

1 **HEALTH REFORM - UNIFORM ELECTRONIC**
2 **STANDARDS - INSURANCE INFORMATION**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Merlynn T. Newbold**

6 Senate Sponsor: Peter C. Knudson

8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions related to the use of uniform electronic standards for health
11 insurance claims processing, insurance eligibility, and coordination of benefits.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ amends provisions related to uniform electronic standards for health insurance
15 claims processing, electronic insurance eligibility information, and electronic
16 information regarding the coordination of benefits;
- 17 ▶ establishes a voluntary registry of software vendors who comply with electronic
18 standards; and
- 19 ▶ makes clarifying and technical amendments.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **31A-22-614.5**, as last amended by Laws of Utah 2008, Chapters 379 and 382

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

29 Section 1. Section **31A-22-614.5** is amended to read:

30 **31A-22-614.5. Uniform claims processing -- Electronic exchange of health**
31 **information.**

32 (1) ~~(a) [Beginning July 1, 1993]~~ Except as provided in Subsection (1)(c), all insurers
33 offering health insurance shall use a uniform claim form and uniform billing and claim codes.

34 (b) Beginning January 1, 2011, all health benefit plans, and dental and vision plans,
35 shall provide for the electronic exchange of uniform:

36 (i) eligibility and coverage information; and

37 (ii) coordination of benefits information.

38 (c) For purposes of Subsection (1)(a), "health insurance" does not include a policy or
39 certificate that provides benefits solely for:

40 (i) income replacement; or

41 (ii) long-term care.

42 (2) (a) ~~The uniform [claim forms and billing codes]~~ electronic standards and
43 information required in Subsection (1) shall be adopted and approved by the commissioner in
44 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act. [The]

45 (b) When adopting rules under this section the commissioner;

46 (i) shall;

47 (A) consult with [the director of the Division of Health Care Financing, the National
48 Uniform Claim Form Task Force, and the National Uniform Billing Committee when adopting
49 the uniform claims and billing codes;] national and state organizations involved with the
50 standardized exchange of health data, and the electronic exchange of health data, to develop
51 the standards for the use and electronic exchange of uniform:

52 (I) claim forms;

53 (II) billing and claim codes;

54 (III) insurance eligibility and coverage information; and

55 (IV) coordination of benefits information; and

56 (B) meet federal mandatory minimum standards following the adoption of national
57 requirements for transaction and data elements in the federal Health Insurance Portability and

58 Accountability Act of 1996, Pub. L. 104-191, 110 Stat. 1936;

59 (ii) may not require an insurer or administrator to use a specific software product or
60 vendor; and

61 (iii) may require an insurer who participates in the all payer database created under
62 Section 26-33a-106.1 to allow data regarding demographic and insurance coverage
63 information to be electronically shared with the state's designated secure health information
64 master person index to be used:

65 (A) in compliance with data security standards established by:

66 (I) the federal Health Insurance Portability and Accountability Act of 1996, Pub. L.
67 104-191, 110 Stat. 1936; and

68 (II) the electronic commerce agreements established in a business associate agreement;
69 and

70 (B) for the purpose of coordination of health benefit plans.

71 ~~[(3) (a) (i) Beginning July 1, 1995, all insurers shall offer compatible systems of~~
72 ~~electronic billing approved by the commissioner in accordance with Title 63G, Chapter 3,~~
73 ~~Utah Administrative Rulemaking Act.]~~

74 ~~[(ii) The systems approved by the commissioner may include monitoring and~~
75 ~~disseminating information concerning eligibility and coverage of individuals.]~~

76 ~~[(iii)]~~ (3) (a) The commissioner shall coordinate the administrative rules adopted
77 under the provisions of this section with the administrative rules adopted by the Department of
78 Health for the implementation of the standards for the electronic exchange of clinical health
79 information under Section 26-1-37. The department shall establish procedures for developing
80 the rules adopted under this section, which ensure that the Department of Health is given the
81 opportunity to comment on proposed rules.

82 (b) (i) The commissioner may provide information to health care providers regarding
83 resources available to a health care provider to verify whether a health care provider's practice
84 management software system meets the uniform electronic standards for data exchange
85 required by this section.

86 (ii) The commissioner may provide the information described in Subsection (3)(b)(i)
87 by partnering with:

88 (A) a not-for-profit, broad based coalition of state health care insurers and health care
89 providers who are involved in the electronic exchange of the data required by this section; or

90 (B) some other person that the commissioner determines is appropriate to provide the
91 information described in Subsection (3)(b)(i).

92 [~~(b)~~] (c) The commissioner shall regulate any fees charged by insurers to the providers
93 for:

94 (i) uniform claim forms;

95 (ii) electronic billing; or

96 (iii) the electronic exchange of clinical health information permitted by Section

97 26-1-37.