

**Representative Paul Ray** proposes the following substitute bill:

**STATE AGENCY REALIGNMENT**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Jacob L. Anderegg

---

---

**LONG TITLE**

**General Description:**

This bill creates the Department of Health and Human Services and provides for the transition of the Department of Health and the Department of Human Services into the newly created single state agency.

**Highlighted Provisions:**

This bill:

- ▶ creates the Department of Health and Human Services to combine the functions of the Department of Health and the Department of Human Services;
- ▶ describes the duties, responsibilities, and powers of the agency created in this bill;
- ▶ provides for the transition of the Department of Health and the Department of Human Services into the agency created in this bill;
- ▶ amends the certain responsibilities of the Department of Workforce Services, particularly relating to administration of Medicaid eligibility; and
- ▶ creates a sunset date for certain provisions relating to the transition to the agency created in this bill.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2022:

- ▶ to General Fund Restricted – Department of Health and Human Services Transition



26 Restricted Account, as a one-time appropriation:

- 27 • from the General Fund, One-time, \$1,500,000.

28 ~~H→ [• from Federal Funds, One-time, \$1,500,000.] ←H~~

29 ▶ to Department of Health – Executive Director’s Operations, as an ongoing  
30 appropriation:

- 31 • from the General Fund, Ongoing, (\$135,000).

- 32 • from Federal Funds, Ongoing, (\$135,000).

33 ▶ to Department of Health – Executive Director’s Operations, as a one-time  
34 appropriation:

- 35 • from the General Fund, One-time, \$135,000.

- 36 • from Federal Funds, One-time, \$135,000.

37 ▶ to Department of Health – Medicaid and Health Financing, as an ongoing  
38 appropriation:

- 39 • from the General Fund, Ongoing, (\$486,500).

- 40 • from the Federal Funds, Ongoing, (\$486,500).

41 ▶ to Department of Health – Medicaid and Health Financing, as a one-time  
42 appropriation:

- 43 • from the General Fund, One-time, \$486,500.

- 44 • from Federal Funds, One-time, \$486,500.

45 ▶ to Department of Health – Executive Director’s Operations, as an ongoing  
46 appropriation:

- 47 • from the General Fund, Ongoing, (\$58,200).

- 48 • from Federal Funds, Ongoing, (\$58,200).

49 ▶ to Department of Health – Executive Director’s Operations, as a one-time  
50 appropriation:

- 51 • from the General Fund, One-time, \$58,200.

- 52 • from Federal Funds, One-time, \$58,200.

53 ▶ to Department of Workforce Services – Operations and Policy, as an ongoing  
54 appropriation:

- 55 • from the General Fund, Ongoing, \$486,500.

- 56 • from the Federal Funds, Ongoing, \$486,500.

57 ▶ to Department of Workforce Services – Operations and Policy, as a one-time  
58 appropriation:

- 59 • from the General Fund, One-time, (\$486,500).
- 60 • from Federal Funds, One-time, (\$486,500).

61 ▶ to Department of Workforce Services – Administration, as an ongoing  
62 appropriation:

- 63 • from the General Fund, Ongoing, \$58,200.
- 64 • from Federal Funds, Ongoing, \$58,200.

65 ▶ to Department of Workforce Services – Administration, as a one-time  
66 appropriation:

- 67 • from the General Fund, One-time, (\$58,200).
- 68 • from Federal Funds, One-time, (\$58,200).

69 ▶ to Department of Health – Executive Director’s Operations, as a one-time  
70 appropriation:

- 71 • from the Department of Health and Human Services Transition Restricted  
72 Account, One-time, ~~H→ [\$3,000,000]~~ \$1,500,000 ←H .

72a ~~H→~~ • from Federal Funds, One-time, \$1,500,000. ←H

73 ▶ to Department of Human Services – Executive Director Operations, as a one-time  
74 appropriation:

- 75 • from the Department of Health and Human Services Transition Restricted  
76 Account, One-time, ~~H→ [\$3,000,000]~~ \$1,500,000 ←H .

76a ~~H→~~ • from Federal Funds, One-time, \$1,500,000. ←H

#### 77 Other Special Clauses:

78 This bill provides a special effective date.

#### 79 Utah Code Sections Affected:

80 AMENDS:

81 **26-18-3**, as last amended by Laws of Utah 2019, Chapters 104 and 253

82 **35A-1-304**, as last amended by Laws of Utah 1998, Chapter 116

83 **35A-1-307**, as repealed and reenacted by Laws of Utah 1997, Chapter 375

84 **35A-3-103**, as last amended by Laws of Utah 2016, Chapters 296 and 348

85 **63I-2-226**, as last amended by Laws of Utah 2020, Chapters 154, 187, 215, and 354

86 ENACTS:

87 **26B-1-101**, Utah Code Annotated 1953

- 88            **26B-1-102**, Utah Code Annotated 1953
- 89            **26B-1-103**, Utah Code Annotated 1953
- 90            **26B-1-201**, Utah Code Annotated 1953
- 91            **26B-1-201.1**, Utah Code Annotated 1953

---

---

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

94            Section 1. Section **26-18-3** is amended to read:

95            **26-18-3. Administration of Medicaid program by department -- Reporting to the**  
96 **Legislature -- Disciplinary measures and sanctions -- Funds collected -- Eligibility**  
97 **standards -- Internal audits -- Health opportunity accounts.**

98            (1) The department shall be the single state agency responsible for the administration  
99 of the Medicaid program in connection with the United States Department of Health and  
100 Human Services pursuant to Title XIX of the Social Security Act.

101            (2) (a) The department shall implement the Medicaid program through administrative  
102 rules in conformity with this chapter, Title 63G, Chapter 3, Utah Administrative Rulemaking  
103 Act, the requirements of Title XIX, and applicable federal regulations.

104            (b) The rules adopted under Subsection (2)(a) shall include, in addition to other rules  
105 necessary to implement the program:

106            (i) the standards used by the department for determining eligibility for Medicaid  
107 services;

108            (ii) the services and benefits to be covered by the Medicaid program;

109            (iii) reimbursement methodologies for providers under the Medicaid program; and

110            (iv) a requirement that:

111            (A) a person receiving Medicaid services shall participate in the electronic exchange of  
112 clinical health records established in accordance with Section **26-1-37** unless the individual  
113 opts out of participation;

114            (B) prior to enrollment in the electronic exchange of clinical health records the enrollee  
115 shall receive notice of enrollment in the electronic exchange of clinical health records and the  
116 right to opt out of participation at any time; and

117            (C) beginning July 1, 2012, when the program sends enrollment or renewal information  
118 to the enrollee and when the enrollee logs onto the program's website, the enrollee shall receive

119 notice of the right to opt out of the electronic exchange of clinical health records.

120 (3) (a) The department shall, in accordance with Subsection (3)(b), report to the Social  
121 Services Appropriations Subcommittee when the department:

122 (i) implements a change in the Medicaid State Plan;

123 (ii) initiates a new Medicaid waiver;

124 (iii) initiates an amendment to an existing Medicaid waiver;

125 (iv) applies for an extension of an application for a waiver or an existing Medicaid  
126 waiver;

127 (v) applies for or receives approval for a change in any capitation rate within the  
128 Medicaid program; or

129 (vi) initiates a rate change that requires public notice under state or federal law.

130 (b) The report required by Subsection (3)(a) shall:

131 (i) be submitted to the Social Services Appropriations Subcommittee prior to the  
132 department implementing the proposed change; and

133 (ii) include:

134 (A) a description of the department's current practice or policy that the department is  
135 proposing to change;

136 (B) an explanation of why the department is proposing the change;

137 (C) the proposed change in services or reimbursement, including a description of the  
138 effect of the change;

139 (D) the effect of an increase or decrease in services or benefits on individuals and  
140 families;

141 (E) the degree to which any proposed cut may result in cost-shifting to more expensive  
142 services in health or human service programs; and

143 (F) the fiscal impact of the proposed change, including:

144 (I) the effect of the proposed change on current or future appropriations from the  
145 Legislature to the department;

146 (II) the effect the proposed change may have on federal matching dollars received by  
147 the state Medicaid program;

148 (III) any cost shifting or cost savings within the department's budget that may result  
149 from the proposed change; and

150 (IV) identification of the funds that will be used for the proposed change, including any  
151 transfer of funds within the department's budget.

152 (4) Any rules adopted by the department under Subsection (2) are subject to review and  
153 reauthorization by the Legislature in accordance with Section 63G-3-502.

154 (5) The department may, in its discretion, contract with the Department of Human  
155 Services or other qualified agencies for services in connection with the administration of the  
156 Medicaid program, including:

157 (a) the determination of the eligibility of individuals for the program;

158 (b) recovery of overpayments; and

159 (c) consistent with Section 26-20-13, and to the extent permitted by law and quality  
160 control services, enforcement of fraud and abuse laws.

161 (6) The department shall provide, by rule, disciplinary measures and sanctions for  
162 Medicaid providers who fail to comply with the rules and procedures of the program, provided  
163 that sanctions imposed administratively may not extend beyond:

164 (a) termination from the program;

165 (b) recovery of claim reimbursements incorrectly paid; and

166 (c) those specified in Section 1919 of Title XIX of the federal Social Security Act.

167 (7) (a) Funds collected as a result of a sanction imposed under Section 1919 of Title  
168 XIX of the federal Social Security Act shall be deposited in the General Fund as dedicated  
169 credits to be used by the division in accordance with the requirements of Section 1919 of Title  
170 XIX of the federal Social Security Act.

171 (b) In accordance with Section 63J-1-602.2, sanctions collected under this Subsection  
172 (7) are nonlapsing.

173 (8) (a) In determining whether an applicant or recipient is eligible for a service or  
174 benefit under this part or Chapter 40, Utah Children's Health Insurance Act, the department  
175 shall, if Subsection (8)(b) is satisfied, exclude from consideration one passenger vehicle  
176 designated by the applicant or recipient.

177 (b) Before Subsection (8)(a) may be applied:

178 (i) the federal government shall:

179 (A) determine that Subsection (8)(a) may be implemented within the state's existing  
180 public assistance-related waivers as of January 1, 1999;

181 (B) extend a waiver to the state permitting the implementation of Subsection (8)(a); or

182 (C) determine that the state's waivers that permit dual eligibility determinations for  
183 cash assistance and Medicaid are no longer valid; and

184 (ii) the department shall determine that Subsection (8)(a) can be implemented within  
185 existing funding.

186 (9) (a) For purposes of this Subsection (9):

187 (i) "aged, blind, or has a disability" means an aged, blind, or disabled individual, as  
188 defined in 42 U.S.C. Sec. 1382c(a)(1); and

189 (ii) "spend down" means an amount of income in excess of the allowable income  
190 standard that shall be paid in cash to the department or incurred through the medical services  
191 not paid by Medicaid.

192 (b) In determining whether an applicant or recipient who is aged, blind, or has a  
193 disability is eligible for a service or benefit under this chapter, the department shall use 100%  
194 of the federal poverty level as:

195 (i) the allowable income standard for eligibility for services or benefits; and

196 (ii) the allowable income standard for eligibility as a result of spend down.

197 (10) The department shall conduct internal audits of the Medicaid program.

198 (11) (a) The department may apply for and, if approved, implement a demonstration  
199 program for health opportunity accounts, as provided for in 42 U.S.C. Sec. 1396u-8.

200 (b) A health opportunity account established under Subsection (11)(a) shall be an  
201 alternative to the existing benefits received by an individual eligible to receive Medicaid under  
202 this chapter.

203 (c) Subsection (11)(a) is not intended to expand the coverage of the Medicaid program.

204 (12) (a) (i) The department shall apply for, and if approved, implement an amendment  
205 to the state plan under this Subsection (12) for benefits for:

206 (A) medically needy pregnant women;

207 (B) medically needy children; and

208 (C) medically needy parents and caretaker relatives.

209 (ii) The department may implement the eligibility standards of Subsection (12)(b) for  
210 eligibility determinations made on or after the date of the approval of the amendment to the  
211 state plan.

212 (b) In determining whether an applicant is eligible for benefits described in Subsection  
213 (12)(a)(i), the department shall:

214 (i) disregard resources held in an account in the savings plan created under Title 53B,  
215 Chapter 8a, Utah Educational Savings Plan, if the beneficiary of the account is:

216 (A) under the age of 26; and

217 (B) living with the account owner, as that term is defined in Section 53B-8a-102, or  
218 temporarily absent from the residence of the account owner; and

219 (ii) include the withdrawals from an account in the Utah Educational Savings Plan as  
220 resources for a benefit determination, if the withdrawal was not used for qualified higher  
221 education costs as that term is defined in Section 53B-8a-102.5.

222 (13) (a) The department may not deny or terminate eligibility for Medicaid solely  
223 because an individual is:

224 (i) incarcerated; and

225 (ii) not an inmate as defined in Section 64-13-1.

226 (b) Subsection (13)(a) does not require the Medicaid program to provide coverage for  
227 any services for an individual while the individual is incarcerated.

228 (14) The department is a party to, and may intervene at any time in, any judicial or  
229 administrative action:

230 (a) to which the Department of Workforce Services is a party; and

231 (b) that involves medical assistance under:

232 (i) Title 26, Chapter 18, Medical Assistance Act; or

233 (ii) Title 26, Chapter 40, Utah Children's Health Insurance Act.

234 Section 2. Section 26B-1-101 is enacted to read:

235 **TITLE 26B. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

236 **CHAPTER 1. GENERAL PROVISIONS AND ORGANIZATION**

237 **Part 1. General Provisions**

238 **26B-1-101. Title.**

239 This title is known as the "Department of Health and Human Services."

240 Section 3. Section 26B-1-102 is enacted to read:

241 **26B-1-102. Definitions.**

242 As used in this title:



243 (1) "Department" means the Department of Health and Human Services created in  
244 Section 26B-1-201.

245 (2) "Department of Health" means the Department of Health created in Section 26-1-4.

246 (3) "Department of Human Services" means the Department of Human Services  
247 created in Section 62A-1-102.

248 Section 4. Section 26B-1-103 is enacted to read:

249 **26B-1-103. Purpose of title -- Consolidation of functions into single state agency.**

250 The purpose of this title is to consolidate into a single agency of state government all of  
251 the functions exercised by:

252 (1) the Department of Health, including all of the powers and duties described in Title  
253 26, Utah Health Code; and

254 (2) the Department of Human Services, including all of the powers and duties  
255 described in Title 62A, Utah Human Services Code.

256 Section 5. Section 26B-1-201 is enacted to read:

257 **Part 2. Organization**

258 **26B-1-201. Department of Health and Human Services -- Creation -- Duties.**

259 (1) There is created within state government the Department of Health and Human  
260 Services, which has all of the policymaking functions, regulatory and enforcement powers,  
261 rights, duties, and responsibilities outlined in this title.

262 (2) In addition to Subsection (1), during the transition period described in Section  
263 26B-1-201.1, the Department of Health and Human Services may exercise any of the  
264 policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities  
265 of the Department of Health and the Department of Human Services under the joint direction  
266 of:

267 (a) the executive director of the Department of Health; and

268 (b) the executive director of the Department of Human Services.

269 Section 6. Section 26B-1-201.1 is enacted to read:

270 **26B-1-201.1. Transition to single state agency -- Transition plan -- Restricted**

271 **Account.**

272 (1) As used in this section:

273 (a) "Transition agencies" means the:

- 274 (i) Department of Health; and  
275 (ii) Department of Human Services.  
276 (b) "Transition period" means the period of time:  
277 (i) during which the transition of the department to the Department of Health and  
278 Human Services takes place; and  
279 (ii) beginning on the effective date of the bill, and ending on July 1, 2022.  
280 (2) On or before December 1, 2021, the transition agencies shall develop a written  
281 transition plan for merging the functions of the transition agencies into the Department of  
282 Health and Human Services on July 1, 2022, in order to:  
283 (a) more efficiently and effectively manage health and human services programs that  
284 are the responsibility of the state;  
285 (b) establish a health and human services policy for the state; and  
286 (c) promote health and the quality of life in the health and human services field.  
287 (3) The written transition plan described in Subsection (2) shall describe:  
288 (a) the tasks that need to be completed before the move on July 1, 2022, including a  
289 description of:  
290 (i) how the transition agencies solicited comment from stakeholders, including:  
291 (A) employees of the transition agencies;  
292 (B) clients and partners of the transition agencies;  
293 (C) members of the public;  
294 (D) the Legislature; and  
295 (E) the executive office of the governor;  
296 (ii) the proposed organizational structure of the department, including the transition of  
297 responsibilities of employees, by job title and classification, under the newly proposed  
298 organizational structure and a plan for these transitions;  
299 (iii) office space and infrastructure requirements related to the transition;  
300 (iv) any work site location changes for transitioning employees;  
301 (v) the transition of service delivery sites;  
302 (vi) amendments needed to existing contracts, including grants;  
303 (vii) legislative changes needed to implement the transition described in this section;  
304 (viii) how the transition agencies will coordinate agency rules;

305 (ix) procedures for the transfer and reconciliation of budgeting and funding of the  
306 department as the transition agencies transition into the department; and  
307 (x) the transition of technology services to the department;  
308 (b) the tasks that may need to be completed after the transition on July 1, 2022; and  
309 (c) how the transition to the department will be funded, including details of:  
310 (i) how expenses associated with the transition will be managed;  
311 (ii) how funding for services provided by the transition agencies will be managed to  
312 ensure services will be provided by the transition agencies and the department without  
313 interruption; and  
314 (iii) how federal funds will be used by or transferred between the transition agencies  
315 and the department to ensure services will be provided by the transition agencies and the  
316 department without interruption.  
317 (4) The written transition plan described in Subsection (2) shall:  
318 (a) include a detailed timeline for the completion of the tasks described in Subsection  
319 (3)(a);  
320 (b) be updated at least one time in every two week period until the transition is  
321 complete;  
322 (c) describe how information will be provided to clients of the transition agencies and  
323 the department regarding any changes to where services will be provided and the hours services  
324 will be provided;  
325 (d) be provided to the:  
326 (i) Health and Human Services Interim Committee;  
327 (ii) Social Services Appropriations Subcommittee;  
328 (iii) the executive office of the governor;  
329 (iv) Division of Finance; and  
330 (v) Department of Technology Services; and  
331 (e) be made available to employees that are transitioning or may potentially be  
332 transitioned.  
333 (5) The transition agencies shall publish information that provides a full overview of  
334 the written transition plan and how the move may affect client services offered by the transition  
335 agencies on the transition agencies' respective websites, including regular updates regarding:

- 336 (a) how the move may affect client services offered by the transition agencies;  
337 (b) information regarding the location where services are provided and the hours  
338 services are provided; and  
339 (c) contact information so that clients of the transition agencies can contact  
340 transitioning employees and obtain information regarding client services.  
341 (6) The transition agencies may, separately or collectively, enter into a memorandum of  
342 understanding regarding how costs and responsibilities will be shared to:  
343 (a) ensure that services provided under agreements with the federal government,  
344 including new and ongoing grant programs, are fulfilled;  
345 (b) ensure that commitments made by the transition agencies are met;  
346 (c) provide ongoing or shared services as needed, including the provision of payments  
347 to the department from the transition agencies; and  
348 (d) ensure that money from the Department of Health and Human Services Transition  
349 Restricted Account created in Subsection (8) is used appropriately by the transition agencies  
350 and the department.  
351 (7) In implementing the written transition plan described in this section, the transition  
352 agencies and the department shall protect existing services, programs, and access to services  
353 provided by the transition agencies.  
354 (8) (a) There is created a restricted account within the General Fund known as the  
355 "Department of Health and Human Services Transition Restricted Account."  
356 (b) The restricted account shall consist of appropriations made by the Legislature.  
357 (c) Subject to appropriation, the transition agencies and the department may spend  
358 money from the restricted account to pay for expenses related to moving the transition agencies  
359 into the department, including staff and legal services.  
360 Section 7. Section **35A-1-304** is amended to read:  
361 **35A-1-304. Review authority of the Workforce Appeals Board.**  
362 (1) (a) In accordance with this title and Title 63G, Chapter 4, Administrative  
363 Procedures Act, the Workforce Appeals Board may allow an appeal from a decision of an  
364 administrative law judge from a formal adjudicative proceeding if a motion for review is filed  
365 with the Division of Adjudication within the designated time by any party entitled to the notice  
366 of the administrative law judge's decision.

367 (b) An appeal filed by the party shall be allowed as of right if the decision of the  
368 administrative law judge did not affirm the department's prior decision.

369 (c) If the Workforce Appeals Board denies an application for appeal from the decision  
370 of an administrative law judge, the decision of the administrative law judge is considered a  
371 decision of the Workforce Appeals Board for purposes of judicial review and is subject to  
372 judicial review if further appeal is initiated under this title.

373 (2) On appeal, the Workforce Appeals Board may on the basis of the evidence  
374 previously submitted in the case, or upon the basis of any additional evidence it requires:

- 375 (a) affirm the decision of the administrative law judge;
- 376 (b) modify the decision of the administrative law judge; or
- 377 (c) reverse the findings, conclusions, and decision of the administrative law judge.

378 (3) The Workforce Appeals Board shall promptly notify the parties to any proceedings  
379 before it of its decision, including its findings and conclusions, and the decision is a final order  
380 of the department unless within 30 days after the date the decision of the Workforce Appeals  
381 Board is issued, further appeal is initiated under this title.

382 Section 8. Section **35A-1-307** is amended to read:

383 **35A-1-307. Scope of part.**

384 This part does not apply to adjudication under[:~~(1) Chapter 3, Employment Support~~  
385 ~~Act; or (2)] Chapter 5, Part 1, Job Training Coordination Act.~~

386 Section 9. Section **35A-3-103** is amended to read:

387 **35A-3-103. Department responsibilities.**

388 The department shall:

- 389 (1) administer public assistance programs assigned by the Legislature and the  
390 governor;
- 391 (2) determine eligibility for public assistance programs in accordance with the  
392 requirements of this chapter;
- 393 (3) cooperate with the federal government in the administration of public assistance  
394 programs;
- 395 (4) administer state employment services;
- 396 (5) provide for the compilation of necessary or desirable information, statistics, and  
397 reports;

- 398 (6) perform other duties and functions required by law;
- 399 (7) monitor the application of eligibility policy;
- 400 (8) develop personnel training programs for effective and efficient operation of the
- 401 programs administered by the department;
- 402 (9) provide refugee resettlement services in accordance with Section 35A-3-701;
- 403 (10) provide child care assistance for children in accordance with Part 2, Office of
- 404 Child Care; ~~and~~
- 405 (11) provide services that enable an applicant or recipient to qualify for affordable
- 406 housing in cooperation with:
- 407 (a) the Utah Housing Corporation;
- 408 (b) the Housing and Community Development Division; and
- 409 (c) local housing authorities[-];
- 410 (12) in accordance with 42 C.F.R. Sec. 431.10, develop non-clinical eligibility policy
- 411 and procedures to implement the eligibility state plan, waivers, and administrative rules
- 412 developed and issued by the Department of Health and Human Services for medical assistance
- 413 under:
- 414 (a) Title 26, Chapter 18, Medical Assistance Act; and
- 415 (b) Title 26, Chapter 40, Utah Children's Health Insurance Act;
- 416 (13) administer the Medicaid Eligibility Quality Control function in accordance with
- 417 42 C.F.R. Sec. 431.812; and
- 418 (14) conduct eligibility hearings and issue final decisions in adjudicative proceedings,
- 419 including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for medical assistance
- 420 eligibility under:
- 421 (a) Title 26, Chapter 18, Medical Assistance Act; or
- 422 (b) Title 26, Chapter 40, Utah Children's Health Insurance Act.
- 423 Section 10. Section 63I-2-226 is amended to read:
- 424 **63I-2-226. Repeal dates, Title 26 through 26B.**
- 425 (1) Subsection 26-1-7(1)(c), in relation to the Air Ambulance Committee, is repealed
- 426 July 1, 2024.
- 427 (2) Subsection 26-7-8(3) is repealed January 1, 2027.
- 428 (3) Section 26-8a-107 is repealed July 1, 2024.

429 (4) Subsection 26-8a-203(3)(a)(i) is repealed January 1, 2023.

430 (5) Section 26-8a-211 is repealed July 1, 2023.

431 (6) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection  
432 26-8a-602(1)(a) is amended to read:

433 "(a) provide the patient or the patient's representative with the following information  
434 before contacting an air medical transport provider:

435 (i) which health insurers in the state the air medical transport provider contracts with;

436 (ii) if sufficient data is available, the average charge for air medical transport services  
437 for a patient who is uninsured or out of network; and

438 (iii) whether the air medical transport provider balance bills a patient for any charge  
439 not paid by the patient's health insurer; and".

440 (7) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.

441 (8) Subsection 26-18-411(8), related to reporting on the health coverage improvement  
442 program, is repealed January 1, 2023.

443 (9) Subsection 26-18-420(5), related to reporting on coverage for in vitro fertilization  
444 and genetic testing, is repealed July 1, 2030.

445 [~~(10) Subsection 26-21-28(2)(b) is repealed January 1, 2021.~~]

446 [(H)] (10) In relation to the Air Ambulance Committee, July 1, 2024, Subsection  
447 26-21-32(1)(a) is amended to read:

448 "(a) provide the patient or the patient's representative with the following information  
449 before contacting an air medical transport provider:

450 (i) which health insurers in the state the air medical transport provider contracts with;

451 (ii) if sufficient data is available, the average charge for air medical transport services  
452 for a patient who is uninsured or out of network; and

453 (iii) whether the air medical transport provider balance bills a patient for any charge  
454 not paid by the patient's health insurer; and".

455 [~~(11)~~] (11) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.

456 [~~(13)~~] (12) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance  
457 Program, is repealed July 1, 2027.

458 [~~(14) Subsection 26-55-107(8) is repealed January 1, 2021.~~]

459 [~~(15)~~] (13) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

460 ~~[(16)]~~ (14) Subsection 26-61-202(5) is repealed January 1, 2022.

461 (15) Section 26B-1-201.1 is repealed July 1, 2022.

462 Section 11. **Appropriation.**

463 The following sums of money are appropriated for the fiscal year beginning July 1,  
 464 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for  
 465 fiscal year 2022.

466 Subsection 11(a). Operating and Capital Budgets.

467 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
 468 Legislature appropriates the following sums of money from the funds or accounts indicated for  
 469 the use and support of the government of the state of Utah.

470 ITEM 1

471 To Department of Health -- Executive Director's Operations

472 From General Fund (\$135,000)

473 From General Fund, One-time \$135,000

474 From Federal Funds (\$135,000)

475 From Federal Funds, One-time \$135,000

476 ITEM 2

477 To Department of Health -- Medicaid and Health Financing

478 From General Fund (\$486,500)

479 From General Fund, One-time \$486,500

480 From Federal Funds (\$486,500)

481 From Federal Funds, One-time \$486,500

482 ITEM 3

483 To Department of Health -- Executive Director's Operations

484 From General Fund (\$58,200)

485 From General Fund, One-time \$58,200

486 From Federal Funds (\$58,200)

487 From Federal Funds, One-time \$58,200

488 ITEM 4

489 To Department of Health -- Executive Director's Operations

490 From Department of Health and Human Services Transition Restricted



491	<u>Account, One-time</u>	H→ <del>[\$3,000,000]</del> <u>\$1,500,000</u>
491a	<b><u>From Federal Funds, One-Time</u></b>	<u>\$1,500,000</u> ←H
492	<u>Schedule of Programs:</u>	
493	<u>Program Operations</u>	<u>\$3,000,000</u>
494	<u>ITEM 5</u>	
495	<u>To Department of Human Services -- Executive Director Operations</u>	
496	<u>From Department of Health and Human Services Transition Restricted</u>	
497	<u>Account, One-time</u>	H→ <del>[\$3,000,000]</del> <u>\$1,500,000</u>
497a	<b><u>From Federal Funds, One-Time</u></b>	<u>\$1,500,000</u> ←H
498	<u>Schedule of Programs:</u>	
499	<u>Fiscal Operations</u>	<u>\$3,000,000</u>
500	<u>ITEM 6</u>	
501	<u>To Department of Workforce Services -- Operations and Policy</u>	
502	<u>From General Fund</u>	<u>\$486,500</u>
503	<u>From General Fund, One-time</u>	<u>(\$486,500)</u>
504	<u>From Federal Funds</u>	<u>\$486,500</u>
505	<u>From Federal Funds, One-time</u>	<u>(\$486,500)</u>
506	<u>ITEM 7</u>	
507	<u>To Department of Workforce Services -- Administration</u>	
508	<u>From General Fund</u>	<u>\$58,200</u>
509	<u>From General Fund, One-time</u>	<u>(\$58,200)</u>
510	<u>From Federal Funds</u>	<u>\$58,200</u>
511	<u>From Federal Funds, One-time</u>	<u>(\$58,200)</u>
512	<b><u>Subsection 11(b). Restricted Fund and Account Transfers.</u></b>	
513	<u>The Legislature authorizes the State Division of Finance to transfer the following</u>	
514	<u>amounts between the following funds or accounts as indicated. Expenditures and outlays from</u>	
515	<u>the funds to which the money is transferred must be authorized by an appropriation.</u>	
516	<u>ITEM 1</u>	
517	<u>To General Fund Restricted -- Department of Health and Human Services Transition</u>	
518	<u>Restricted Account</u>	
519	<u>From General Fund, One-time</u>	<u>\$1,500,000</u>
520	<u>From Federal Funds, One-time</u>	<u>\$1,500,000</u>
521	<u>Schedule of Programs:</u>	

522                                   General Fund Restricted -- Department of Health and Human Services  
523                                   Transition Restricted Account                                   \$3,000,000

524           Section 12. **Effective date.**

525                   (1) Except as provided in Subsection (2), if approved by two-thirds of all the members  
526 elected to each house, this bill takes effect upon approval by the governor, or the day following  
527 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's  
528 signature, or in the case of a veto, the date of veto override.

529                   (2) The actions affecting the following sections take effect on July 1, 2022:

530                   (a) Section [26-18-3](#);

531                   (b) Section [35A-1-304](#);

532                   (c) Section [35A-1-307](#); and

533                   (d) Section [35A-3-103](#).