

1 **AMENDMENTS TO PUBLIC EMPLOYEES'**
2 **BENEFIT AND INSURANCE PROGRAM ACT -**
3 **RISK POOLS**

4 2010 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Kevin S. Garn**

7 Senate Sponsor: Daniel R. Liljenquist

8
9 **LONG TITLE**

10 **General Description:**

11 This bill amends the Public Employee's Benefit and Insurance Program Act risk pools.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ changes the number of eligible full-time enrollees an institution of higher education
15 must have in order to participate in the program's risk pools;

16 ▶ requires the program to create a rate for an institute of higher education with 1,000
17 or more plan enrollees based 100% on experience; and

18 ▶ requires a separate risk pool for institutes of higher education that have experience
19 rating that is higher than the state employees risk pool experience rating.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **49-20-202**, as last amended by Laws of Utah 2006, Chapter 307

27
28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **49-20-202** is amended to read:

30 **49-20-202. Establishment of separate risk pools.**

31 (1) The program shall establish separate risk pools for:

32 (a) state employees; and

33 (b) the Utah Children's Health Insurance Program.

34 (2) In accordance with participation standards established by the program, the
35 following entities may elect to participate in the risk pool established under Subsection (1)(a):

36 (a) in accordance with Subsection (3)(b), an institution of higher education designated
37 under Section 53B-1-102 with a total full-time equivalent enrollment of less than [~~12,000~~
38 18,000; and

39 (b) an independent entity as defined in Section 63E-1-102.

40 (3) (a) The program shall create risk pools for other covered employers separate from
41 those created in Subsection (1) as determined by the program.

42 (b) (i) If an institution of higher education described in Subsection (2)(a) has 1,000 or
43 more plan enrollees, the program shall establish a rate for the institution of higher education
44 based 100% on experience; and

45 (ii) if the rate established under Subsection (3)(b)(i) is:

46 (A) less than the risk pool rate established for the state employees' risk pool, the
47 program may include the institution of higher education in the state employees' risk pool
48 described in Subsection (1)(a); or

49 (B) more than the risk pool rate established for the state employees' risk pool, the
50 program shall create a risk pool for the institution of higher education that is separate from the
51 state employees' risk pool under Subsection (1)(a).