

HEALTH CODE REPEALER

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Kay L. McIff

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:

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

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

(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.