

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 Division 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: 40275 Date filed: 03/22/2016 02:03 PM  
 State Admin Rule Filing Key: 157320  
 Utah Admin. Code ref. (R no.): R 590 - 266 -  
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):  
 Utah Essential Health Benefits Package

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:  
 To make revisions for 2017 plan year and add new definitions and clarifications.

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 changes revise the benchmark plan for 2017 plans, provide definitions for the terms "habilitative" and "rehabilitative", and add two clarifying statements.

## Aggregate Cost Information

## 7. Aggregate anticipated cost or savings to:

## A) State budget:

Affected: No

There are no anticipated costs or savings to the state budget. The updates are a response to changes required by the Centers for Medicare and Medicaid Services, in relation to the Affordable Care Act. There are no costs because it merely updates and clarifies the existing rule.

## B) Local government:

Affected: No

There are no anticipated costs or savings to local government. The updates are a response to changes required by the Centers for Medicare and Medicaid Services, in relation to the Affordable Care Act. There are no costs because it merely updates and clarifies the existing rule.

## C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

There are no anticipated costs or savings to small businesses. The updates are a response to changes required by the Centers for Medicare and Medicaid Services, in relation to the Affordable Care Act. There are no costs because it merely updates and clarifies the existing rule.

## 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 are no anticipated costs or savings to any other persons. The updates are a response to changes required by the Centers for Medicare and Medicaid Services, in relation to the Affordable Care Act. There are no costs because it merely updates and clarifies the existing rule.

## Compliance Cost Information

## 8. Compliance costs for affected persons:

There are no compliance costs because the rule merely updates the benchmark plan required by the ACA for insurers to follow from 2017 forward. There were no benefit updates added to the rule that would impact costs.

## Department Head Comments

## 9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

There is no fiscal impact on businesses because the rule only brings the benchmark plan into compliance with the Affordable Care Act. All individual and small group insurers are required to have at minimum the same benefit outline set forth in the benchmark plan.

## 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-30-116(3)(b)

## Incorporated Materials

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

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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) :

05/16/2016

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

04/20/2016 11:00 AM State Office Building Rm. 3110E, Salt Lake City, UT 84114

#### Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

05/23/2016

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 Division 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")):  
essential health benefit 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): 03/22/2016