

**Effective 3/17/2016**

**26-40-115 State contractor -- Employee and dependent health benefit plan coverage.**

- (1) For purposes of Sections 17B-2a-818.5, 19-1-206, 63A-5-205, 63C-9-403, 72-6-107.5, and 79-2-404, "qualified health insurance coverage" means, at the time the contract is entered into or renewed:
- (a) a health benefit plan and employer contribution level with a combined actuarial value at least actuarially equivalent to the combined actuarial value of the benchmark plan determined by the program under Subsection 26-40-106(1), and a contribution level at which the employer pays at least 50% of the premium for the employee and the dependents of the employee who reside or work in the state; or
  - (b) a federally qualified high deductible health plan that, at a minimum:
    - (i) has a deductible that is:
      - (A) the lowest deductible permitted for a federally qualified high deductible health plan; or
      - (B) a deductible that is higher than the lowest deductible permitted for a federally qualified high deductible health plan, but includes an employer contribution to a health savings account in a dollar amount at least equal to the dollar amount difference between the lowest deductible permitted for a federally qualified high deductible plan and the deductible for the employer offered federally qualified high deductible plan;
    - (ii) has an out-of-pocket maximum that does not exceed three times the amount of the annual deductible; and
    - (iii) provides that the employer pays 60% of the premium for the employee and the dependents of the employee who work or reside in the state.
- (2) The department shall:
- (a) on or before July 1, 2016:
    - (i) determine the commercial equivalent of the benchmark plan described in Subsection (1)(a); and
    - (ii) post the commercially equivalent benchmark plan described in Subsection (2)(a)(i) on the department's website, noting the date posted; and
  - (b) update the posted commercially equivalent benchmark plan annually and at the time of any change in the benchmark.

Amended by Chapter 20, 2016 General Session