

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

Rule Information

DAR file no:	39904	Date filed:	10/30/2015 04:17 PM
State Admin Rule Filing Key:	156892		
Utah Admin. Code ref. (R no.):	R 590 - 267 -		
Changed to Admin. Code ref. (R no.):	- -		

Title

2. Title of rule or section (catchline):
Personal Injury Protection Relative Value Study Rule.

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
This amendment updates the rule to add conversion factors and publications for use in 2016.

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 change adds conversion factors and publications for physicians to use when determining the reasonable value of services provided to patients on or after January 1, 2016. It also gives an end date of December 31, 2015 for the previously included conversion factors.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:
- A) State budget:
Affected: Yes
The department will be required to purchase two hard copies of the incorporated by reference RVD 2015 at \$260 each and two copies of the RVP 2015 at \$330 each. One copy will be maintained by the department and one copy will be maintained by the Division of Administrative Rules per rulemaking requirements.
- B) Local government:
Affected: No
There will be no cost or savings to local government. The rule covers method by which providers determine the reasonable value of services they provide to consumers.
- C) Small businesses:
Affected: Yes
("small business" means a business employing fewer than 50 persons)
Medical, dental and chiropractic offices that provide services for individuals insured in auto accidents will need to purchase individually or as a group the RVD 2015 or RVP 2015 publication incorporated by reference in the rule. The cost of the RVD 2015 will be \$260 for a hard copy. The cost of the RVP 2015 will be \$330 for a hard copy. By using the publication with the conversion factors in the rule, they will be able to determine the reasonable charges for services they provide to those injured in automobile accidents.
- D) Persons other than small businesses, businesses, or local government entities:
Affected: Yes
("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)
Auto insurers, or those they contract with to service their claims, may purchase the RVD 2015 or RVP 2015 publication incorporated by reference in the rule. The cost of the RVD 2015 will be \$260 for a hard copy. The cost of the RVP 2015 will be \$330 for a hard copy. By using the publication with the conversion factors in the rule, they will be able to determine the reasonable charges of medical and dental services they are required to reimburse providers for treatment under personal injury protection coverage in Utah.

Compliance Cost Information

8. Compliance costs for affected persons:
Auto insurers, or those they contract with to service their claims, and health care providers may purchase the RVD 2015 or RVP 2015 publication incorporated by reference in the rule. The cost of the RVD 2015 will be \$260 for a hard copy. The cost of the RVP 2015 will be \$330 for a hard copy.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:
 Certain businesses will need to purchase copies of either the RVD 2015 or RVP 2015 from Optum360 to comply with the rule. These businesses will then be able to determine the reasonable charges of medical and dental services they are required to reimburse providers for treatment under personal injury protection coverage in Utah.
- 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)

 Subsection 31A-22-307(2)

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) :

<p>Official Title of Materials Incorporated (from title page):Relative Values for Dentists Publisher:Optum360 Date Issued: Issue, or version:2015 ISBN Number:9781622541621 ISSN Number: Cost of Incorporated Reference:259.95 Adds, updates, removes:Adds</p>

<p>Official Title of Materials Incorporated (from title page):Relative Values for Physicians Publisher:Optum360 Date Issued: Issue, or version:2015 ISBN Number:9781601519276 ISSN Number: Cost of Incorporated Reference:329.95 Adds, updates, removes:Adds</p>

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) : 12/15/2015

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): 12/22/2015
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")):
relative value study

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): 10/30/2015