

PRIMARY CARE SPENDING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

This bill requires the Health Data Committee to annually issue a report on primary care spending within the state.

Highlighted Provisions:

This bill:

- ▶ requires the Health Data Committee to issue a report on primary care spending within the state; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-33a-106.1, as last amended by Laws of Utah 2019, Chapter 370

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

Section 1. Section **26-33a-106.1** is amended to read:

26-33a-106.1. Health care cost and reimbursement data.

(1) The committee shall, as funding is available:

(a) establish a plan for collecting data from data suppliers[~~, as defined in Section 26-33a-102;~~] to determine measurements of cost and reimbursements for risk-adjusted episodes

30 of health care;

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

34 (i) risk adjusting; and

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

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

38 (i) geographic variances in medical care and costs as demonstrated by data available to
39 the committee; and

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

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

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

44 (C) as demonstrated by data available to the committee;

45 (d) provide on at least a monthly basis, enrollment data collected by the committee to a
46 not-for-profit, broad-based coalition of state health care insurers and health care providers that
47 are involved in the standardized electronic exchange of health data as described in Section
48 [31A-22-614.5](#), to the extent necessary:

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

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

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

56 (e) coordinate with the State Emergency Medical Services Committee to publish data
57 regarding air ambulance charges under Section [26-8a-203](#); [and]

58 (f) share data collected under this chapter with the state auditor for use in the health
59 care price transparency tool described in Section 67-3-11[:]; and

60 (g) publish annually a report on primary care spending within Utah.

61 (2) (a) The Medicaid Office of Inspector General shall annually report to the
62 Legislature's Health and Human Services Interim Committee regarding how the office used the
63 data obtained under Subsection (1)(d)(i) and the results of obtaining the data.

64 (b) A data supplier [~~shall not be~~] is not liable for a breach of or unlawful disclosure of
65 the data [~~obtained by an entity described in Subsection (1)(b)] caused by an entity that obtains
66 data in accordance with Subsection (1).~~

67 (3) The plan adopted under Subsection (1) shall include:

68 (a) the type of data that will be collected;

69 (b) how the data will be evaluated;

70 (c) how the data will be used;

71 (d) the extent to which, and how the data will be protected; and

72 (e) who will have access to the data.