

## **Summary of 2018's Legislation Activity**

Most, if not all the bills that UAHU was in favor of ended positively. Thanks to those that advocated, testified, or assisted in the session so far. The Day on the Hill played a significant part and continues to gain traction and tradition.

### **Top focus bills that are relevant to UAHU:**

#### **H.B. 19 Health Insurance Right to Shop Amendments**

Sponsor(s): Thurston and Weiler

Link: <https://le.utah.gov/~2018/bills/static/HB0019.html>

**Update:** 3/7/2018 This passed and is on the Governor's desk.

Notes: This bill will only effect PEHP. Nice incubator to see if theory can be put into practice without turning the industry on its head. Could this create a secondary market for agents to help guide their insureds through the treatment process? These bills start with PEHP then traditionally trickle down to the commercial market so it's worth paying attention to. Passed Gov. desk

#### **H.B. 163 Prescription Drug Importation Program**

Sponsor(s): Thurston and Henderson

Link: <https://le.utah.gov/~2018/bills/static/HB0163.html>

**Update:** 3/7/2018 This got the recommendation to be turned into a case study for further review.

Notes: This seems to be gaining traction. This bill requires the Department of Health to design a wholesale Canadian prescription drug importation program, apply for approval of the program by the Secretary of the United States Department of Health and Human Services, and, if the prescription drug importation program is approved, to implement the provisions of the program.

#### **H.B. 315 HEALTH INSURANCE ATHLETIC TRAINER SERVICES**

Sponsor(s): Rep. Brian Greene

Link: <https://le.utah.gov/~2018/bills/static/HB0315.html>

**Update:** This bill got shut down which was UAHU's position.

Notes: This is moving along the fastest. UAHU testified on this on February 13, 2018. UAHU opposes bills like this because it's a mandate for PPO's to contract with Athletic Trainers which isn't being done now and will add cost to the overall market. Shut down

**High Risk Pools** – There was a waiver request for the high-risk pool because it required a 5 million fiscal note which didn't get approved this year. This will be brought up in the future and any advocating that members can do with their representatives about this is worthwhile.

## **Balance Billing:**

Rep. Jim Dunnigan

**Update:** Remains an issue and will continue to be worked on and hopefully a bill will be presented and passed next year. There wasn't enough common ground between stakeholders to get a bill drafted.

Notes: Addresses ER balance billing by out-of-network providers.

## **H.B. 472 Medicaid Expansion Amendments**

Sponsor(s): Robert M. Spendlove

<https://le.utah.gov/~2018/bills/static/HB0472.html>

**Update:** This bill passed the Senate and is awaiting the governor's signature. Key components of the bill are those earning 95% of Poverty are covered by the program. Those above 95% can get a substantial subsidy from the market place to purchase in the private market.

This bill has a work requirement. The beauty of the work requirement is that it has the potential to move some of those on Medicaid right back onto public plans and a productive future. This allows more room for those who need it. It also provides a way for the State to back away from funding if the Feds drop the ball. The best part is the States 10% funding is paid for by the hospitals. **UAHU supports.**

Notes: Federal officials are signaling that the bill's provision that limits coverage only to those earning up to 100 percent of the federal poverty level would not be approved even if the measure passed in Utah.

## **S.B. 135 Insurance Contract Amendments**

Sponsor(s): Fillmore and King

<https://le.utah.gov/~2018/bills/static/SB0135.html>

**Update:** This bill was a loss for the industry. It prohibited the use of Discretionary Clauses in insurance contracts. Discretionary clauses allow insurance companies to decide if a new treatment is covered or not. The current contract allows for the insurance companies to use arbitration. The new bill will prevent some fringe companies from abuse but open up the good actors to lawsuits. While the whole industry testified against the bill the Insurance Commission particularly the commissioner testified passionately for the bill. I think there is an unfair distrust of Insurance companies with a belief that they avoid payment whenever possible.

## **H.B 39 Department of Insurance Amendments (cleanup)**

Sponsor(s): Dunnigan and Bramble

Link: <https://le.utah.gov/~2018/bills/static/HB0039.html>

**Update:** The language was updated to be consistent with the current laws

Notes: Nothing ground breaking here just cleaning up requirements and policies.

### **H.B. 24 Autism Insurance Coverage Sunset Amendments**

Sponsor(s): Ray and Bramble

Link: <https://le.utah.gov/~2018/bills/static/HB0024.html>

**Update:** This bill passed and will continue for now.

Notes: This bill removes the repeal date of statutory provisions for insurance coverage of autism spectrum disorder. The cost to carriers has not been significant. The carriers are not opposed to continuing the coverage.

### **H.B. 139 Telepsychiatry Consultation Access**

<https://le.utah.gov/~2018/bills/static/HB0139.html>

Sponsor(s): Eliason and Bramble

**Update:** The bill was amended to require that all carrier provide access to a crisis line, not just U of U. UAHU is now neutral. This is on the Governor's desk to sign.

Notes: Mandate to cover a crisis line 24/7/365. This original bill required all insurers to use the crisis hot line run by the U of U.

### **H.B. 409 Guarantee Fund Amendments.**

Sponsor(s): Dunnigan and Bramble

<https://le.utah.gov/~2018/bills/static/HB0409.html>

**Update:** This bill was supported by the Association. It combined the HMOs and PPOs and life companies into one guarantee fund association. This bill allows for a Select Health to come in for 25% of the current know liabilities. The national life companies fought this and felt it should be 50 /50, but with the recent Arches failure the legislature felt that dragging Select Health in for help with a coming failure of a Long-Term Disability Company that 25% was fair.

### **H.B. 425 Physician certification**

Sponsor: McKell

<https://le.utah.gov/~2018/bills/static/HB0425.html>

**Update:** Prohibits hospitals and carriers from considering if a physician is board certified or not. UAHU opposed this legislation. Bill died in the house.

