

1 **MENTAL HEALTH PROTECTIONS FOR FIRST**
2 **RESPONDERS**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Karen Kwan**

6 Senate Sponsor: Karen Mayne

8 **LONG TITLE**

9 **General Description:**

10 This bill extends the Mental Health Protections for First Responders Workgroup for
11 five years.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ extends the Mental Health Protections for First Responders Workgroup until 2025.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **63I-2-234**, as last amended by Laws of Utah 2019, Chapter 121

22 ENACTS:

23 **34A-2-107.3**, Utah Code Annotated 1953

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

26 Section 1. Section **34A-2-107.3** is enacted to read:

27 **34A-2-107.3. Mental Health Protections for First Responders Workgroup.**

28 (1) There is created the Mental Health Protections for First Responders Workgroup
29 within the commission consisting of the following members:

- 30 (a) the commissioner or the commissioner's designee;
- 31 (b) one member of the Senate, appointed by the president of the Senate, and one
- 32 member of the House of Representatives, appointed by the speaker of the House of
- 33 Representatives;
- 34 (c) three representatives of the workers' compensation insurance industry appointed by
- 35 the chair, one of whom is a voting member of the employer side of the Workers' Compensation
- 36 Advisory Council, as follows:
- 37 (i) one member representing the insurance carrier designated to write coverage for the
- 38 residual market;
- 39 (ii) one member representing an insurance carrier other than the carrier described in
- 40 Subsection (1)(c)(i); and
- 41 (iii) one member representing self-insured employers;
- 42 (d) one member representing the Division of Risk Management;
- 43 (e) four representatives of first responders appointed by the chair, one of whom is a
- 44 voting member of the employee side of the Workers' Compensation Advisory Council;
- 45 (f) one representative from the Utah League of Cities and Towns;
- 46 (g) one representative from the Utah Association of Counties;
- 47 (h) one representative from the Utah Association of Special Districts;
- 48 (i) the director of the Division of Substance Abuse and Mental Health, or the director's
- 49 designee; and
- 50 (j) as appointed by the chair, one or more individuals with expertise in mental stress or
- 51 occupational medicine to serve as ex officio, nonvoting members of the workgroup.
- 52 (2) The commissioner or the commissioner's designee is the chair of the workgroup.
- 53 (3) (a) A majority of the members of the workgroup constitutes a quorum.
- 54 (b) The action of a majority of a quorum constitutes the action of the workgroup.
- 55 (4) (a) The salary and expenses of each member of the workgroup who is a legislator
- 56 shall be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative
- 57 Compensation and Expenses.

58 (b) A member of the workgroup who is not a legislator may not receive compensation,
59 benefits, per diem, or travel expenses for the member's service on the workgroup.

60 (5) The commission shall provide staff support to the workgroup.

61 (6) The workgroup shall review and make recommendations on the following issues:

62 (a) the alleviation of barriers, including financial barriers, to mental health treatment
63 for first responders inside and outside of the workers' compensation system;

64 (b) statutory requirements for compensability of mental stress claims from first
65 responders under Chapter 2, Workers' Compensation Act, and Chapter 3, Utah Occupational
66 Disease Act;

67 (c) improving a first responder's accessibility to mental health treatment; and

68 (d) any additional issue that the workgroup:

69 (i) determines is an important issue related to workers' compensation for first
70 responders; and

71 (ii) decides to review.

72 (7) The workgroup shall present a final report on the items described in Subsection (6),
73 including any legislative recommendations, to the Business and Labor Interim Committee on or
74 before September 30, 2025.

75 Section 2. Section **63I-2-234** is amended to read:

76 **63I-2-234. Repeal dates -- Title 34A.**

77 [~~Section 34A-2-107.2 is repealed January 1, 2021.~~]

78 Section 34A-2-107.3 is repealed May 15, 2025.