

1                                   **PILOT PROGRAM FOR FAMILY**  
2                                   **PRESERVATION SERVICES**

3                                   2007 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Ronda Rudd Menlove**

6                                   Senate Sponsor: Gregory S. Bell

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8                                   **LONG TITLE**

9                                   **General Description:**

10                                  This bill establishes a pilot program within the Services for People with Disabilities  
11 chapter of the Utah Human Services Code, for the expedited provision of family  
12 preservation services to people with disabilities and their families.

13                                  **Highlighted Provisions:**

14                                  This bill:

- 15                                  ▶ establishes a pilot program, beginning on July 1, 2007, and ending on July 1, 2009,  
16 for the provision of family preservation services to eligible people with disabilities  
17 and their families, outside of the prioritization criteria established by the division for  
18 the provision of other services;
- 19                                  ▶ grants rulemaking authority to the division;
- 20                                  ▶ describes a person who is eligible to receive expedited services under this bill;
- 21                                  ▶ provides that the division shall establish criteria to determine the order of priority  
22 for receiving services under this bill;
- 23                                  ▶ provides that the services provided under the pilot program described in this bill do  
24 not constitute an entitlement and shall be provided and funded separately from the  
25 Medicaid program;
- 26                                  ▶ requires the director of the Division of Services for People with Disabilities to  
27 report, for consideration and decision, to the Health and Human Services Interim  
28 Committee during the 2008 interim regarding whether the pilot program created by  
29 this bill should be modified or converted into an ongoing program;

- 30           ▶ provides, under the Legislative Oversight and Sunset Act, that the pilot program
- 31 created by this bill will be repealed on July 1, 2009; and
- 32           ▶ makes technical changes.

33 **Monies Appropriated in this Bill:**

34           None

35 **Other Special Clauses:**

36           None

37 **Utah Code Sections Affected:**

38 AMENDS:

39           **63-55-262**, as last amended by Chapters 82, 116 and 133, Laws of Utah 2006

40 ENACTS:

41           **62A-5-103.2**, Utah Code Annotated 1953



43 *Be it enacted by the Legislature of the state of Utah:*

44           Section 1. Section **62A-5-103.2** is enacted to read:

45           **62A-5-103.2. Pilot program for family preservation services.**

46           (1) There is established a pilot program for the provision of family preservation  
47 services to a person with a disability and that person's family, beginning on July 1, 2007, and  
48 ending on July 1, 2009.

49           (2) The family preservation services described in Subsection (1) may include:

50           (a) family skill building classes;

51           (b) respite hours for class attendance; or

52           (c) professional intervention.

53           (3) The division shall make rules, in accordance with Title 63, Chapter 46a, Utah  
54 Administrative Rulemaking Act, as necessary for the implementation and administration of this  
55 section.

56           (4) In accordance with Subsection (5), within funds appropriated by the Legislature for  
57 the pilot program described in this section, the division shall provide family preservation

58 services to a person with a disability, and that person's family, if that person:

59 (a) is eligible to receive services from the division;

60 (b) has applied for, and is willing to receive, services from the division;

61 (c) is not receiving other ongoing services from the division;

62 (d) is not able to receive sufficient family preservation services from other sources;

63 (e) is determined by the division to be a person who would substantially benefit from  
64 the provision of family preservation services; and

65 (f) does not require the provision of other ongoing services from the division in order  
66 to substantially benefit from the provision of family preservation services.

67 (5) (a) The division shall provide family preservation services under this section  
68 outside of the prioritization criteria established by the division for the receipt of other services  
69 from the division.

70 (b) The division shall establish criteria to determine the priority, between persons  
71 eligible for services under this section, for receiving services under this section.

72 (6) It is the intent of the Legislature that the services provided under the pilot program  
73 described in this section:

74 (a) shall be provided separately from the Medicaid program described in Title XIX of  
75 the Social Security Act;

76 (b) may not be supported with Medicaid funds;

77 (c) may not be provided as part of a Medicaid waiver;

78 (d) do not constitute an entitlement of any kind; and

79 (e) may be withdrawn from a person at any time.

80 (7) The director of the division shall report to the Health and Human Services Interim  
81 Committee during the 2008 interim regarding:

82 (a) the operation and accomplishments of the pilot program described in this section;

83 (b) whether the Legislature should convert the pilot program to an ongoing program  
84 within the division; and

85 (c) recommendations for changes, if any, related to the pilot program.

86 (8) During the 2008 interim, the Health and Human Services Interim Committee shall:

87 (a) hear or review the report described in Subsection (7); and

88 (b) determine whether the pilot program described in this section should be converted

89 into an ongoing program within the division.

90 Section 2. Section **63-55-262** is amended to read:

91 **63-55-262. Repeal dates, Title 62A.**

92 (1) Section 62A-5-103.1, Pilot program for provision of supported employment  
93 services, is repealed July 1, 2008.

94 (2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed  
95 July 1, 2009.