

**Appendix 1: Regulatory Impact Summary Table\***

<b>Fiscal Costs</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
State Government	\$1,180	\$1,180	\$1,180
Local Government	\$0	\$0	\$0
Small Businesses	\$1,252,480	\$1,290,050	\$1,328,750
Non-Small Businesses	\$63,130	\$65,020	\$66,970
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$1,316,790</b>	<b>\$1,356,250</b>	<b>\$1,396,900</b>
<b>Fiscal Benefits</b>			
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
<b>Total Fiscal Benefits:</b>	<b>\$1,316,790</b>	<b>\$1,356,250</b>	<b>\$1,396,900</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*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**

There are 107 auto insurers and health insurers in Utah that may be affected by this rule, according to Insurance Department licensing records. Each of these businesses may purchase both the Relative Values for Physicians and Relative Values for Dentists publications, which cost \$330 and \$260 respectively. This may result in a total cost to non-small businesses of \$63,130.

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.****R590-267. Personal Injury Protection Relative Value Study Rule.****R590-267-1. Authority.**

This rule is promulgated by the insurance commissioner pursuant to Subsections 31A-2-201(3) and 31A-22-307(2).

**R590-267-2. Purpose.**

(1) The purpose of this rule is to establish a reasonable value of services and accommodations for the diagnosis, care, recovery, or rehabilitation of an injured person under automobile personal injury protection coverage as described in Subsection 31A-22-307(1) (a).

(2) As required by Subsection 31A-22-307(2), the reasonable value is based on the 75th percentile of medical, dental, and chiropractic charges, as they presently exist in the most populous county in this State.

**R590-267-3. Scope.**

This rule applies to services and accommodations provided:

(1) under automobile personal injury protection coverage as described in Subsection 31A-22-307(1) (a); and

(2) on or after January 1, 2014.

**R590-267-4. Definitions.**

(1) As used in this rule "Conversion Factor" means a multiplier used to convert the relative value unit or units of a service or a procedure to a reimbursement rate.

(2) As used in this rule "RVD [~~2017~~]2019" means [~~2017~~]2019 Edition of the Relative Values for Dentists published by Optum360, 2525 Lake Park Blvd., Salt Lake City, UT 84120; phone: (800) 464-3649; [~~email: customerassistance@optum.com;~~]website: www.optum360coding.com.

(3) As used in this rule "RVD [~~2015~~]2017" means [~~2015~~]2017 Edition of the Relative Values for Dentists published by Optum360, 2525 Lake Park Blvd., Salt Lake City, UT 84120; phone: (800) 464-3649; [~~email: customerassistance@optum.com;~~]website: www.optum360coding.com.

(4) As used in this rule "RVP [~~2017~~]2019" means [~~2017~~]2019 Edition of the Relative Values for Physicians published by Optum360, 2525 Lake Park Blvd., Salt Lake City, UT 84120; phone: (800) 464-3649; [~~email: customerassistance@optum.com;~~]website: www.optum360coding.com.

(5) As used in this rule "RVP [~~2015~~]2017" means [~~2015~~]2017 Edition of the Relative Values for Physicians published by Optum 360, 2525 Lake Park Blvd., Salt Lake City, UT 84120; phone: (800) 464-3649; [~~email: customerassistance@optum.com;~~]website: www.optum360coding.com.

(6) As used in this rule "Relative Value Unit" means a numerical value assigned to a medical or dental procedure as published in RVP and RVD respectively.

(7) The publications identified in Subsections R590-267-4(2), (3), (4), and (5) are hereby incorporated by reference within this rule.

**R590-267-5. Conversion Factors.**

(1) (a) The following conversion factors shall be used with RVP [~~2017~~]2019 to determine the reasonable value of medical services or accommodations provided on or after January 1, [~~2019~~]2020:

- (i) anesthesia, [~~99.27~~]108.00;
- (ii) surgery, [~~225.90~~]225.88;
- (iii) radiology, [~~37.50~~]35.60;
- (iv) pathology, [~~25.00~~]24.29;
- (v) medicine, [~~13.00~~]12.80;
- (vi) evaluation and management, [~~14.65~~]14.74.

(b) The conversion factor used with RVD [~~2017~~]2019 to determine the reasonable value of dental services or accommodations provided on or after January 1, [~~2019~~]2020 shall be [~~63.00~~]66.67.

(2) (a) The following conversion factors shall be used with RVP [~~2015~~]2017 to determine the reasonable value of medical services or accommodations provided from January 1, [~~2016~~]2018 through December 31, [~~2017~~]2019:

- (i) anesthesia, [~~97.13~~]99.27;
- (ii) surgery, [~~200.00~~]225.90;
- (iii) radiology, [~~35.84~~]37.50;
- (iv) pathology, [~~24.29~~]25.00;
- (v) medicine, [~~11.67~~]13.00;
- (vi) evaluation and management, [~~13.16~~]14.65.

(b) The conversion factor used with RVD [~~2015~~]2017 to determine the reasonable value of dental services or accommodations provided from January 1, [~~2016~~]2018 through December 31, [~~2017~~]2019 shall be [~~60.00~~]63.00.

**R590-267-6. Fee Schedule.**

The reasonable value of any service or accommodation shall be calculated by multiplying the relative value unit assigned to the service or accommodation by the applicable conversion factor prescribed in R590-267-5.

**R590-267-7. Penalties.**

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

**R590-267-8. Severability.**

If any provision of this rule or its application to any person or situation is 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.

**KEY: relative value study**

**Date of Enactment or Last Substantive Amendment: January 1, 2018**

**Notice of Continuation: October 24, 2018**

**Authorizing, and Implemented or Interpreted Law: 31A-2-201(3); 31A-22-307(2)**