**R131. Capitol Preservation Board (State), Administration.**

**R131-13. Health Reform -- Health Insurance Coverage in State Contracts -- Implementation.**

**R131-13-1. Purpose.**

The purpose of this rule is to comply with Section 63O-2-403.

**R131-13-2. Authority.**

This rule is authorized under Subsection 63O-2-301(2)(a) whereby the Capitol Preservation Board may make rules to govern, administer, and regulate the capitol hill complex, capitol hill facilities, and capitol hill grounds by following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as well as Section 63O-2-403 that requires this rule related to health insurance provisions in certain design and construction contracts.

**R131-13-3. Demonstration of Compliance.**

(1) At such time as a contractor becomes subject to the requirements of Section 63O-2-403, the contractor shall obtain and submit to the Executive Director a written Statement of Compliance in the form published on the website of the Utah Division of Facilities Construction and Management (DFCM Website).

(2) At such time as a subcontractor of a contractor becomes subject to the requirements of Section 63O-2-403, the contractor shall obtain from the subcontractor a written Statement of Compliance in the form published on the DFCM Website.

**R131-13-4. Compliance Subject to Audit.**

A contractor's or subcontractor's compliance with Section 63O-2-403 is subject to an audit by the Capitol Preservation Board or the Office of the Legislative Auditor General.

**R131-13-5. Penalties.**

The penalties that may be imposed if a contractor or subcontractor intentionally violates Section 63O-2-403 may include:

(1) a three-month suspension of the contractor or subcontractor from entering into future contracts with the state upon the first violation;

(2) a six-month suspension of the contractor or subcontractor from entering into future contracts with the state upon the second violation;

(3) an action for debarment of the contractor or subcontractor in accordance with Section 63G-6a-904 upon the third or subsequent violation; and

(4) monetary penalties which may not exceed 50% of the amount necessary to purchase qualified health insurance coverage for an employee and dependents of an employee of the contractor or subcontractor who were not offered qualified health insurance coverage during the duration of the contract.

**R131-13-6. Benchmark Available on DFCM Website.**

The commercially equivalent benchmark for qualified health insurance coverage that is provided by the Utah Department of Health and Human Services in accordance with Subsection 26B-3-909(2) is available on the DFCM Website.

**KEY: health insurance, contractors, contracts**

**Date of Last Change: November 4, 2024**

**Notice of Continuation: February 5, 2024**

**Authorizing, and Implemented or Interpreted Law: 63C-9-403; 63O-2-301(2)(a)**