

Appendix 1: Regulatory Impact Summary Table*

Fiscal Costs	FY 2019	FY 2020	FY 2021
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
Total Fiscal Costs:	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits:	\$0	\$0	\$0
Net Fiscal Benefits:	\$0	\$0	\$0

*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

Appendix 2: Regulatory Impact to Non-Small Businesses

This rule change is not expected to have any fiscal impacts on large businesses revenues or expenditures, because large businesses that are required to send out the Utah Life and Health Insurance Guaranty Association Disclaimer to their policy and contract holders already do so. There is no additional action required by this rule.

The head of the Insurance Department, Todd E. Kiser, has reviewed and approved this fiscal analysis.

**"Non-small business" means a business employing 50 or more persons; "small business" means a business employing fewer than 50 persons.

R590. Insurance, Administration.

R590-155. Utah Life and Health Insurance Guaranty Association Summary Document.

R590-155-1. Authority.

This rule is promulgated pursuant to:

- (1) Subsection 31A-2-201(3)(a), in which the commissioner is empowered to administer and enforce this title and to make rules to implement the provisions of this title; and

(2) Subsection 31A-28-119(3), to provide guidelines for the Utah Life and Health Insurance Guaranty Association summary and disclaimer document.

R590-155-2. Purpose and Scope.

~~[1.]~~(1) The purpose of this rule is to specify the form and content of the summary and disclaimer document for insurers to disclose to policy or contract holders the extent that contractual guarantees are not covered or have limited coverage by the Utah Life and Health Insurance Guaranty Association as required by Section 31A-28-119.

~~[2.]~~(2) The rule shall apply to all insurance transactions in this state involving life and health insurance policies and annuity contracts as specified in ~~[Subsection]~~Section 31A-28-103~~[-(2)]~~.

R590-155-3. Rule.

~~[1.]~~(1) An insurer authorized to do business in this state, which is subject to the Utah Life and Health Insurance Guaranty Association Act, shall disclose to its policy or contract holders that its contractual guarantees may not be covered by the Utah Life and Health Insurance Guaranty Association.

[2.](2) For the purpose of this rule, the term "policy or contract holders" shall also mean insureds, subscribers, or certificate holders of group policies.

~~[3.]~~(3) Disclosure shall be made in writing using the text in the ~~[attachment to this Rule]~~ Utah Life and Health Insurance Guaranty Association Disclaimer, which is available on the department website, <https://insurance.utah.gov>.

~~[4.]~~(4) Disclosure shall be given before or at the time of delivery of the policy, contract, or certificate. The summary and disclaimer document shall also be available upon request by a policy or contract holder.

~~[5.]~~(5) Each insurer shall ~~[submit]~~ file with the commissioner a copy of the summary and disclaimer document ~~[-to the commissioner for approval]~~.

R590-155-4. ~~[Enforcement Date.]~~

~~—The commissioner will begin enforcing this rule 45 days from the effective date of this rule.~~

R590-155-5.]Penalties.

A person found to be in violation of this rule shall be subject to penalties as provided under Section 31A-2-308.

R590-155-~~[6]~~5. Severability.

If any provision ~~[or clause]~~ of this rule or ~~[the]~~ its application ~~[of it]~~ to any person or situation is ~~[for any reason]~~ held to be invalid, that invalidity shall not affect any other provision or

application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable~~[the remainder of the rule and the application of any provisions to other persons or circumstances shall not be affected]~~.

KEY: insurance

Date of Enactment or Last Substantive Amendment: June 21, 2010

Notice of Continuation: December 8, 2017

**Authorizing, and Implemented or Interpreted Law: 31A-2-201;
31A-28-119**