

1 **CHILDREN'S HEALTH INSURANCE PLAN AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: James A. Dunnigan**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the Utah Children's Health Insurance Act.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ adds treatment for autism spectrum disorder to the program benefits within the Utah
13 Children's Health Insurance Program.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **26-40-106**, as last amended by Laws of Utah 2020, Chapter 225

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

23 Section 1. Section **26-40-106** is amended to read:

24 **26-40-106. Program benefits.**

25 (1) Except as provided in Subsection (3), medical and dental program benefits shall be
26 benchmarked, in accordance with 42 U.S.C. Sec. 1397cc, as follows:

27 (a) medical program benefits, including behavioral health care benefits, shall be
28 benchmarked effective July 1, 2019, and on July 1 every third year thereafter, to:



29 (i) be substantially equal to a health benefit plan with the largest insured commercial
30 enrollment offered by a health maintenance organization in the state; [~~and~~]

31 (ii) comply with the Mental Health Parity and Addiction Equity Act, Pub. L. No.
32 110-343; and

33 (iii) provide treatment for autism spectrum disorder as defined in Section [31A-22-642](#),
34 including coverage for applied behavioral analysis; and

35 (b) dental program benefits shall be benchmarked effective July 1, 2019, and on July 1
36 every third year thereafter in accordance with the Children's Health Insurance Program
37 Reauthorization Act of 2009, to be substantially equal to a dental benefit plan that has the largest
38 insured, commercial, non-Medicaid enrollment of covered lives that is offered in the state,
39 except that the utilization review mechanism for orthodontia shall be based on medical necessity.

40 (2) On or before July 1 of each year, the department shall publish the benchmark for
41 dental program benefits established under Subsection (1)(b).

42 (3) The program benefits for enrollees who are at or below 100% of the federal poverty
43 level are exempt from the benchmark requirements of Subsections (1) and (2).