

**ASSERTIVE COMMUNITY MENTAL HEALTH TREATMENT
PILOT PROGRAM**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carol Spackman Moss

Senate Sponsor: J. Stuart Adams

LONG TITLE

General Description:

This bill establishes a pilot program within the Substance Abuse and Mental Health Act for the provision of assertive community treatment services to people with a severe mental disorder, who are not receiving or are transitioning out of other mental health services, and to their families.

Highlighted Provisions:

This bill:

- ▶ establishes a pilot program, beginning on July 1, 2011, and ending on July 1, 2014, for the provision of assertive community treatment mental health services to eligible people who are not receiving, or are transitioning out of, other mental health services;
- ▶ grants rulemaking authority to the division;
- ▶ describes a person who is eligible to receive services under this bill;
- ▶ provides that a local mental health authority shall establish criteria to determine the order of priority for receiving services under this bill;
- ▶ provides that the services provided under the pilot program described in this bill do not constitute an entitlement and may be withdrawn from a person at any time;
- ▶ requires the director of the division to report, for consideration and decision, to the Health and Human Services Interim Committee during the 2012 interim, regarding



28 whether the pilot program created by this bill should be modified or converted into an ongoing
29 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31 created by this bill will be repealed on July 1, 2014; and

32 ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 None

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **63I-1-262**, as last amended by Laws of Utah 2010, Chapter 365

40 ENACTS:

41 **62A-15-113**, Utah Code Annotated 1953



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

44 Section 1. Section **62A-15-113** is enacted to read:

45 **62A-15-113. Pilot program for assertive community mental health treatment.**

46 (1) There is established a pilot program for assertive community mental health
47 treatment, beginning on July 1, 2011, and ending on July 1, 2014.

48 (2) The purpose of the pilot program described in Subsection (1) is to provide mental
49 health services to a person with a severe mental disorder in order to reduce:

50 (a) the use of emergency and inpatient medical and psychiatric services by the person;

51 (b) the person's involvement in the criminal justice system; and

52 (c) the person's use of illegal substances.

53 (3) The pilot program shall:

54 (a) primarily focus on a person who is transitioning from inpatient treatment, outpatient
55 treatment, or incarceration;

56 (b) be substantially in accordance with the Assertive Community Treatment model of
57 the Substance Abuse and Mental Health Services Administration, within the United States
58 Department of Health and Human Services; and

59 (c) utilize fidelity scales for evidenced-based practices.

60 (4) The division may make rules, in accordance with Title 63G, Chapter 3, Utah
61 Administrative Rulemaking Act, as necessary for the implementation and administration of this
62 section.

63 (5) In accordance with Subsection (6), within funds appropriated by the Legislature for
64 the pilot program described in this section, the division shall, through a local mental health
65 authority, provide assertive community treatment as described in this section to a person with a
66 severe mental disorder and that person's family, if that person:

67 (a) is eligible to receive services from a local mental health authority;

68 (b) is not receiving, or is transitioning out of, other mental health services; and

69 (c) is determined by a local mental health authority to be a person who would
70 substantially benefit from the provision of assertive community treatment.

71 (6) A local mental health authority described in Subsection (5) shall establish criteria to
72 determine the priority, between persons eligible for services under this section, for receiving
73 services under this section.

74 (7) It is the intent of the Legislature that the services provided under the pilot program
75 described in this section:

76 (a) do not constitute an entitlement of any kind; and

77 (b) may be withdrawn from a person at any time.

78 (8) The services provided under the pilot program described in this section may be
79 provided in connection with an existing assertive community treatment program or programs to
80 increase the level of the program to a fidelity scale model.

81 (9) The director of the division shall report to the Health and Human Services Interim
82 Committee during the 2013 interim regarding:

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

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

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

87 (10) During the 2013 interim, the Health and Human Services Interim Committee
88 shall:

89 (a) hear or review the report described in Subsection (9); and

90 (b) determine whether the pilot program described in this section should be converted
91 into an ongoing program within the division.

92 Section 2. Section **63I-1-262** is amended to read:

93 **63I-1-262. Repeal dates, Title 62A.**

94 (1) Section 62A-2-120.5, Pilot program for expedited background check of a qualified
95 human services applicant, is repealed July 1, 2012.

96 (2) Section 62A-5-103.1, Program for provision of supported employment services, is
97 repealed July 1, 2013.

98 (3) Section 62A-15-113, Pilot program for assertive community mental health
99 treatment, is repealed July 1, 2014.

Legislative Review Note
as of 1-5-11 11:50 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 234

SHORT TITLE: **Assertive Community Mental Health Treatment Pilot Program**

SPONSOR: **Moss, C.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill will cost the Division of Substance Abuse and Mental Health (DSAMH) in the Department of Human Services \$220,100 ongoing from the General Fund to contract with a local mental health authority to operate an Assertive Community Mental Health Treatment Pilot program for three years beginning in FY 2012. Enactment will also cost DSAMH \$67,200 one-time from the General Fund for FY 2012 to accommodate a phase-in of federal Medicaid collections at the local mental health authority level.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund	\$0	\$220,100	\$220,100
General Fund, One-Time	\$0	\$67,200	\$0
Total Expenditure	\$0	\$287,300	\$220,100
Net Impact, All Funds (Rev.-Exp.)	\$0	(\$287,300)	(\$220,100)
Net Impact, General/Education Funds	\$0	(\$287,300)	(\$220,100)

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

It is anticipated that this pilot program for 50 clients, when fully operational, will be able to collect \$304,000 in federal Medicaid funds at the local mental health authority level in connection with the program's activities.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.