

State of Utah
Administrative Rule Analysis
Revised June 2022

NOTICE OF PROPOSED RULE

TYPE OF RULE: New ____; Amendment _x_; Repeal ____; Repeal and Reenact ____

Title No. - Rule No. - Section No.

Rule or Section Number:	R590-271-4	Filing ID: Office Use Only
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Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room number:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R590-271-4. Reporting Requirements
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being updated to incorporate new versions of two standards that are incorporated by reference.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The incorporated standards have been updated to reference the current year, link to the Office of Administrative Rules website, and link to the current standards clearinghouse maintained by the Utah Health Information Network (UHIN). The text of the rule is also being changed to explicitly incorporate the standards by reference.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The updates to the incorporated standards are clerical only.
B) Local governments:
There is no anticipated cost or savings to local governments. The updates to the incorporated standards are clerical only.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The updates to the incorporated standards are clerical only.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The updates to the incorporated standards are clerical only.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("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. The updates to the incorporated standards are clerical only.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any persons. The updates to the incorporated standards are clerical only.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Commissioner of Insurance, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201	Section 31A-2-216	

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) 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 the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	Transparency Administration Performance Standard
Publisher	Utah Health Information Network
Issue Date	12/02/2022
Issue or Version	1.9

B) 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 the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	Transparency Denial Standard
Publisher	Utah Health Information Network
Issue Date	12/02/2022
Issue or Version	1.9

Public Notice Information

8. 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. See Section 63G-3-302 and Rule R15-1 for more information.)		
A) Comments will be accepted until:		01/31/2023
B) A public hearing (optional) will be held:		
On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):

9. This rule change MAY become effective on:	02/07/2023
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

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 <i>Utah State Bulletin</i> and delaying the first possible effective date.			
Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	12/15/2022

R590. Insurance, Administration.

R590-271. Data Reporting for Consumer Quality Comparison.

R590-271-4. Reporting Requirements.

(1)(a) ~~[The commissioner adopts the following UHIN:]~~ The following electronic data interchange standards ~~[developed]~~ adopted by the UHIN Standards Committee~~[, which are available for public inspection at the department during normal business hours,]~~ are incorporated by reference by the commissioner and are available at <https://insurance.utah.gov>~~[, or at uhin.org]~~:

- (i) Transparency Administration Performance Standard, v1.[8]9; and
- (ii) Transparency Denial Standard, v1.[8]9.

(b) An insurer shall submit to the commissioner a report on each electronic data interchange standard referenced in Subsection R590-271-4(1)(a).

- (c) Each report shall be submitted using the department's secure file upload site at <https://forms.uid.utah.gov/insurance/fileuploads>.
- (d) Each report shall include data for the previous calendar year, and shall combine both paper and electronic claims.
- (e) The submission format, procedures, and guidelines are described in detail in the adopted transparency standards published by UHIN.

(2) An insurer shall comply with the reporting guidelines, procedures, and format of Rule R428-13 and submit HEDIS data for the preceding calendar year to the Utah Department of Health and Human Services Office of Health Care Statistics.

KEY: data, data reporting, insurance

Date of Last Change: June 7, 2022

Authorizing, and Implemented or Interpreted Law: 31A-2-216