FISCAL IMPACT	PASSED
Jones, P.	SB 113	<u>Delayed Effective Date for Illegal Immigration Legislation</u> This bill delays the effective date of S.B. 81, Illegal Immigration, enacted during the 2008 General Session. This bill delays the effective date of 2008 General Session S.B. 81, Illegal Immigration, from July 1, 2009, to July 1, 2010.		BILL HAS FISCAL IMPACT	FAILED
Christensen, A.	SB 114 Substitute 2	<u>Tobacco Tax Amendments</u> This bill increases the tax on tobacco products. This bill increases the tax on cigarettes, moist snuff, and other tobacco products; and adjusts allocations from the Cigarette Tax Restricted Account.		NO FISCAL NOTE	FAILED
Christensen, A.	SB 117 Substitute 1 Amended	<u>Advance Health Care Directive Act Amendments</u> This bill amends the Advance Health Care Directive Act to expand the list of health care professionals authorized to determine whether an adult lacks health care decision making capacity and to sign a life with dignity order. This bill defines terms; authorizes a physician assistant To determine whether an adult lacks health care decision making capacity, if the physician assistant is permitted to make that determination under a delegation of services agreement; provides that a physician assistant may prepare or sign a life with dignity order, if the physician assistant is permitted to prepare or sign the life with dignity order under a delegation of services agreement; and Makes technical changes.		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Buttars, D.C.	SB 119	<p><u>Hospital Emergency Room Task Force</u> This bill creates the Hospital Emergency Room Task Force. This bill creates the Hospital Emergency Room Task Force; designates the membership of the task force; and designates the duties of the task force. Monies Appropriated in this Bill: This bill appropriates from the General Fund for fiscal year 2009-10, only: \$15,000 to the Senate; and \$20,000 to the House of Representatives. This bill is repealed on November 30, 2009.</p>		BILL HAS FISCAL IMPACT	FAILED
Liljenquist, D.	SB 129	<p><u>Mental Health Therapist Grant and Scholarship Act</u> <u>Repeal</u> This bill repeals the Mental Health Therapist Grant and Scholarship Program, within the Utah Human Services Code. This bill repeals the Mental Health Therapist Grant and Scholarship Program.</p>		BILL HAS NO FISCAL IMPACT	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Niederhauser, W.	SB 137 Amended	<p>Physical Therapy Practice Act</p> <p>This bill recodifies and amends the Physical Therapist Practice Act. This bill defines terms; recodifies the "Physical Therapist Practice Act" as the "Physical Therapy Practice Act"; describes the membership and duties of the Physical Therapy Licensing Board; requires the board to designate a member of the board to assist the division in reviewing and investigating complaints of unlawful or unprofessional conduct; prohibits a person from practicing physical therapy in Utah, unless the person is licensed to practice physical therapy in Utah or is exempt from the requirements of this bill; describes the requirements for licensure as a physical therapist or a physical therapist assistant; describes requirements relating to the term of a license, license renewal, exemption from licensure, and denial of a license; describes the power of the Division of Occupational and Professional Licensing to discipline a license holder and to issue a cease and desist order; describes the practice of physical therapy and the scope of a license for a physical therapist and a physical therapist assistant; describes the function of a physical therapy aide; describes the duties of a physical therapist in relation to patient care and management; describes the circumstances under which a physical therapist may administer certain prescription medications; grants rulemaking authority to the Division of Occupational and Professional Licensing; describes requirements relating to the practice of animal physical therapy; describes unlawful and unprofessional conduct relating to physical therapy; provides for confidentiality and immunity, under certain circumstances, for reporting unlawful or unprofessional conduct; exempts a physical therapist assistant from licensure under the Massage Therapy Practice Act; includes a physical therapist assistant as a health care provider covered under the provisions of the Utah Health Care Malpractice Act; and makes technical changes.</p>		NO FISCAL NOTE	PASSED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Christensen, A.	SB 142	Disposition of a Dead Body This bill amends provisions of the Utah Vital Statistics Act and the Utah Medical Examiner Act to prohibit a person from rendering a dead body unavailable for postmortem investigation or autopsy, unless the person first obtains a permit from the medical examiner. This bill defines terms; makes it a class B misdemeanor to engage in any conduct that makes a dead body unavailable for postmortem investigation, unless, before engaging in that conduct, the person obtains a permit from the medical examiner; states that the provisions and penalties for the crime of "abuse or desecration of a dead human body" supercede the provisions and penalties for the crime described in this bill; enacts provisions relating to the application, granting, and denial of an application for a permit to render a dead body unavailable for postmortem investigation; provides that the medical examiner may charge a fee to recover the costs of fulfilling the duties described in this bill; and makes technical changes.		BILL HAS FISCAL IMPACT	PASSED
Bell, G.	SB 158	<u>Child Support - Cash Medical Support</u> 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. This bill requires the court to include a cash medical support provision in its child support orders; and requires the Office of Recovery Services to include a provision assigning responsibility for cash medical support in its orders.		BILL HAS NO FISCAL IMPACT	PASSED
Bramble, C.	SB 179	<u>Safety Belt Enforcement Amendments</u> This bill modifies the Motor Vehicle Safety Belt Usage Act by amending provisions relating to safety belt enforcement. This bill provides definitions; provides that the secondary enforcement provisions for certain safety belt violations by a person 19 years of age or older does not apply to a person 19 years of age or older who is operating a commercial vehicle or a public vehicle; and makes technical changes.		BILL HAS NO FISCAL IMPACT	FAILED
Hillyard, L.	SB 200	<u>Consolidation of Certain Human Services Ombudsman Programs</u> Introduced by Short Title			FAILED

Sponsor	Bill #	Title and Description	UHA Position	Fiscal Note	Status
SENATE BILLS (continued)					
Knudson, P	SB 217 Amended	<u>Drugs Amendments</u> This bill amends the Accident and Health Insurance part of the Insurance Code. This bill amends provisions that are permitted for accident and health insurance policies; and prohibits an insurer from requiring a cancer patient to pay more for chemotherapy treatment that is administered orally rather than intravenously.		NO FISCAL NOTE	FAILED
Robles, L.	SB 225 Amended	<u>Child Health Amendments</u> This bill amends the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage and health insurance coverage to a legal immigrant child, regardless of the length of time that the child has been in the United States. This bill exercises the option to remove the five-year residency requirement for a legal immigrant child to be eligible for coverage under Medicaid or the Utah Children's Health Insurance Program; and directs the Department of Health to amend the state Medicaid plan to provide Medicaid coverage, and coverage under the Utah Children's Health Insurance Program, to an eligible legal immigrant child, regardless of the length of time that the child has been in the United States.		BILL HAS FISCAL IMPACT	FAILED
Stowell, D.	SB 247	<u>Rural Hospital Funding</u> Introduced by Short Title			FAILED
Killpack, S.	SB 252	<u>Disbursement of Federal Stimulus Funds</u> Introduced by Short Title			FAILED
Robles, L.	SB 253	<u>Health and Human Services Modifications</u> Introduced by Short Title			FAILED