

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

HEALTH DATA AUTHORITY AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Rosemary T. Lesser
Senate Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

This bill modifies provisions related to the Department of Health and Human Services' health data authority.

Highlighted Provisions:

This bill:

- ▶ modifies the membership of the Health Data Committee;
- ▶ transfers duties from the Health Data Committee to the Department of Health and Human Services;
- ▶ modifies requirements related to obtaining health data;
- ▶ extends the sunset date related to the Department of Health and Human Services' health data authority; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 26B-1-413 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023, Chapter 305
- 26B-4-106 (Effective 05/01/24) (Superseded 07/01/24)**, as renumbered and amended by Laws of Utah 2023, Chapter 307
- 26B-8-501 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023, Chapter 306

28 **26B-8-502 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 29 Chapter 306

30 **26B-8-503 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 31 Chapter 306

32 **26B-8-504 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 33 Chapter 306

34 **26B-8-505 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 35 Chapter 306

36 **26B-8-506 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 37 Chapter 306

38 **26B-8-507 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 39 Chapter 306

40 **26B-8-508 (Effective 05/01/24)**, as renumbered and amended by Laws of Utah 2023,
 41 Chapter 306

42 **53-2d-203 (Effective 07/01/24)**, as renumbered and amended by Laws of Utah 2023,
 43 Chapters 307, 310

44 **63A-13-301 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 329

45 **63I-1-226 (Effective 05/01/24) (Superseded 07/01/24)**, as last amended by Laws of Utah
 46 2023, Chapters 249, 269, 270, 275, 332, 335, 420, and 495 and repealed and reenacted by
 47 Laws of Utah 2023, Chapter 329

48 **63I-1-226 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 249, 269,
 49 270, 275, 310, 332, 335, 420, and 495 and repealed and reenacted by Laws of Utah 2023,
 50 Chapter 329 and last amended by Coordination Clause, Laws of Utah 2023, Chapters 329, 332

51 ENACTS:

52 **26B-8-501.1 (Effective 05/01/24)**, as Utah Code Annotated 1953

53

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

55 Section 1. Section **26B-1-413** is amended to read:

56 **26B-1-413 (Effective 05/01/24). Health Data Committee -- Purpose, powers, and**
 57 **duties of the committee -- Membership -- Terms -- Chair -- Compensation.**

58 (1) The definitions in Section 26B-8-501 apply to this section.

59 (2) ~~[(a)]~~ There is created within the department the Health Data Committee.

60 ~~[(b)] The purpose of the committee is to direct a statewide effort to collect, analyze, and~~
 61 ~~distribute health care data to facilitate the promotion and accessibility of quality and~~

62 ~~cost-effective health care and also to facilitate interaction among those with concern~~
63 ~~for health care issues.]~~

64 (3) The committee shall advise and consult with the department related to the department's
65 duties under Chapter 5, Part 8, Utah Health Data Authority.

66 [(3) The committee shall:]

67 [(a) ~~with the concurrence of the department and in accordance with Title 63G, Chapter 3,~~
68 ~~Utah Administrative Rulemaking Act, develop and adopt by rule, following public~~
69 ~~hearing and comment, a health data plan that shall among its elements:]~~

70 [(i) ~~identify the key health care issues, questions, and problems amenable to resolution or~~
71 ~~improvement through better data, more extensive or careful analysis, or improved~~
72 ~~dissemination of health data;]~~

73 [(ii) ~~document existing health data activities in the state to collect, organize, or make~~
74 ~~available types of data pertinent to the needs identified in Subsection (3)(a)(i);]~~

75 [(iii) ~~describe and prioritize the actions suitable for the committee to take in response to the~~
76 ~~needs identified in Subsection (3)(a)(i) in order to obtain or to facilitate the obtaining of~~
77 ~~needed data, and to encourage improvements in existing data collection, interpretation,~~
78 ~~and reporting activities, and indicate how those actions relate to the activities identified~~
79 ~~under Subsection (3)(a)(ii);]~~

80 [(iv) ~~detail the types of data needed for the committee's work, the intended data suppliers,~~
81 ~~and the form in which such data are to be supplied, noting the consideration given to the~~
82 ~~potential alternative sources and forms of such data and to the estimated cost to the~~
83 ~~individual suppliers as well as to the department of acquiring these data in the proposed~~
84 ~~manner; the plan shall reasonably demonstrate that the committee has attempted to~~
85 ~~maximize cost-effectiveness in the data acquisition approaches selected;]~~

86 [(v) ~~describe the types and methods of validation to be performed to assure data validity~~
87 ~~and reliability;]~~

88 [(vi) ~~explain the intended uses of and expected benefits to be derived from the data~~
89 ~~specified in Subsection (3)(a)(iv), including the contemplated tabulation formats and~~
90 ~~analysis methods; the benefits described shall demonstrably relate to one or more of the~~
91 ~~following:]~~

92 [(A) ~~promoting quality health care;]~~

93 [(B) ~~managing health care costs; or]~~

94 [(C) ~~improving access to health care services;]~~

95 [(vii) ~~describe the expected processes for interpretation and analysis of the data flowing to~~

96 the committee; noting specifically the types of expertise and participation to be sought in
97 those processes; and]

98 [~~(viii) describe the types of reports to be made available by the committee and the intended
99 audiences and uses;~~]

100 [(b) have the authority to collect, validate, analyze, and present health data in accordance
101 with the plan while protecting individual privacy through the use of a control number as
102 the health data identifier;]

103 [(c) evaluate existing identification coding methods and, if necessary, require by rule
104 adopted in accordance with Subsection (4), that health data suppliers use a uniform
105 system for identification of patients, health care facilities, and health care providers on
106 health data they submit under this section and Chapter 8, Part 5, Utah Health Data
107 Authority; and]

108 [(d) advise, consult, contract, and cooperate with any corporation, association, or other
109 entity for the collection, analysis, processing, or reporting of health data identified by
110 control number only in accordance with the plan.]

111 [(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
112 committee, with the concurrence of the department, may adopt rules to carry out the
113 provisions of this section and Chapter 8, Part 5, Utah Health Data Authority.]

114 [(5) (a) Except for data collection, analysis, and validation functions described in this
115 section, nothing in this section or in Chapter 8, Part 5, Utah Health Data Authority, shall
116 be construed to authorize or permit the committee to perform regulatory functions which
117 are delegated by law to other agencies of the state or federal governments or to perform
118 quality assurance or medical record audit functions that health care facilities, health care
119 providers, or third party payors are required to conduct to comply with federal or state
120 law.]

121 [(b) The committee may not recommend or determine whether a health care provider,
122 health care facility, third party payor, or self-funded employer is in compliance with
123 federal or state laws including federal or state licensure, insurance, reimbursement, tax,
124 malpractice, or quality assurance statutes or common law.]

125 [(6) (a) Nothing in this section or in Chapter 8, Part 5, Utah Health Data Authority, shall
126 be construed to require a data supplier to supply health data identifying a patient by
127 name or describing detail on a patient beyond that needed to achieve the approved
128 purposes included in the plan.]

129 [(7) No request for health data shall be made of health care providers and other data

- 130 suppliers until a plan for the use of such health data has been adopted.]
- 131 [~~(8)~~ (a) If a proposed request for health data imposes unreasonable costs on a data supplier,
 132 due consideration shall be given by the committee to altering the request.]
- 133 [~~(b)~~ If the request is not altered, the committee shall pay the costs incurred by the data
 134 supplier associated with satisfying the request that are demonstrated by the data supplier
 135 to be unreasonable.]
- 136 [~~(9)~~ After a plan is adopted as provided in Section 26B-8-504, the committee may require
 137 any data supplier to submit fee schedules, maximum allowable costs, area prevailing
 138 costs, terms of contracts, discounts, fixed reimbursement arrangements, capitations, or
 139 other specific arrangements for reimbursement to a health care provider.]
- 140 [~~(10)~~ (a) The committee may not publish any health data collected under Subsection (9)
 141 that would disclose specific terms of contracts, discounts, or fixed reimbursement
 142 arrangements, or other specific reimbursement arrangements between an individual
 143 provider and a specific payer.]
- 144 [~~(b)~~ Nothing in Subsection (9) shall prevent the committee from requiring the submission
 145 of health data on the reimbursements actually made to health care providers from any
 146 source of payment, including consumers.]
- 147 [~~(11)~~ (4) The committee shall be composed of [~~15~~] 19 members.
- 148 [~~(12)~~ (5) (a) [~~One member~~] Five members shall be:
- 149 (i) the commissioner of the Utah Insurance Department[~~;~~ ~~or~~ (ii)] or the commissioner's
 150 designee who shall have knowledge regarding the health care system and
 151 characteristics and use of health data[~~;~~] ;
- 152 (ii) two legislators jointly appointed by the speaker of the House of Representatives
 153 and the president of the Senate;
- 154 (iii) one advocate for data privacy jointly appointed by the speaker of the House of
 155 Representatives and the president of the Senate; and
- 156 (iv) one member of the public with knowledge regarding data privacy jointly
 157 appointed by the speaker of the House of Representatives and the president of the
 158 Senate.
- 159 (b) [~~(i)~~] Fourteen members shall be appointed by the governor with the advice and
 160 consent of the Senate in accordance with Subsection [~~(13)~~] (6) and in accordance
 161 with Title 63G, Chapter 24, Part 2, Vacancies.
- 162 [(ii) No more than seven members of the committee appointed by the governor may
 163 be members of the same political party.]

- 164 ~~[(13)]~~ (6) The members of the committee appointed under Subsection ~~[(12)(b)]~~ (5)(b) shall:
- 165 (a) be knowledgeable regarding the health care system and the characteristics and use of
- 166 health data;
- 167 (b) be selected so that the committee at all times includes individuals who provide care;
- 168 (c) include one person employed by or otherwise associated with a general acute
- 169 hospital as defined in Section 26B-2-201, who is knowledgeable about the collection,
- 170 analysis, and use of health care data;
- 171 (d) include two physicians, as defined in Section 58-67-102:
- 172 (i) who are licensed to practice in this state;
- 173 (ii) who actively practice medicine in this state;
- 174 (iii) who are trained in or have experience with the collection, analysis, and use of
- 175 health care data; and
- 176 (iv) one of whom is selected by the Utah Medical Association;
- 177 (e) include three persons:
- 178 (i) who are:
- 179 (A) employed by or otherwise associated with a business that supplies health care
- 180 insurance to the business's employees; and
- 181 (B) knowledgeable about the collection and use of health care data; and
- 182 (ii) at least one of whom represents an employer employing 50 or fewer employees;
- 183 (f) include three persons representing health insurers:
- 184 (i) at least one of whom is employed by or associated with a third-party payor that is
- 185 not licensed under Title 31A, Chapter 8, Health Maintenance Organizations and
- 186 Limited Health Plans;
- 187 (ii) at least one of whom is employed by or associated with a third party that is
- 188 licensed under Title 31A, Chapter 8, Health Maintenance Organizations and
- 189 Limited Health Plans; and
- 190 (iii) who are trained in, or experienced with the collection, analysis, and use of health
- 191 care data;
- 192 (g) include two consumer representatives:
- 193 (i) from organized consumer or employee associations; and
- 194 (ii) knowledgeable about the collection and use of health care data;
- 195 (h) include one person:
- 196 (i) representative of a neutral, non-biased entity that can demonstrate that the entity
- 197 has the broad support of health care payers and health care providers; and

- 198 (ii) who is knowledgeable about the collection, analysis, and use of health care data;
199 and
- 200 (i) include two persons representing public health who are trained in or experienced with
201 the collection, use, and analysis of health care data.
- 202 ~~[(14)]~~ (7) (a) Except as required by Subsection ~~[(14)(b)]~~ (7)(b), as terms of current
203 committee members expire, the governor shall appoint each new member or
204 reappointed member to a four-year term.
- 205 (b) Notwithstanding the requirements of Subsection ~~[(14)(a)]~~ (7)(a), the governor shall,
206 at the time of appointment or reappointment, adjust the length of terms to ensure that
207 the terms of committee members are staggered so that approximately half of the
208 committee is appointed every two years.
- 209 (c) Members may serve after the members' terms expire until replaced.
- 210 ~~[(15)]~~ (8) When a vacancy occurs in the membership for any reason, the replacement shall
211 be appointed for the unexpired term.
- 212 ~~[(16)]~~ (9) Committee members shall annually elect a chair of the committee from among the
213 committee's membership. The chair shall report to the executive director.
- 214 ~~[(17)]~~ (10) (a) The committee shall meet at least once during each calendar quarter.
215 Meeting dates shall be set by the chair upon 10 working days' notice to the other
216 members, or upon written request by at least four committee members with at least
217 10 working days' notice to other committee members.
- 218 (b) ~~[Eight]~~ Ten committee members constitute a quorum for the transaction of business.
219 Action may not be taken except upon the affirmative vote of a majority of a quorum
220 of the committee.
- 221 (c) All meetings of the committee shall be open to the public, except that the committee
222 may hold a closed meeting if the requirements of Sections 52-4-204, 52-4-205, and
223 52-4-206 are met.
- 224 ~~[(18)]~~ (11) A member:
- 225 (a) may not receive compensation or benefits for the member's service, but may receive
226 per diem and travel expenses in accordance with:
- 227 (i) Section 63A-3-106;
228 (ii) Section 63A-3-107; and
229 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
230 63A-3-107; and
- 231 (b) shall comply with the conflict of interest provisions described in Title 63G, Chapter

232 24, Part 3, Conflicts of Interest.

233 Section 2. Section **26B-4-106** is amended to read:

234 **26B-4-106 (Effective 05/01/24) (Superseded 07/01/24). Data collection.**

235 (1) The committee shall specify the information that shall be collected for the emergency
236 medical services data system established pursuant to Subsection (2).

237 (2) (a) The department shall establish an emergency medical services data system, which
238 shall provide for the collection of information, as defined by the committee, relating
239 to the treatment and care of patients who use or have used the emergency medical
240 services system.

241 (b) The committee shall coordinate with the [~~Health Data Authority created in Chapter~~
242 ~~8, Part 5, Utah Health Data Authority~~] department, to create a report of data collected
243 by the [~~Health Data Committee~~] department under Section 26B-8-504 regarding:

244 (i) appropriate analytical methods;

245 (ii) the total amount of air ambulance flight charges in the state for a one-year period;
246 and

247 (iii) of the total number of flights in a one-year period under Subsection (2)(b)(ii):

248 (A) the number of flights for which a patient had no personal responsibility for
249 paying part of the flight charges;

250 (B) the number of flights for which a patient had personal responsibility to pay all
251 or part of the flight charges;

252 (C) the range of flight charges for which patients had personal responsibility under
253 Subsection (2)(b)(iii)(B), including the median amount for paid patient
254 personal responsibility; and

255 (D) the name of any air ambulance provider that received a median paid amount
256 for patient responsibility in excess of the median amount for all paid patient
257 personal responsibility during the reporting year.

258 (c) The department may share, with the Department of Public Safety, information from
259 the emergency medical services data system that:

260 (i) relates to traffic incidents;

261 (ii) is for the improvement of traffic safety;

262 (iii) may not be used for the prosecution of criminal matters; and

263 (iv) may not include any personally identifiable information.

264 (3) (a) On or before October 1, the department shall make the information in Subsection
265 (2)(b) public and send the information in Subsection (2)(b) to public safety

- 266 dispatchers and first responders in the state.
- 267 (b) Before making the information in Subsection (2)(b) public, the committee shall
- 268 provide the air ambulance providers named in the report with the opportunity to
- 269 respond to the accuracy of the information in the report under Section 26B-8-506.
- 270 (4) Persons providing emergency medical services:
- 271 (a) shall provide information to the department for the emergency medical services data
- 272 system established pursuant to Subsection (2)(a);
- 273 (b) are not required to provide information to the department under Subsection (2)(b);
- 274 and
- 275 (c) may provide information to the department under Subsection (2)(b) or (3)(b).
- 276 Section 3. Section **26B-8-501** is amended to read:
- 277 **26B-8-501 (Effective 05/01/24). Definitions.**
- 278 As used in this part:
- 279 (1) "Committee" means the Health Data Committee created in Section 26B-1-413.
- 280 (2) "Control number" means ~~[a number assigned by the committee to an individual's health~~
- 281 ~~data as an identifier so that the health data can be disclosed or used in research and~~
- 282 ~~statistical analysis without readily identifying the individual]~~ a number or other identifier
- 283 that:
- 284 (a) is assigned by the department to an individual's health data;
- 285 (b) is consistent with the best practices of data privacy; and
- 286 (c) is used to ensure health data is not able to be readily associated with an individual
- 287 when the health data is provided for research or statistical analysis.
- 288 (3) "Data supplier" means a health care facility, health care provider, self-funded employer,
- 289 third-party payor, health maintenance organization, or government department which
- 290 could reasonably be expected to provide health data under this part.
- 291 (4) "Disclosure" or "disclose" means the communication of health care data to any
- 292 individual or organization outside the ~~[committee]~~ department, its staff, and contracting
- 293 agencies.
- 294 (5) (a) "Health care facility" means a facility that is licensed by the department under
- 295 Chapter 2, Part 2, Health Care Facility Licensing and Inspection.
- 296 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the [~~e~~
- 297 ~~committee, with the concurrence of the department]~~ department, in consultation with
- 298 the committee, may by rule add, delete, or modify the list of facilities that come
- 299 within this definition for purposes of this part.

- 300 (6) "Health care provider" means the same as that term is defined in Section 78B-3-403.
- 301 (7) "Health data" means information relating to the health status of individuals, health
302 services delivered, the availability of health manpower and facilities, and the use and
303 costs of resources and services to the consumer, except vital records as defined in
304 Section 26B-8-101 shall be excluded.
- 305 (8) "Health maintenance organization" means the same as that term is defined in Section
306 31A-8-101.
- 307 (9) "Identifiable health data" means any item, collection, or grouping of health data that
308 makes the individual supplying or described in the health data identifiable.
- 309 (10) "Organization" means any corporation, association, partnership, agency, department,
310 unit, or other legally constituted institution or entity, or part thereof.
- 311 (11) "Research and statistical analysis" means activities using health data analysis including:
312 (a) describing the group characteristics of individuals or organizations;
313 (b) analyzing the noncompliance among the various characteristics of individuals or
314 organizations;
315 (c) conducting statistical procedures or studies to improve the quality of health data;
316 (d) designing sample surveys and selecting samples of individuals or organizations; and
317 (e) preparing and publishing reports describing these matters.
- 318 (12) "Self-funded employer" means an employer who provides for the payment of health
319 care services for employees directly from the employer's funds, thereby assuming the
320 financial risks rather than passing them on to an outside insurer through premium
321 payments.
- 322 (13) "Plan" means the plan developed and adopted by the [~~Health Data Committee~~]
323 department under [~~Section 26B-1-413~~] this part.
- 324 (14) "Third party payor" means:
325 (a) an insurer offering a health benefit plan, as defined by Section 31A-1-301, to at least
326 2,500 enrollees in the state;
327 (b) a nonprofit health service insurance corporation licensed under Title 31A, Chapter 7,
328 Nonprofit Health Service Insurance Corporations;
329 (c) a program funded or administered by Utah for the provision of health care services,
330 including the Medicaid and medical assistance programs described in Chapter 3, Part
331 1, Health Care Assistance; and
332 (d) a corporation, organization, association, entity, or person:
333 (i) which administers or offers a health benefit plan to at least 2,500 enrollees in the

334 state; and
335 (ii) which is required by administrative rule adopted by the department in accordance
336 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to supply health
337 data to the [~~committee~~] department.

338 Section 4. Section **26B-8-501.1** is enacted to read:

339 **26B-8-501.1** (Effective 05/01/24). **Health data authority duties.**

340 (1) The department shall:

- 341 (a) in consultation with the committee and in accordance with Title 63G, Chapter 3,
342 Utah Administrative Rulemaking Act, develop and adopt by rule, following public
343 hearing and comment, a health data plan that shall among its elements:
- 344 (i) identify the key health care issues, questions, and problems amenable to resolution
345 or improvement through better data, more extensive or careful analysis, or
346 improved dissemination of health data;
- 347 (ii) document existing health data activities in the state to collect, organize, or make
348 available types of data pertinent to the needs identified in Subsection (1)(a)(i);
- 349 (iii) describe and prioritize the actions suitable for the department to take in response
350 to the needs identified in Subsection (1)(a)(i) in order to obtain or to facilitate the
351 obtaining of needed data, and to encourage improvements in existing data
352 collection, interpretation, and reporting activities, and indicate how those actions
353 relate to the activities identified under Subsection (1)(a)(ii);
- 354 (iv) detail the types of data needed for the department's work, the intended data
355 suppliers, and the form in which such data are to be supplied, noting the
356 consideration given to the potential alternative sources and forms of such data and
357 to the estimated cost to the individual suppliers as well as to the department of
358 acquiring the data in the proposed manner and reasonably demonstrate that the
359 department has attempted to maximize cost-effectiveness in the data acquisition
360 approaches selected;
- 361 (v) describe the types and methods of validation to be performed to assure data
362 validity and reliability;
- 363 (vi) explain the intended uses of and expected benefits to be derived from the data
364 specified in Subsection (1)(a)(iv), including the contemplated tabulation formats
365 and analysis methods; the benefits described shall demonstrably relate to one or
366 more of the following:
- 367 (A) promoting quality health care;

- 368 (B) managing health care costs; or
369 (C) improving access to health care services;
370 (vii) describe the expected processes for interpretation and analysis of the data
371 flowing to the department, noting specifically the types of expertise and
372 participation to be sought in those processes; and
373 (viii) describe the types of reports to be made available by the department and the
374 intended audiences and uses;
375 (b) have the authority to collect, validate, analyze, and present health data in accordance
376 with the plan while protecting individual privacy through the use of the best practices
377 of data privacy;
378 (c) evaluate existing identification coding methods and, if necessary, require by rule
379 adopted in accordance with Subsection (2), that health data suppliers use a uniform
380 system for identification of patients, health care facilities, and health care providers
381 on health data they submit under this section and Chapter 8, Part 5, Utah Health Data
382 Authority; and
383 (d) advise, consult, contract, and cooperate with any corporation, association, or other
384 entity for the collection, analysis, processing, or reporting of health data.
385 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
386 department, in consultation with the committee, may adopt rules to carry out the
387 provisions of this section and Chapter 8, Part 5, Utah Health Data Authority.
388 (3) (a) Except for data collection, analysis, and validation functions described in this
389 section, nothing in this part shall be construed to authorize or permit the department
390 to perform regulatory functions which are delegated by law to other agencies of the
391 state or federal governments or to perform quality assurance or medical record audit
392 functions that health care facilities, health care providers, or third party payors are
393 required to conduct to comply with federal or state law.
394 (b) The department may not recommend or determine whether a health care provider,
395 health care facility, third party payor, or self-funded employer is in compliance with
396 federal or state laws including federal or state licensure, insurance, reimbursement,
397 tax, malpractice, or quality assurance statutes or common law.
398 (4) Nothing in this part, shall be construed to require a data supplier to supply health data
399 identifying a patient by name or describing detail on a patient beyond that needed to
400 achieve the approved purposes included in the plan.
401 (5) No request for health data shall be made of health care providers and other data

- 402 suppliers until a plan for the use of such health data has been adopted.
- 403 (6) (a) If a proposed request for health data imposes unreasonable costs on a data
404 supplier, due consideration shall be given by the department to altering the request.
- 405 (b) If the request is not altered, the department shall pay the costs incurred by the data
406 supplier associated with satisfying the request that are demonstrated by the data
407 supplier to be unreasonable.
- 408 (7) After a plan is adopted as provided in Section 26B-8-504, the department may require
409 any data supplier to submit fee schedules, maximum allowable costs, area prevailing
410 costs, terms of contracts, discounts, fixed reimbursement arrangements, capitations, or
411 other specific arrangements for reimbursement to a health care provider.
- 412 (8) (a) The department may not publish any health data collected under Subsection (7)
413 that would disclose specific terms of contracts, discounts, or fixed reimbursement
414 arrangements, or other specific reimbursement arrangements between an individual
415 provider and a specific payer.
- 416 (b) Nothing in Subsection (7) shall prevent the department from requiring the
417 submission of health data on the reimbursements actually made to health care
418 providers from any source of payment, including consumers.
- 419 (9) Any data collected by the department shall be done in accordance with state and federal
420 data privacy laws.
- 421 (10) (a) The department shall:
- 422 (i) create an opt-out system where an individual may choose to have an individual's
423 identifiable health data suppressed or restricted from being accessible for
424 department duties described under this part;
- 425 (ii) maintain a list of people who have opted out for use in accordance with
426 Subsection (10)(b); and
- 427 (iii) provide instructions for the opt-out system described in Subsection (10)(a)(i) in a
428 conspicuous location on the department's website.
- 429 (b) For an individual who opts out under Subsection (10)(a), the department may not
430 share, analyze, or use any identifiable health data from the health data obtained under
431 this part for the individual, including data previously obtained under this part.
- 432 (11) (a) For identifiable health data, the department shall:
- 433 (i) use the minimum necessary data to accomplish the duties described in this part;
434 and
- 435 (ii) only use personally identifiable information for:

- 436 (A) quality assurance;
 437 (B) referential integrity; or
 438 (C) complying with breach notification requirements.
- 439 (b) If the department receives an individual's social security number with data obtained
 440 under this part, the department may not share any part of the social security number
 441 with any person.
- 442 (12) The department shall annually report to the Health and Human Services Interim
 443 Committee regarding privacy practices and efforts the department is undertaking to
 444 enhance data privacy.
- 445 (13) (a) Before October 1, 2024, the department shall review all state statutory mandates
 446 related to the collection of any form of health data and provide a written report to the
 447 Health and Human Services Interim Committee outlining the mandates that are older
 448 than 10 years old with:
- 449 (i) a description regarding how the data is used; and
 450 (ii) a recommendation regarding whether the department should continue collecting
 451 the data.
- 452 (b) The department may request assistance from the Office of Legislative Research and
 453 General Counsel to determine when statutory mandates were enacted.
- 454 Section 5. Section **26B-8-502** is amended to read:
- 455 **26B-8-502 (Effective 05/01/24). Executive secretary -- Appointment -- Powers.**
- 456 (1) An executive secretary shall be appointed by the executive director, [~~with the approval~~
 457 ~~of the]~~ in consultation with the committee, and shall serve under the administrative
 458 direction of the executive director.
- 459 (2) The executive secretary shall:
- 460 (a) employ full-time employees necessary to carry out this part;
 461 (b) supervise the development of a draft health data plan for the [~~committee's]~~
 462 department's review, modification, and approval; and
 463 (c) supervise and conduct the staff functions of the committee in order to assist the
 464 committee in meeting its responsibilities under this part.
- 465 Section 6. Section **26B-8-503** is amended to read:
- 466 **26B-8-503 (Effective 05/01/24). Limitations on use of health data.**
- 467 The [~~committee]~~ department may not use the health data provided to it by third-party
 468 payors, health care providers, or health care facilities to make recommendations with
 469 regard to a single health care provider or health care facility, or a group of health care

470 providers or health care facilities.

471 Section 7. Section **26B-8-504** is amended to read:

472 **26B-8-504 (Effective 05/01/24). Health care cost and reimbursement data.**

473 (1) The [~~committee~~] department shall, as funding is available:

474 (a) establish a plan for collecting data from data suppliers to determine measurements of
475 cost and reimbursements for risk-adjusted episodes of health care;

476 (b) share data regarding insurance claims and an individual's and small employer group's
477 health risk factor and characteristics of insurance arrangements that affect claims and
478 usage with the Insurance Department, only to the extent necessary for:

479 (i) risk adjusting; and

480 (ii) the review and analysis of health insurers' premiums and rate filings; and

481 (c) assist the Legislature and the public with awareness of, and the promotion of,
482 transparency in the health care market by reporting on:

483 (i) geographic variances in medical care and costs as demonstrated by data available
484 to the [~~committee~~] department; and

485 (ii) rate and price increases by health care providers:

486 (A) that exceed the Consumer Price Index - Medical as provided by the United
487 States Bureau of Labor Statistics;

488 (B) as calculated yearly from June to June; and

489 (C) as demonstrated by data available to the [~~committee~~] department;

490 (d) provide on at least a monthly basis, enrollment data collected by the [~~committee~~]
491 department to a not-for-profit, broad-based coalition of state health care insurers and
492 health care providers that are involved in the standardized electronic exchange of
493 health data as described in Section 31A-22-614.5, to the extent necessary:

494 (i) for the department or the Medicaid Office of the Inspector General to determine
495 insurance enrollment of an individual for the purpose of determining Medicaid
496 third party liability;

497 (ii) for an insurer that is a data supplier, to determine insurance enrollment of an
498 individual for the purpose of coordination of health care benefits; and

499 (iii) for a health care provider, to determine insurance enrollment for a patient for the
500 purpose of claims submission by the health care provider;

501 (e) coordinate with the State Emergency Medical Services Committee to publish data
502 regarding air ambulance charges under Section 26B-4-106;

503 (f) share data collected under this part with the state auditor for use in the health care

- 504 price transparency tool described in Section 67-3-11; and
- 505 (g) publish annually a report on primary care spending within Utah.
- 506 (2) A data supplier is not liable for a breach of or unlawful disclosure of the data caused by
- 507 an entity that obtains data in accordance with Subsection (1).
- 508 (3) The plan adopted under Subsection (1) shall include:
- 509 (a) the type of data that will be collected;
- 510 (b) how the data will be evaluated;
- 511 (c) how the data will be used;
- 512 (d) the extent to which, and how the data will be protected; and
- 513 (e) who will have access to the data.

514 Section 8. Section **26B-8-505** is amended to read:

515 **26B-8-505 (Effective 05/01/24). Comparative analyses.**

- 516 (1) The [committee] department may publish compilations or reports that compare and
- 517 identify health care providers or data suppliers from the data it collects under this part or
- 518 from any other source.
- 519 (2) (a) Except as provided in Subsection (7)(c), the [committee] department shall publish
- 520 compilations or reports from the data it collects under this part or from any other
- 521 source which:
- 522 (i) contain the information described in Subsection (2)(b); and
- 523 (ii) compare and identify by name at least a majority of the health care facilities,
- 524 health care plans, and institutions in the state.
- 525 (b) Except as provided in Subsection (7)(c), the report required by this Subsection (2)
- 526 shall:
- 527 (i) be published at least annually;
- 528 (ii) list, as determined by the [committee] department, the median paid amount for at
- 529 least the top 50 medical procedures performed in the state by volume;
- 530 (iii) describe the methodology approved by the [committee] department to determine
- 531 the amounts described in Subsection (2)(b)(ii); and
- 532 (iv) contain comparisons based on at least the following factors:
- 533 (A) nationally or other generally recognized quality standards;
- 534 (B) charges; and
- 535 (C) nationally recognized patient safety standards.
- 536 (3) (a) The [committee] department may contract with a private, independent analyst to
- 537 evaluate the standard comparative reports of the [committee] department that identify,

- 538 compare, or rank the performance of data suppliers by name.
- 539 (b) The evaluation described in this Subsection (3) shall include a validation of
540 statistical methodologies, limitations, appropriateness of use, and comparisons using
541 standard health services research practice.
- 542 (c) The independent analyst described in Subsection (3)(a) shall be experienced in
543 analyzing large databases from multiple data suppliers and in evaluating health care
544 issues of cost, quality, and access.
- 545 (d) The results of the analyst's evaluation shall be released to the public before the
546 standard comparative analysis upon which it is based may be published by the [
547 ~~committee~~] department.
- 548 (4) The [~~committee, with the concurrence of the department,~~] department, in consultation
549 with the committee shall make rules in accordance with Title 63G, Chapter 3, Utah
550 Administrative Rulemaking Act, to adopt a timetable for the collection and analysis of
551 data from multiple types of data suppliers.
- 552 (5) The comparative analysis required under Subsection (2) shall be available free of charge
553 and easily accessible to the public.
- 554 (6) (a) The department shall include in the report required by Subsection (2)(b), or
555 include in a separate report, comparative information on commonly recognized or
556 generally agreed upon measures of cost and quality identified in accordance with
557 Subsection (7), for:
- 558 (i) routine and preventive care; and
559 (ii) the treatment of diabetes, heart disease, and other illnesses or conditions as
560 determined by the [~~committee~~] department.
- 561 (b) The comparative information required by Subsection (6)(a) shall be based on data
562 collected under Subsection (2) and clinical data that may be available to the [
563 ~~committee~~] department, and shall compare:
- 564 (i) results for health care facilities or institutions;
565 (ii) results for health care providers by geographic regions of the state;
566 (iii) a clinic's aggregate results for a physician who practices at a clinic with five or
567 more physicians; and
568 (iv) a geographic region's aggregate results for a physician who practices at a clinic
569 with less than five physicians, unless the physician requests physician-level data
570 to be published on a clinic level.
- 571 (c) The department:

- 572 (i) may publish information required by this Subsection (6) directly or through one or
 573 more nonprofit, community-based health data organizations; and
 574 (ii) may use a private, independent analyst under Subsection (3)(a) in preparing the
 575 report required by this section.
- 576 (d) A report published by the department under this Subsection (6):
 577 (i) is subject to the requirements of Section 26B-8-506; and
 578 (ii) shall, prior to being published by the department, be submitted to a neutral,
 579 non-biased entity with a broad base of support from health care payers and health
 580 care providers in accordance with Subsection (7) for the purpose of validating the
 581 report.
- 582 (7) (a) [~~The Health Data Committee shall, through the~~] The department shall, for
 583 purposes of Subsection (6)(a), use the quality measures that are developed and agreed
 584 upon by a neutral, non-biased entity with a broad base of support from health care
 585 payers and health care providers.
- 586 (b) If the entity described in Subsection (7)(a) does not submit the quality measures, the
 587 department may select the appropriate number of quality measures for purposes of
 588 the report required by Subsection (6).
- 589 (c) (i) For purposes of the reports published on or after July 1, 2014, the department
 590 may not compare individual facilities or clinics as described in Subsections
 591 (6)(b)(i) through (iv) if the department determines that the data available to the
 592 department can not be appropriately validated, does not represent nationally
 593 recognized measures, does not reflect the mix of cases seen at a clinic or facility,
 594 or is not sufficient for the purposes of comparing providers.
- 595 (ii) The department shall report to the [~~Legislature's~~] Health and Human Services
 596 Interim Committee prior to making a determination not to publish a report under
 597 Subsection (7)(c)(i).

598 Section 9. Section **26B-8-506** is amended to read:

599 **26B-8-506 (Effective 05/01/24). Limitations on release of reports.**

600 The [~~committee~~] department may not release a compilation or report that compares
 601 and identifies health care providers or data suppliers unless it:

- 602 (1) allows the data supplier and the health care provider to verify the accuracy of the
 603 information submitted to the [~~committee~~] department and submit to the [~~committee~~]
 604 department any corrections of errors with supporting evidence and comments within a
 605 reasonable period of time to be established by rule, with the concurrence of the

606 department, made in accordance with Title 63G, Chapter 3, Utah Administrative
607 Rulemaking Act;
608 (2) corrects data found to be in error; and
609 (3) allows the data supplier a reasonable amount of time prior to publication to review the [
610 ~~committee's~~] department's interpretation of the data and prepare a response.

611 Section 10. Section **26B-8-507** is amended to read:

612 **26B-8-507 (Effective 05/01/24). Disclosure of identifiable health data prohibited.**

- 613 (1) (a) All information, reports, statements, memoranda, or other data received by the [
614 ~~committee~~] department are strictly confidential.
615 (b) Any use, release, or publication of the information shall be done in such a way that
616 no person is identifiable except as provided in Sections 26B-8-506 and 26B-8-508.
617 (2) No member of the [~~committee~~] department may be held civilly liable by reason of
618 having released or published reports or compilations of data supplied to the [~~committee~~]
619 department, so long as the publication or release is in accordance with the requirements
620 of Subsection (1).
621 (3) No person, corporation, or entity may be held civilly liable for having provided data to
622 the [~~committee~~] department in accordance with this part.

623 Section 11. Section **26B-8-508** is amended to read:

624 **26B-8-508 (Effective 05/01/24). Exceptions to prohibition on disclosure of**
625 **identifiable health data.**

- 626 (1) The [~~committee~~] department may not disclose any identifiable health data unless:
627 (a) the individual has authorized the disclosure;
628 (b) the disclosure is to the department or a public health authority in accordance with
629 Subsection (2); or
630 (c) the disclosure complies with the provisions of:
631 (i) Subsection (3);
632 (ii) insurance enrollment and coordination of benefits under Subsection 26B-8-504
633 (1)(d); or
634 (iii) risk adjusting under Subsection 26B-8-504(1)(b).
635 (2) The [~~committee~~] department may disclose identifiable health data to the department or a
636 public health authority under Subsection (1)(b) if:
637 (a) the department or the public health authority has clear statutory authority to possess
638 the identifiable health data; and
639 (b) the disclosure is solely for use:

- 640 (i) in the Utah Statewide Immunization Information System operated by the
 641 department;
- 642 (ii) in the Utah Cancer Registry operated by the University of Utah, in collaboration
 643 with the department; or
- 644 (iii) by the medical examiner, as defined in Section 26B-8-201, or the medical
 645 examiner's designee.
- 646 (3) The [~~committee~~] department shall consider the following when responding to a request
 647 for disclosure of information that may include identifiable health data:
- 648 (a) whether the request comes from a person after that person has received approval to
 649 do the specific research or statistical work from an institutional review board; and
- 650 (b) whether the requesting entity complies with the provisions of Subsection (4).
- 651 (4) A request for disclosure of information that may include identifiable health data shall:
- 652 (a) be for a specified period; or
- 653 (b) be solely for bona fide research or statistical purposes as determined in accordance
 654 with administrative rules adopted by the department in accordance with Title 63G,
 655 Chapter 3, Utah Administrative Rulemaking Act , which shall require:
- 656 (i) the requesting entity to demonstrate to the department that the data is required for
 657 the research or statistical purposes proposed by the requesting entity; and
- 658 (ii) the requesting entity to enter into a written agreement satisfactory to the
 659 department to protect the data in accordance with this part or other applicable law.
- 660 (5) A person accessing identifiable health data pursuant to Subsection (4) may not further
 661 disclose the identifiable health data:
- 662 (a) without prior approval of the department; and
- 663 (b) unless the identifiable health data is disclosed or identified by control number only.
- 664 (6) Identifiable health data that has been designated by a data supplier as being subject to
 665 regulation under 42 C.F.R. Part 2, Confidentiality of Substance Use Disorder Patient
 666 Records, may only be used or disclosed in accordance with applicable federal
 667 regulations.

668 Section 12. Section **53-2d-203** is amended to read:

669 **53-2d-203 (Effective 07/01/24). Data collection.**

- 670 (1) The committee shall specify the information that shall be collected for the emergency
 671 medical services data system established pursuant to Subsection (2).
- 672 (2) (a) The bureau shall establish an emergency medical services data system, which
 673 shall provide for the collection of information, as defined by the committee, relating

- 674 to the treatment and care of patients who use or have used the emergency medical
675 services system.
- 676 (b) The committee shall coordinate with the [~~Health Data Authority created in Title 26B,~~
677 ~~Chapter 8, Part 5, Utah Health Data Authority~~] Department of Health and Human
678 Services, to create a report of data collected by the [~~Health Data Committee~~]
679 Department of Health and Human Services under Section 26B-8-504 regarding:
- 680 (i) appropriate analytical methods;
 - 681 (ii) the total amount of air ambulance flight charges in the state for a one-year period;
 - 682 and
 - 683 (iii) of the total number of flights in a one-year period under Subsection (2)(b)(ii):
 - 684 (A) the number of flights for which a patient had no personal responsibility for
 - 685 paying part of the flight charges;
 - 686 (B) the number of flights for which a patient had personal responsibility to pay all
 - 687 or part of the flight charges;
 - 688 (C) the range of flight charges for which patients had personal responsibility under
 - 689 Subsection (2)(b)(iii)(B), including the median amount for paid patient
 - 690 personal responsibility; and
 - 691 (D) the name of any air ambulance provider that received a median paid amount
 - 692 for patient responsibility in excess of the median amount for all paid patient
 - 693 personal responsibility during the reporting year.
- 694 (c) The bureau may share, with the department, information from the emergency
695 medical services data system that:
- 696 (i) relates to traffic incidents; and
 - 697 (ii) is for the improvement of traffic safety.
- 698 (d) Information shared under Subsection (2)(c) may not:
- 699 (i) be used for the prosecution of criminal matters; or
 - 700 (ii) include any personally identifiable information.
- 701 (3) (a) On or before October 1, the department shall make the information in Subsection
702 (2)(b) public and send the information in Subsection (2)(b) to public safety
703 dispatchers and first responders in the state.
- 704 (b) Before making the information in Subsection (2)(b) public, the committee shall
705 provide the air ambulance providers named in the report with the opportunity to
706 respond to the accuracy of the information in the report under Section 26B-8-506.
- 707 (4) Persons providing emergency medical services:

- 708 (a) shall provide information to the department for the emergency medical services data
 709 system established pursuant to Subsection (2)(a);
 710 (b) are not required to provide information to the department under Subsection (2)(b);
 711 and
 712 (c) may provide information to the department under Subsection (2)(b) or (3)(b).

713 Section 13. Section **63A-13-301** is amended to read:

714 **63A-13-301 (Effective 05/01/24). Access to records -- Retention of designation**
 715 **under Government Records Access and Management Act.**

- 716 (1) In order to fulfill the duties described in Section 63A-13-202, and in the manner
 717 provided in Subsection (4), the office shall have unrestricted access to all records of
 718 state executive branch entities, all local government entities, and all providers relating,
 719 directly or indirectly, to:
 720 (a) the state Medicaid program;
 721 (b) state or federal Medicaid funds;
 722 (c) the provision of Medicaid related services;
 723 (d) the regulation or management of any aspect of the state Medicaid program;
 724 (e) the use or expenditure of state or federal Medicaid funds;
 725 (f) suspected or proven fraud, waste, or abuse of state or federal Medicaid funds;
 726 (g) Medicaid program policies, practices, and procedures;
 727 (h) monitoring of Medicaid services or funds; or
 728 (i) a fatality review of a person who received Medicaid funded services.
- 729 (2) The office shall have access to information in any database maintained by the state or a
 730 local government to verify identity, income, employment status, or other factors that
 731 affect eligibility for Medicaid services.
- 732 (3) The records described in Subsections (1) and (2) include records held or maintained by
 733 the department, the division, the Department of Health and Human Services, the
 734 Department of Workforce Services, a local health department, a local mental health
 735 authority, or a school district. The records described in Subsection (1) include records
 736 held or maintained by a provider. When conducting an audit of a provider, the office
 737 shall, to the extent possible, limit the records accessed to the scope of the audit.
- 738 (4) A record, described in Subsection (1) or (2), that is accessed or copied by the office:
 739 (a) may be reviewed or copied by the office during normal business hours, unless
 740 otherwise requested by the provider or health care professional under Subsection
 741 (4)(b);

- 742 (b) unless there is a credible allegation of fraud, shall be accessed, reviewed, and copied
 743 in a manner, on a day, and at a time that is minimally disruptive to the health care
 744 professional's or provider's care of patients, as requested by the health care
 745 professional or provider;
- 746 (c) may be submitted electronically;
- 747 (d) may be submitted together with other records for multiple claims; and
- 748 (e) if it is a government record, shall retain the classification made by the entity
 749 responsible for the record, under Title 63G, Chapter 2, Government Records Access
 750 and Management Act.
- 751 (5) Except as provided in Subsection (7), notwithstanding any provision of state law to the
 752 contrary, the office shall have the same access to all records, information, and databases
 753 to which the department or the division has access.
- 754 (6) The office shall comply with the requirements of federal law, including the Health
 755 Insurance Portability and Accountability Act of 1996 and 42 C.F.R., Part 2, relating to
 756 the office's:
- 757 (a) access, review, retention, and use of records; and
- 758 (b) use of information included in, or derived from, records.
- 759 (7) The office's access to data held by the ~~[Health Data Committee]~~ Department of Health
 760 and Human Services under Title 26B, Chapter 8, Part 5, Utah Health Data Authority:
- 761 (a) is not subject to this section; and
- 762 (b) is subject to Title 26B, Chapter 8, Part 5, Utah Health Data Authority.
- 763 Section 14. Section **63I-1-226** is amended to read:
- 764 **63I-1-226 (Effective 05/01/24) (Superseded 07/01/24). Repeal dates: Titles 26A**
 765 **through 26B.**
- 766 (1) Subsection 26B-1-204(2)(i), related to the Primary Care Grant Committee, is repealed
 767 July 1, 2025.
- 768 (2) Section 26B-1-315, which creates the Medicaid Expansion Fund, is repealed July 1,
 769 2024.
- 770 (3) Section 26B-1-319, which creates the Neuro-Rehabilitation Fund, is repealed January 1,
 771 2025.
- 772 (4) Section 26B-1-320, which creates the Pediatric Neuro-Rehabilitation Fund, is repealed
 773 January 1, 2025.
- 774 (5) Subsection 26B-1-324(4), the language that states "the Behavioral Health Crisis
 775 Response Commission, as defined in Section 63C-18-202," is repealed December 31,

- 776 2026.
- 777 (6) Subsection 26B-1-329(6), related to the Behavioral Health Crisis Response
778 Commission, is repealed December 31, 2026.
- 779 (7) Section 26B-1-402, related to the Rare Disease Advisory Council Grant Program, is
780 repealed July 1, 2026.
- 781 (8) Section 26B-1-409, which creates the Utah Digital Health Service Commission, is
782 repealed July 1, 2025.
- 783 (9) Section 26B-1-410, which creates the Primary Care Grant Committee, is repealed July
784 1, 2025.
- 785 (10) Section 26B-1-416, which creates the Utah Children's Health Insurance Program
786 Advisory Council, is repealed July 1, 2025.
- 787 (11) Section 26B-1-417, which creates the Brain Injury Advisory Committee, is repealed
788 July 1, 2025.
- 789 (12) Section 26B-1-418, which creates the Neuro-Rehabilitation Fund and Pediatric
790 Neuro-Rehabilitation Fund Advisory Committee, is repealed January 1, 2025.
- 791 (13) Section 26B-1-422, which creates the Early Childhood Utah Advisory Council, is
792 repealed July 1, 2029.
- 793 (14) Section 26B-1-428, which creates the Youth Electronic Cigarette, Marijuana, and
794 Other Drug Prevention Program, is repealed July 1, 2025.
- 795 (15) Section 26B-1-430, which creates the Coordinating Council for Persons with
796 Disabilities, is repealed July 1, 2027.
- 797 (16) Section 26B-1-431, which creates the Forensic Mental Health Coordinating Council, is
798 repealed July 1, 2023.
- 799 (17) Section 26B-1-432, which creates the Newborn Hearing Screening Committee, is
800 repealed July 1, 2026.
- 801 (18) Section 26B-1-434, regarding the Correctional Postnatal and Early Childhood
802 Advisory Board, is repealed July 1, 2026.
- 803 (19) Section 26B-2-407, related to drinking water quality in child care centers, is repealed
804 July 1, 2027.
- 805 (20) Subsection 26B-3-107(9), which addresses reimbursement for dental hygienists, is
806 repealed July 1, 2028.
- 807 (21) Section 26B-3-136, which creates the Children's Health Care Coverage Program, is
808 repealed July 1, 2025.
- 809 (22) Section 26B-3-137, related to reimbursement for the National Diabetes Prevention

- 810 Program, is repealed June 30, 2027.
- 811 (23) Subsection 26B-3-213(2), the language that states "and the Behavioral Health Crisis
812 Response Commission created in Section 63C-18-202" is repealed December 31, 2026.
- 813 (24) Sections 26B-3-302 through 26B-3-309, regarding the Drug Utilization Review Board,
814 are repealed July 1, 2027.
- 815 (25) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2024.
- 816 (26) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed
817 July 1, 2024.
- 818 (27) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.
- 819 (28) Section 26B-3-910, regarding alternative eligibility, is repealed July 1, 2028.
- 820 (29) Section 26B-4-136, related to the Volunteer Emergency Medical Service Personnel
821 Health Insurance Program, is repealed July 1, 2027.
- 822 (30) Section 26B-4-710, related to rural residency training programs, is repealed July 1,
823 2025.
- 824 (31) Subsections 26B-5-112(1) and (5), the language that states "In consultation with the
825 Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is
826 repealed December 31, 2026.
- 827 (32) Section 26B-5-112.5 is repealed December 31, 2026.
- 828 (33) Section 26B-5-114, related to the Behavioral Health Receiving Center Grant Program,
829 is repealed December 31, 2026.
- 830 (34) Section 26B-5-118, related to collaborative care grant programs, is repealed December
831 31, 2024.
- 832 (35) Section 26B-5-120 is repealed December 31, 2026.
- 833 (36) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:
- 834 (a) Subsection 26B-5-606(2)(a)(i), the language that states "and" is repealed; and
835 (b) Subsections 26B-5-606(2)(a)(ii), 26B-5-606(2)(b), and 26B-5-606(2)(c) are repealed.
- 836 (37) In relation to the Behavioral Health Crisis Response Commission, on December 31,
837 2026:
- 838 (a) Subsection 26B-5-609(1)(a) is repealed;
839 (b) Subsection 26B-5-609(3)(a), the language that states "With recommendations from
840 the commission," is repealed;
841 (c) Subsection 26B-5-610(1)(b) is repealed;
842 (d) Subsection 26B-5-610(2)(b), the language that states "and in consultation with the
843 commission," is repealed; and

- 844 (e) Subsection 26B-5-610(4), the language that states "In consultation with the
845 commission," is repealed.
- 846 (38) Subsections 26B-5-611(1)(a) and (10), in relation to the Utah Substance Use and
847 Mental Health Advisory Council, are repealed January 1, 2033.
- 848 (39) Section 26B-5-612, related to integrated behavioral health care grant programs, is
849 repealed December 31, 2025.
- 850 (40) Subsection 26B-7-119(5), related to reports to the Legislature on the outcomes of the
851 Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.
- 852 (41) Section 26B-7-224, related to reports to the Legislature on violent incidents and
853 fatalities involving substance abuse, is repealed December 31, 2027.
- 854 (42) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1, [2024]
855 2026.
- 856 (43) Section 26B-8-513, related to identifying overuse of non-evidence-based health care, is
857 repealed December 31, 2023.
- 858 Section 15. Section **63I-1-226** is amended to read:
859 **63I-1-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.**
- 860 (1) Subsection 26B-1-204(2)(i), related to the Primary Care Grant Committee, is repealed
861 July 1, 2025.
- 862 (2) Section 26B-1-315, which creates the Medicaid Expansion Fund, is repealed July 1,
863 2024.
- 864 (3) Section 26B-1-319, which creates the Neuro-Rehabilitation Fund, is repealed January 1,
865 2025.
- 866 (4) Section 26B-1-320, which creates the Pediatric Neuro-Rehabilitation Fund, is repealed
867 January 1, 2025.
- 868 (5) Subsection 26B-1-324(4), the language that states "the Behavioral Health Crisis
869 Response Commission, as defined in Section 63C-18-202," is repealed December 31,
870 2026.
- 871 (6) Subsection 26B-1-329(6), related to the Behavioral Health Crisis Response
872 Commission, is repealed December 31, 2026.
- 873 (7) Section 26B-1-402, related to the Rare Disease Advisory Council Grant Program, is
874 repealed July 1, 2026.
- 875 (8) Section 26B-1-409, which creates the Utah Digital Health Service Commission, is
876 repealed July 1, 2025.
- 877 (9) Section 26B-1-410, which creates the Primary Care Grant Committee, is repealed July

- 878 1, 2025.
- 879 (10) Section 26B-1-416, which creates the Utah Children's Health Insurance Program
880 Advisory Council, is repealed July 1, 2025.
- 881 (11) Section 26B-1-417, which creates the Brain Injury Advisory Committee, is repealed
882 July 1, 2025.
- 883 (12) Section 26B-1-418, which creates the Neuro-Rehabilitation Fund and Pediatric
884 Neuro-Rehabilitation Fund Advisory Committee, is repealed January 1, 2025.
- 885 (13) Section 26B-1-422, which creates the Early Childhood Utah Advisory Council, is
886 repealed July 1, 2029.
- 887 (14) Section 26B-1-428, which creates the Youth Electronic Cigarette, Marijuana, and
888 Other Drug Prevention Program, is repealed July 1, 2025.
- 889 (15) Section 26B-1-430, which creates the Coordinating Council for Persons with
890 Disabilities, is repealed July 1, 2027.
- 891 (16) Section 26B-1-431, which creates the Forensic Mental Health Coordinating Council, is
892 repealed July 1, 2023.
- 893 (17) Section 26B-1-432, which creates the Newborn Hearing Screening Committee, is
894 repealed July 1, 2026.
- 895 (18) Section 26B-1-434, regarding the Correctional Postnatal and Early Childhood
896 Advisory Board, is repealed July 1, 2026.
- 897 (19) Section 26B-2-407, related to drinking water quality in child care centers, is repealed
898 July 1, 2027.
- 899 (20) Subsection 26B-3-107(9), which addresses reimbursement for dental hygienists, is
900 repealed July 1, 2028.
- 901 (21) Section 26B-3-136, which creates the Children's Health Care Coverage Program, is
902 repealed July 1, 2025.
- 903 (22) Section 26B-3-137, related to reimbursement for the National Diabetes Prevention
904 Program, is repealed June 30, 2027.
- 905 (23) Subsection 26B-3-213(2), the language that states "and the Behavioral Health Crisis
906 Response Commission created in Section 63C-18-202" is repealed December 31, 2026.
- 907 (24) Sections 26B-3-302 through 26B-3-309, regarding the Drug Utilization Review Board,
908 are repealed July 1, 2027.
- 909 (25) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1, 2024.
- 910 (26) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is repealed
911 July 1, 2024.

- 912 (27) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1, 2028.
- 913 (28) Section 26B-3-910, regarding alternative eligibility, is repealed July 1, 2028.
- 914 (29) Section 26B-4-710, related to rural residency training programs, is repealed July 1,
915 2025.
- 916 (30) Subsections 26B-5-112(1) and (5), the language that states "In consultation with the
917 Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is
918 repealed December 31, 2026.
- 919 (31) Section 26B-5-112.5 is repealed December 31, 2026.
- 920 (32) Section 26B-5-114, related to the Behavioral Health Receiving Center Grant Program,
921 is repealed December 31, 2026.
- 922 (33) Section 26B-5-118, related to collaborative care grant programs, is repealed December
923 31, 2024.
- 924 (34) Section 26B-5-120 is repealed December 31, 2026.
- 925 (35) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:
- 926 (a) Subsection 26B-5-606(2)(a)(i), the language that states "and" is repealed; and
- 927 (b) Subsections 26B-5-606(2)(a)(ii), 26B-5-606(2)(b), and 26B-5-606(2)(c) are repealed.
- 928 (36) In relation to the Behavioral Health Crisis Response Commission, on December 31,
929 2026:
- 930 (a) Subsection 26B-5-609(1)(a) is repealed;
- 931 (b) Subsection 26B-5-609(3)(a), the language that states "With recommendations from
932 the commission," is repealed;
- 933 (c) Subsection 26B-5-610(1)(b) is repealed;
- 934 (d) Subsection 26B-5-610(2)(b), the language that states "and in consultation with the
935 commission," is repealed; and
- 936 (e) Subsection 26B-5-610(4), the language that states "In consultation with the
937 commission," is repealed.
- 938 (37) Subsections 26B-5-611(1)(a) and (10), in relation to the Utah Substance Use and
939 Mental Health Advisory Council, are repealed January 1, 2033.
- 940 (38) Section 26B-5-612, related to integrated behavioral health care grant programs, is
941 repealed December 31, 2025.
- 942 (39) Subsection 26B-7-119(5), related to reports to the Legislature on the outcomes of the
943 Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.
- 944 (40) Section 26B-7-224, related to reports to the Legislature on violent incidents and
945 fatalities involving substance abuse, is repealed December 31, 2027.

946 (41) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1, [~~2024~~
947 2026].

948 (42) Section 26B-8-513, related to identifying overuse of non-evidence-based health care, is
949 repealed December 31, 2023.

950 Section 16. **Effective date.**

951 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.

952 (2) The actions affecting Section 63I-1-226 (Effective 07/01/24) and Section 53-2d-203
953 (Effective 07/01/24) take effect on July 1, 2024.