

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Office of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration
 Room no.: 3110
 Building: STATE OFFICE BLDG
 Street address 1: 450 N MAIN ST
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84114-1201
 Mailing address 1: PO BOX 146901
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Steve Gooch	801-538-3803	801-538-3829	sgooch@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 43486 Date filed: 01/18/2019 01:18 PM
 State Admin Rule Filing Key: 160925
 Utah Admin. Code ref. (R no.): R 590 - 155 -
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 Utah Life and Health Insurance Guaranty Association Summary Document

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
 The change is being made to update the location of the a disclaimer, clarify the term "policy or contract holders", make some formatting changes and update a clause.

Response Information

- 5. This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

- 6. Summary of the rule or change:
The Utah Life and Health Insurance Guaranty Association (ULHIGA) Disclaimer is available at the Insurance Department and on its website, and the rule is being updated to reflect this availability. The definition of the term "policy or contract holders" is being clarified to include "subscribers". Several formatting and clerical changes are being made, and the rule's severability clause is being updated. The changes to this rule are necessary due to HB409, Utah Life and Health Insurance Guaranty Association Amendments, which was passed during the 2018 General Session.

Aggregate Cost Information

- 7. Aggregate anticipated cost or savings to:
 - A) State budget:
Affected: No
There is no anticipated cost or savings to the state budget. None of the rule changes include any financial component whatsoever. The ULHIGA Disclaimer is already hosted on the Department's website, so there will be no change to the Department's technology costs, and the other changes are largely clerical.
 - B) Local government:
Affected: No
There is no anticipated cost or savings to local government. The rule governs the relationship between insurers and their insureds, and does not involve local government.
 - C) Small businesses:
Affected: No
("small business" means a business employing fewer than 50 persons)
There is no anticipated cost or savings to small businesses. The rule governs the relationship between insurers and their insureds, and has no required action on the part of small businesses.
 - D) Persons other than small businesses, businesses, or local government entities:
Affected: No
("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)
There is no anticipated cost or savings to any other persons. Insurers that are required to send out the ULHIGA Disclaimer already do so, and the other changes are largely clerical.

Compliance Cost Information

- 8. Compliance costs for affected persons:
There are no compliance costs for any affected persons. Insurers that are required to send out the ULHIGA Disclaimer already do so, and the other changes are largely clerical.

Department Head Comments

- 9. A) Comments by the department head on the fiscal impact the rule may have on businesses:
After conducting a thorough analysis, it was determined that this proposed rule will not result in fiscal impact to businesses.
- B) Name and title of department head commenting on the fiscal impacts:
Todd E. Kiser, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.
State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :
Subsection 31A-2-201(3)(a)

Subsection 31A-28-119(3)

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):
Publisher:
Date Issued:
Issue, or version:
ISBN Number:
ISSN Number:
Cost of Incorporated Reference:
Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 03/18/2019
B) A public hearing (optional) will be held:
On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 03/25/2019
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
insurance

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Steve Gooch Information
Specialist

Date (mm/dd/yyyy): 01/18/2019