

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Repeal	Filing ID: OFFICE USE ONLY
Rule or section number:	R590-272
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Insurance, Administration
Building:	Taylorsville State Office Building
Street address:	4315 S. 2700 W.
City, state:	Taylorsville, UT
Mailing address:	PO Box 146901
City, state and zip:	Salt Lake City, UT 84114-6901

2. Contact Persons

Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:
R590-272. Commission Compensation Reporting
B. Purpose of the new rule or reason for the change:
The authorizing statute was repealed by HB 58 during the 2026 General Session.
C. Summary of the new rule or change:
The filing repeals the rule.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 58 (2026 General Session)

5. Fiscal Information

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 rule requires an insurance producer to create an annual accounting of compensation received for selling or placing a health benefit plan to a large customer. It does not require this accounting to be filed with the Department, but rather requires that it be made available upon the request of the insurance commissioner. Any request by the insurance commissioner would involve an examination or investigation already in progress and would not require any extra cost or effort to integrate the requested accounting into the current workload.
B. Local governments:
There is no anticipated cost or savings to local governments. The rule governs the relationship between the Department and its licensees and does not involve local governments in any way.
C. Small businesses ("small business" means a business employing 1-49 persons):
An individual insurance producer or small agency insurance producer that regularly sells or places health benefits with a large customer could see some minor savings by no longer being required to create the accounting in the rule. However, the Department cannot know the aggregate anticipated savings because it would rely on business factors that vary from entity to entity.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

A large agency insurance producer that regularly sells or places health benefits with a large customer could see some minor savings by no longer being required to create the accounting in the rule. However, the Department cannot know the aggregate anticipated savings because it would rely on business factors that vary from entity to entity.

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 person. The rule governs the relationship between the Department and its licensees and does not involve other persons in any way.

F. Compliance costs for affected persons:

There is no compliance cost for any affected persons. The rule is being repealed.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "\$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	Inestimable	Inestimable	Inestimable	Inestimable	Inestimable
Non-Small Businesses	Inestimable	Inestimable	Inestimable	Inestimable	Inestimable
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	Inestimable	Inestimable	Inestimable	Inestimable	Inestimable
Non-Small Businesses	Inestimable	Inestimable	Inestimable	Inestimable	Inestimable
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

7. Regulatory Impact Analysis Approval

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

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:

B. Summary of reasonable alternatives or modifications:

9. Citation Information

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-23a-501	

10. Incorporation by Reference Information

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

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 07/15/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.):

Date:	Time (hh:mm AM/PM):	Place (physical address or URL):

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	07/22/2026
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13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	05/26/2026
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R590. Insurance, Administration.

~~R590-272. Commission Compensation Reporting.~~

~~R590-272-1. Authority.~~

~~_____ This rule is promulgated by the commissioner pursuant to Sections 31A-2-201 and 31A-23a-501.~~

~~R590-272-2. Purpose and Scope.~~

~~_____ (1) The purpose of this rule is to create a format to provide an annual report of commission compensation from an insurer or a third party administrator associated with the sale or placement of a health benefit plan to a large customer.~~

~~_____ (2) This rule applies to a producer selling or placing a health benefit plan to a large customer.~~

~~R590-272-3. Definitions.~~

~~_____ Terms used in this rule are defined in Sections 31A-1-301 and 31A-23a-501.~~

~~R590-272-4. Annual Accounting of Compensation for Sale or Placement of Insurance to a Large Customer.~~

~~_____ (1) Any producer selling or placing a health benefit plan to a large customer shall provide the large customer an annual accounting of all commission compensation that has been received or shall be received from an insurer or third party administrator as the result of a sale or placement.~~

~~_____ (2) The accounting shall be provided before the last day of the seventh month after the plan year ends.~~

~~_____ (3) A copy of this annual accounting shall be kept on file from inception until three years after the completion of the contract and shall be made available upon request of the commissioner.~~

~~_____ (4) The annual accounting shall include, at minimum, one of the following:~~

~~_____ (a) a completed Department of the Treasury Internal Revenue Form 5500, Annual Return / Report of Employee Benefit Plan, and its relevant attachments for the applicable plan year; or~~
~~_____ (b) the following:~~
~~_____ (i) the plan sponsor;~~
~~_____ (ii) the name of the plan;~~
~~_____ (iii) the name and address of the plan administrator;~~
~~_____ (iv) the name of the insurance company;~~
~~_____ (v) the effective date of the plan;~~
~~_____ (vi) the number of active participants at beginning of the plan year;~~
~~_____ (vii) the total commission compensation paid or due during the plan year, and shall include on separate reporting lines:~~
~~_____ (A) commissions;~~
~~_____ (B) overrides;~~
~~_____ (C) bonuses;~~
~~_____ (D) contingent bonuses or commissions; and~~
~~_____ (E) the name and address of each producer to whom a commission is paid or due; and~~
~~_____ (viii) signature lines for the plan administrator and the employer or plan sponsor for each producer declaration.~~
~~_____ (5) Each item listed in Subsection R590-272-4(4)(b)(vii) shall be separately identified in the report.~~
~~_____ (6) A sample form, The Large Customer Compensation Disclosure Form, is available on the department's website, <https://insurance.utah.gov>.~~

~~R590-272-5. Severability.~~

~~_____ If any provision of this rule, Rule R590-272, or its application to any person or situation is held invalid, such invalidity does not affect any other provision or application of this rule that can be given effect without the invalid provision or application. The remainder of this rule shall be given effect without the invalid provision or application.~~

~~KEY: agency compensation, agent compensation, insurance, producer compensation~~

~~Date of Last Change: January 10, 2023~~

~~Authorizing, and Implemented or Interpreted Law: 31A-2-201(3); 31A-23a-501(4)]~~