

**Senator Evan J. Vickers** proposes the following substitute bill:

**HEALTH CODE REPEALER**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

House Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill modifies the Utah Health Code by repealing the Autism Treatment Account.

**Highlighted Provisions:**

This bill:

- ▶ repeals Title 26, Chapter 52, Autism Treatment Account; and
- ▶ provides that funds remaining in the Autism Treatment Account on June 30, 2016,

shall be deposited into the state Medicaid plan for the autism spectrum disorder program.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26-52-201**, as last amended by Laws of Utah 2014, Chapter 302

**63I-1-226**, as last amended by Laws of Utah 2015, Chapters 16, 31, and 258

---

---

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



26 Section 1. Section **26-52-201** is amended to read:

27 **26-52-201. Autism Treatment Account -- Medical loss ratio calculation -- Use of**  
28 **account.**

29 (1) There is created within the General Fund a restricted account known as the Autism  
30 Treatment Account.

31 (2) The account shall consist of:

32 (a) gifts, grants, devises, donations, and bequests of real property, personal property, or  
33 services, from any source, or any other conveyance that may be made to the account from  
34 private sources;

35 (b) interest and other earnings derived from the account money; and

36 (c) any additional amounts as appropriated by the Legislature.

37 (3) If an insurer contributes to the account, for purposes of calculating an insurer's  
38 medical loss ratio under the PPACA, as defined in Section **31A-1-301**, the insurance  
39 commissioner shall consider the contribution to the account to be a claims payment by the  
40 insurer.

41 (4) Except as provided in Subsection (5), the executive director of the department shall  
42 be responsible for administering the account.

43 (5) The committee shall, consistent with the requirements of this title:

44 (a) prioritize spending of account funds, as permitted under Subsection (6);

45 (b) determine which treatment providers qualify for disbursements from the account  
46 for services rendered; and

47 (c) authorize all other distributions from the account, except that disbursements for  
48 expenses authorized under Subsections (6)(b) and (c) shall also require the approval of the  
49 executive director.

50 (6) Account money may be used to:

51 (a) evaluate and treat a qualified child by utilizing applied behavior analysis or other  
52 proven effective treatments as determined by the committee under Subsection **26-52-202(4)(b)**;

53 (b) pay all actual and necessary operating expenses for the committee and staff; and

54 (c) pay administrative or other expenses of the Department of Health related to the  
55 program, except where those expenses are greater than 9% of the total account funds.

56 (7) All interest and other earnings derived from the account money shall be deposited

57 into the account.

58 (8) The state treasurer shall invest the money in the account under Title 51, Chapter 7,  
59 State Money Management Act.

60 (9) Any money remaining in the Autism Treatment Account on June 30, 2016, shall be  
61 deposited into the state Medicaid plan and shall be used for the autism spectrum disorder  
62 program described in Section 26-18-407.

63 Section 2. Section **63I-1-226** is amended to read:

64 **63I-1-226. Repeal dates, Title 26.**

65 (1) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July  
66 1, 2025.

67 (2) Section 26-10-11 is repealed July 1, 2020.

68 (3) Section 26-21-23, Licensing of non-Medicaid nursing care facility beds, is repealed  
69 July 1, 2018.

70 (4) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

71 (5) Title 26, Chapter 36a, Hospital Provider Assessment Act, is repealed July 1, 2016.

72 (6) Section 26-38-2.5 is repealed July 1, 2017.

73 (7) Section 26-38-2.6 is repealed July 1, 2017.

74 (8) Title 26, Chapter 52, Autism Treatment Account, is repealed July 1, 2016.

75 [~~8~~] (9) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed July 1, 2016.