

Drug Overdose Training Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jason E. Thompson

Senate Sponsor: Heidi Balderree

LONG TITLE

General Description:

This bill addresses training and education concerning drug overdose recognition.

Highlighted Provisions:

This bill:

- defines terms;
- requires the Division of Integrated Healthcare within the Department of Health and Human Services to create training and educational materials regarding recognizing a drug overdose;
- requires an alcohol training and education seminar to include, for certain trainees, the drug overdose training and educational materials created by the Division of Integrated Healthcare;
- provides that the receipt of the drug overdose training and educational materials does not create or increase liability for the individual who receives them or the individual's employer; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26B-5-102, as last amended by Laws of Utah 2024, Chapters 250, 420

26B-5-205, as last amended by Laws of Utah 2023, Chapter 371 and renumbered and amended by Laws of Utah 2023, Chapter 308

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

Section 1. Section **26B-5-102** is amended to read:

26B-5-102 . Division of Integrated Healthcare -- Office of Substance Use and Mental Health -- Creation -- Responsibilities.

- (1)(a) The Division of Integrated Healthcare shall exercise responsibility over the policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities outlined in state law that were previously vested in the Division of Substance Abuse and Mental Health within the department, under the administration and general supervision of the executive director.
- (b) The division is the substance abuse authority and the mental health authority for this state.
- (c) There is created the Office of Substance Use and Mental Health within the division.
- (d) The office shall exercise the responsibilities, powers, rights, duties, and responsibilities assigned to the office by the executive director.
- (2) The division shall:
- (a)(i) educate the general public regarding the nature and consequences of substance use by promoting school and community-based prevention programs;
 - (ii) render support and assistance to public schools through approved school-based substance abuse education programs aimed at prevention of substance use;
 - (iii) promote or establish programs for the prevention of substance use within the community setting through community-based prevention programs;
 - (iv) cooperate with and assist treatment centers, recovery residences, and other organizations that provide services to individuals recovering from a substance use disorder, by identifying and disseminating information about effective practices and programs;
 - (v) promote integrated programs that address an individual's substance use, mental health, and physical health;
 - (vi) establish and promote an evidence-based continuum of screening, assessment, prevention, treatment, and recovery support services in the community for individuals with a substance use disorder or mental illness;
 - (vii) evaluate the effectiveness of programs described in this Subsection (2);
 - (viii) consider the impact of the programs described in this Subsection (2) on:
 - (A) emergency department utilization;

- 62 (B) jail and prison populations;
63 (C) the homeless population; and
64 (D) the child welfare system; and
65 (ix) promote or establish programs for education and certification of instructors to
66 educate individuals convicted of driving under the influence of alcohol or drugs or
67 driving with any measurable controlled substance in the body;
68 (b)(i) collect and disseminate information pertaining to mental health;
69 (ii) provide direction over the state hospital including approval of the state hospital's
70 budget, administrative policy, and coordination of services with local service
71 plans;
72 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
73 Rulemaking Act, to educate families concerning mental illness and promote
74 family involvement, when appropriate, and with patient consent, in the treatment
75 program of a family member;
76 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
77 Rulemaking Act, to direct that an individual receiving services through a local
78 mental health authority or the Utah State Hospital be informed about and, if
79 desired by the individual, provided assistance in the completion of a declaration
80 for mental health treatment in accordance with Section 26B-5-313; and
81 (v) to the extent authorized and in accordance with statute, make rules in accordance
82 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:
83 (A) create a certification for targeted case management;
84 (B) establish training and certification requirements;
85 (C) specify the types of services each certificate holder is qualified to provide;
86 (D) specify the type of supervision under which a certificate holder is required to
87 operate; and
88 (E) specify continuing education and other requirements for maintaining or
89 renewing certification;
90 (c)(i) consult and coordinate with local substance abuse authorities and local mental
91 health authorities regarding programs and services;
92 (ii) provide consultation and other assistance to public and private agencies and
93 groups working on substance use and mental health issues;
94 (iii) promote and establish cooperative relationships with courts, hospitals, clinics,
95 medical and social agencies, public health authorities, law enforcement agencies,

- 96 education and research organizations, and other related groups;
- 97 (iv) promote or conduct research on substance use and mental health issues, and
- 98 submit to the governor and the Legislature recommendations for changes in policy
- 99 and legislation;
- 100 (v) receive, distribute, and provide direction over public funds for substance use and
- 101 mental health services;
- 102 (vi) monitor and evaluate programs provided by local substance abuse authorities and
- 103 local mental health authorities;
- 104 (vii) examine expenditures of local, state, and federal funds;
- 105 (viii) monitor the expenditure of public funds by:
- 106 (A) local substance abuse authorities;
- 107 (B) local mental health authorities; and
- 108 (C) in counties where they exist, a private contract provider that has an annual or
- 109 otherwise ongoing contract to provide comprehensive substance abuse or
- 110 mental health programs or services for the local substance abuse authority or
- 111 local mental health authority;
- 112 (ix) contract with local substance abuse authorities and local mental health authorities
- 113 to provide a comprehensive continuum of services that include community-based
- 114 services for individuals involved in the criminal justice system, in accordance with
- 115 division policy, contract provisions, and the local plan;
- 116 (x) contract with private and public entities for special statewide or nonclinical
- 117 services, or services for individuals involved in the criminal justice system,
- 118 according to division rules;
- 119 (xi) review and approve each local substance abuse authority's plan and each local
- 120 mental health authority's plan in order to ensure:
- 121 (A) a statewide comprehensive continuum of substance use services;
- 122 (B) a statewide comprehensive continuum of mental health services;
- 123 (C) services result in improved overall health and functioning;
- 124 (D) a statewide comprehensive continuum of community-based services designed
- 125 to reduce criminal risk factors for individuals who are determined to have
- 126 substance use or mental illness conditions or both, and who are involved in the
- 127 criminal justice system;
- 128 (E) compliance, where appropriate, with the certification requirements in
- 129 Subsection (2)(h); and

- 130 (F) appropriate expenditure of public funds;
- 131 (xii) review and make recommendations regarding each local substance abuse
- 132 authority's contract with the local substance abuse authority's provider of
- 133 substance use programs and services and each local mental health authority's
- 134 contract with the local mental health authority's provider of mental health
- 135 programs and services to ensure compliance with state and federal law and policy;
- 136 (xiii) monitor and ensure compliance with division rules and contract requirements;
- 137 and
- 138 (xiv) withhold funds from local substance abuse authorities, local mental health
- 139 authorities, and public and private providers for contract noncompliance, failure to
- 140 comply with division directives regarding the use of public funds, or for misuse of
- 141 public funds or money;
- 142 (d) ensure that the requirements of this part are met and applied uniformly by local
- 143 substance abuse authorities and local mental health authorities across the state;
- 144 (e) require each local substance abuse authority and each local mental health authority,
- 145 in accordance with Subsections 17-43-201(5)(b) and 17-43-301(6)(a)(ii), to submit a
- 146 plan to the division on or before May 15 of each year;
- 147 (f) conduct an annual program audit and review of each local substance abuse authority
- 148 and each local substance abuse authority's contract provider, and each local mental
- 149 health authority and each local mental health authority's contract provider, including:
- 150 (i) a review and determination regarding whether:
- 151 (A) public funds allocated to the local substance abuse authority or the local
- 152 mental health authorities are consistent with services rendered by the authority
- 153 or the authority's contract provider, and with outcomes reported by the
- 154 authority's contract provider; and
- 155 (B) each local substance abuse authority and each local mental health authority is
- 156 exercising sufficient oversight and control over public funds allocated for
- 157 substance use disorder and mental health programs and services; and
- 158 (ii) items determined by the division to be necessary and appropriate;
- 159 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4, Alcoholic
- 160 Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act;
- 161 (h)(i) train and certify an adult as a peer support specialist, qualified to provide peer
- 162 supports services to an individual with:
- 163 (A) a substance use disorder;

- 164 (B) a mental health disorder; or
165 (C) a substance use disorder and a mental health disorder;
- 166 (ii) certify a person to carry out, as needed, the division's duty to train and certify an
167 adult as a peer support specialist;
- 168 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
169 Rulemaking Act, that:
- 170 (A) establish training and certification requirements for a peer support specialist;
171 (B) specify the types of services a peer support specialist is qualified to provide;
172 (C) specify the type of supervision under which a peer support specialist is
173 required to operate; and
174 (D) specify continuing education and other requirements for maintaining or
175 renewing certification as a peer support specialist; and
- 176 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
177 Rulemaking Act, that:
- 178 (A) establish the requirements for a person to be certified to carry out, as needed,
179 the division's duty to train and certify an adult as a peer support specialist; and
180 (B) specify how the division shall provide oversight of a person certified to train
181 and certify a peer support specialist;
- 182 (i) collaborate with the State Commission on Criminal and Juvenile Justice to analyze
183 and provide recommendations to the Legislature regarding:
- 184 (i) pretrial services and the resources needed to reduce recidivism;
185 (ii) county jail and county behavioral health early-assessment resources needed for an
186 individual convicted of a class A or class B misdemeanor; and
187 (iii) the replacement of federal dollars associated with drug interdiction law
188 enforcement task forces that are reduced;
- 189 (j) establish performance goals and outcome measurements for a mental health or
190 substance use treatment program that is licensed under Chapter 2, Part 1, Human
191 Services Programs and Facilities, and contracts with the department, including goals
192 and measurements related to employment and reducing recidivism of individuals
193 receiving mental health or substance use treatment who are involved with the
194 criminal justice system;
- 195 (k) annually, on or before November 30, submit a written report to the Judiciary Interim
196 Committee, the Health and Human Services Interim Committee, and the Law
197 Enforcement and Criminal Justice Interim Committee, that includes:

- 198 (i) a description of the performance goals and outcome measurements described in
199 Subsection (2)(j); and
- 200 (ii) information on the effectiveness of the goals and measurements in ensuring
201 appropriate and adequate mental health or substance use treatment is provided in a
202 treatment program described in Subsection (2)(j);
- 203 (l) collaborate with the Administrative Office of the Courts, the Department of
204 Corrections, the Department of Workforce Services, and the Board of Pardons and
205 Parole to collect data on recidivism in accordance with the metrics and requirements
206 described in Section 63M-7-102;
- 207 (m) at the division's discretion, use the data described in Subsection (2)(l) to make
208 decisions regarding the use of funds allocated to the division to provide treatment;
- 209 (n) annually, on or before August 31, submit the data collected under Subsection (2)(l)
210 and any recommendations to improve the data collection to the State Commission on
211 Criminal and Juvenile Justice to be included in the report described in Subsection
212 63M-7-204(1)(x);
- 213 (o) publish the following on the division's website:
- 214 (i) the performance goals and outcome measurements described in Subsection (2)(j);
215 and
- 216 (ii) a description of the services provided and the contact information for the mental
217 health and substance use treatment programs described in Subsection (2)(j) and
218 residential, vocational and life skills programs, as defined in Section 13-53-102;[
219 and]
- 220 (p) consult and coordinate with the Division of Child and Family Services to develop
221 and manage the operation of a program designed to reduce substance use during
222 pregnancy and by parents of a newborn child that includes:
- 223 (i) providing education and resources to health care providers and individuals in the
224 state regarding prevention of substance use during pregnancy;
- 225 (ii) providing training to health care providers in the state regarding screening of a
226 pregnant woman or pregnant minor to identify a substance use disorder; and
- 227 (iii) providing referrals to pregnant women, pregnant minors, or parents of a newborn
228 child in need of substance use treatment services to a facility that has the capacity
229 to provide the treatment services[-] ; and
- 230 (q) create training and educational materials regarding recognizing a drug overdose.
- 231 (3) In addition to the responsibilities described in Subsection (2), the division shall, within

232 funds appropriated by the Legislature for this purpose, implement and manage the
233 operation of a firearm safety and suicide prevention program, in consultation with the
234 Bureau of Criminal Identification created in Section 53-10-201, including:

- 235 (a) coordinating with local mental health and substance abuse authorities, a nonprofit
236 behavioral health advocacy group, and a representative from a Utah-based nonprofit
237 organization with expertise in the field of firearm use and safety that represents
238 firearm owners, to:
- 239 (i) produce and periodically review and update a firearm safety brochure and other
240 educational materials with information about the safe handling and use of firearms
241 that includes:
- 242 (A) information on safe handling, storage, and use of firearms in a home
243 environment;
- 244 (B) information about at-risk individuals and individuals who are legally
245 prohibited from possessing firearms;
- 246 (C) information about suicide prevention awareness; and
247 (D) information about the availability of firearm safety packets;
- 248 (ii) procure cable-style gun locks for distribution under this section;
- 249 (iii) produce a firearm safety packet that includes the firearm safety brochure and the
250 cable-style gun lock described in this Subsection (3); and
- 251 (iv) create a suicide prevention education course that:
- 252 (A) provides information for distribution regarding firearm safety education;
- 253 (B) incorporates current information on how to recognize suicidal behaviors and
254 identify individuals who may be suicidal; and
- 255 (C) provides information regarding crisis intervention resources;
- 256 (b) distributing, free of charge, the firearm safety packet to the following persons, who
257 shall make the firearm safety packet available free of charge:
- 258 (i) health care providers, including emergency rooms;
- 259 (ii) mobile crisis outreach teams;
- 260 (iii) mental health practitioners;
- 261 (iv) other public health suicide prevention organizations;
- 262 (v) entities that teach firearm safety courses;
- 263 (vi) school districts for use in the seminar, described in Section 53G-9-702, for
264 parents of students in the school district; and
- 265 (vii) firearm dealers to be distributed in accordance with Section 76-10-526;

- 266 (c) creating and administering a rebate program that includes a rebate that offers
267 between \$10 and \$200 off the purchase price of a firearm safe from a participating
268 firearms dealer or a person engaged in the business of selling firearm safes in Utah,
269 by a Utah resident; and
- 270 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
271 making rules that establish procedures for:
- 272 (i) producing and distributing the suicide prevention education course and the firearm
273 safety brochures and packets;
- 274 (ii) procuring the cable-style gun locks for distribution; and
- 275 (iii) administering the rebate program.

276 (4)(a) The division may refuse to contract with and may pursue legal remedies against
277 any local substance abuse authority or local mental health authority that fails, or has
278 failed, to expend public funds in accordance with state law, division policy, contract
279 provisions, or directives issued in accordance with state law.

280 (b) The division may withhold funds from a local substance abuse authority or local
281 mental health authority if the authority's contract provider of substance use or mental
282 health programs or services fails to comply with state and federal law or policy.

283 (5)(a) Before reissuing or renewing a contract with any local substance abuse authority
284 or local mental health authority, the division shall review and determine whether the
285 local substance abuse authority or local mental health authority is complying with the
286 oversight and management responsibilities described in Sections 17-43-201,
287 17-43-203, 17-43-303, and 17-43-309.

288 (b) Nothing in this Subsection (5) may be used as a defense to the responsibility and
289 liability described in Section 17-43-303 and to the responsibility and liability
290 described in Section 17-43-203.

291 (6) In carrying out the division's duties and responsibilities, the division may not duplicate
292 treatment or educational facilities that exist in other divisions or departments of the state,
293 but shall work in conjunction with those divisions and departments in rendering the
294 treatment or educational services that those divisions and departments are competent and
295 able to provide.

296 (7) The division may accept in the name of and on behalf of the state donations, gifts,
297 devises, or bequests of real or personal property or services to be used as specified by
298 the donor.

299 (8) The division shall annually review with each local substance abuse authority and each

local mental health authority the authority's statutory and contract responsibilities regarding:

- (a) use of public funds;
- (b) oversight of public funds; and
- (c) governance of substance use disorder and mental health programs and services.

(9) The Legislature may refuse to appropriate funds to the division upon the division's failure to comply with the provisions of this part.

(10) If a local substance abuse authority contacts the division under Subsection 17-43-201 (10) for assistance in providing treatment services to a pregnant woman or pregnant minor, the division shall:

- (a) refer the pregnant woman or pregnant minor to a treatment facility that has the capacity to provide the treatment services; or
- (b) otherwise ensure that treatment services are made available to the pregnant woman or pregnant minor.

(11) The division shall employ a school-based mental health specialist to be housed at the State Board of Education who shall work with the State Board of Education to:

- (a) provide coordination between a local education agency and local mental health authority;
- (b) recommend evidence-based and evidence informed mental health screenings and intervention assessments for a local education agency; and
- (c) coordinate with the local community, including local departments of health, to enhance and expand mental health related resources for a local education agency.

Section 2. Section **26B-5-205** is amended to read:

26B-5-205 . Alcohol training and education seminar.

(1) As used in this section:

- (a) "Instructor" means a person that directly provides the instruction during an alcohol training and education seminar for a seminar provider.
- (b) "Licensee" means a person who is:
 - (i)(A) a new or renewing licensee under Title 32B, Alcoholic Beverage Control Act; and
 - (B) engaged in the retail sale of an alcoholic product for consumption on the premises of the licensee; or
 - (ii) a business that is:
 - (A) a new or renewing licensee licensed by a city, town, or county; and

- 334 (B) engaged in the retail sale of beer for consumption off the premises of the
335 licensee.
- 336 (c) "Licensee staff" means a retail manager, retail staff, an off-premise retail manager, or
337 off-premise retail staff.
- 338 (d) "Off-premise beer retailer" is as defined in Section 32B-1-102.
- 339 (e) "Off-premise retail manager" means the same as that term is defined in Section
340 32B-1-701.
- 341 (f) "Off-premise retail staff" means the same as that term is defined in Section 32B-1-701.
- 342 (g) "Retail manager" means the same as that term is defined in Section 32B-1-701.
- 343 (h) "Retail staff" means the same as that term is defined in Section 32B-1-701.
- 344 (i) "Seminar provider" means a person other than the division who provides an alcohol
345 training and education seminar meeting the requirements of this section.
- 346 (2)(a) This section applies to licensee staff.
- 347 (b) An individual who does not have a valid record that the individual has completed an
348 alcohol training and education seminar shall:
- 349 (i) complete an alcohol training and education seminar before the day on which the
350 individual begins work as licensee staff of a licensee; and
- 351 (ii) pay a fee [-]to the seminar provider that is equal to or greater than the amount
352 established under Subsection (4)(h).
- 353 (c) An individual shall have a valid record that the individual completed an alcohol
354 training and education seminar within the time period provided in this Subsection (2)
355 to act as licensee staff.
- 356 (d) A record that licensee staff has completed an alcohol training and education seminar
357 is valid for three years after the day on which the record is issued.
- 358 (e) To be considered as having completed an alcohol training and education seminar, an
359 individual shall:
- 360 (i) attend the alcohol training and education seminar and take any test required to
361 demonstrate completion of the alcohol training and education seminar in the
362 physical presence of an instructor of the seminar provider; or
- 363 (ii) complete the alcohol training and education seminar and take any test required to
364 demonstrate completion of the alcohol training and education seminar through an
365 online course or testing program that meets the requirements described in
366 Subsection (2)(f).
- 367 (f)(i) The division shall by rule made in accordance with Title 63G, Chapter 3, Utah

Administrative Rulemaking Act, establish one or more requirements for an online course or testing program described in Subsection (2)(e) that are designed to inhibit fraud in the use of the online course or testing program.

(ii) In developing the requirements by rule the division shall consider whether to require:

(A) authentication that the an individual accurately identifies the individual as taking the online course or test;

(B) measures to ensure that an individual taking the online course or test is focused on training material throughout the entire training period;

(C) measures to track the actual time an individual taking the online course or test is actively engaged online;

(D) a seminar provider to provide technical support, such as requiring a telephone number, email, or other method of communication that allows an individual taking the online course or test to receive assistance if the individual is unable to participate online because of technical difficulties;

(E) a test to meet quality standards, including randomization of test questions and maximum time limits to take a test;

(F) a seminar provider to have a system to reduce fraud as to who completes an online course or test, such as requiring a distinct online certificate with information printed on the certificate that identifies the person taking the online course or test, or requiring measures to inhibit duplication of a certificate;

(G) measures for the division to audit online courses or tests;

(H) measures to allow an individual taking an online course or test to provide an evaluation of the online course or test;

(I) a seminar provider to track the Internet protocol address or similar electronic location of an individual who takes an online course or test;

(J) an individual who takes an online course or test to use an e-signature; or

(K) a seminar provider to invalidate a certificate if the seminar provider learns that the certificate does not accurately reflect the individual who took the online course or test.

(3)(a) A licensee may not permit an individual who is not in compliance with Subsection (2) to:

(i) serve or supervise the serving of an alcoholic product to a customer for consumption on the premises of the licensee;

- (ii) engage in any activity that would constitute managing operations at the premises of a licensee that engages in the retail sale of an alcoholic product for consumption on the premises of the licensee;
- (iii) directly supervise the sale of beer to a customer for consumption off the premises of an off-premise beer retailer; or
- (iv) sell beer to a customer for consumption off the premises of an off-premise beer retailer.

(b) A licensee that violates Subsection (3)(a) is subject to Section 32B-1-702.

(4) The division shall:

- (a)(i) provide alcohol training and education seminars; or
- (ii) certify one or more seminar providers;
- (b) establish the curriculum for an alcohol training and education seminar that includes the following subjects:
 - (i)(A) alcohol as a drug; and
 - (B) alcohol's effect on the body and behavior;
 - (ii) recognizing the problem drinker or signs of intoxication;
 - (iii) an overview of state alcohol laws related to responsible beverage sale or service, as determined in consultation with the Department of Alcoholic Beverage Services;
 - (iv) dealing with the problem customer, including ways to terminate sale or service; and
 - (v) for those supervising or engaging in the retail sale of an alcoholic product for consumption on the premises of a licensee[;] :
 - (A) alternative means of transportation to get the customer safely home; and
 - (B) the drug overdose training and educational materials created pursuant to Subsection 26B-5-102(2)(q);
- (c) recertify each seminar provider every three years;
- (d) monitor compliance with the curriculum described in Subsection (4)(b);
- (e) maintain for at least five years a record of every person who has completed an alcohol training and education seminar;
- (f) provide the information described in Subsection (4)(e) on request to:
 - (i) the Department of Alcoholic Beverage Services;
 - (ii) law enforcement; or
 - (iii) a person licensed by the state or a local government to sell an alcoholic product;

(g) provide the Department of Alcoholic Beverage Services on request a list of any seminar provider certified by the division; and

(h) establish a fee amount for each person attending an alcohol training and education seminar that is sufficient to offset the division's cost of administering this section.

(5) The division shall by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

(a) establish criteria for certifying and recertifying a seminar provider; and

(b) establish guidelines for the manner in which an instructor provides an alcohol education and training seminar.

(6) A seminar provider shall:

(a) obtain recertification by the division every three years;

(b) ensure that an instructor used by the seminar provider:

(i) follows the curriculum established under this section; and

(ii) conducts an alcohol training and education seminar in accordance with the guidelines established by rule;

(c) ensure that any information provided by the seminar provider or instructor of a seminar provider is consistent with:

(i) the curriculum established under this section; and

(ii) this section;

(d) provide the division with the names of all persons who complete an alcohol training and education seminar provided by the seminar provider;

(e)(i) collect a fee for each person attending an alcohol training and education seminar in accordance with Subsection (2); and

(ii) forward to the division the portion of the fee that is equal to the amount described in Subsection (4)(h); and

(f) issue a record to an individual that completes an alcohol training and education seminar provided by the seminar provider.

(7)(a) If after a hearing conducted in accordance with Title 63G, Chapter 4, Administrative Procedures Act, the division finds that a seminar provider violates this section or that an instructor of the seminar provider violates this section, the division may:

(i) suspend the certification of the seminar provider for a period not to exceed 90 days after the day on which the suspension begins;

(ii) revoke the certification of the seminar provider;

- (iii) require the seminar provider to take corrective action regarding an instructor; or
- (iv) prohibit the seminar provider from using an instructor until such time that the seminar provider establishes to the satisfaction of the division that the instructor is in compliance with Subsection (6)(b).

(b) The division may certify a seminar provider whose certification is revoked:

- (i) no sooner than 90 days after the day on which the certification is revoked; and
- (ii) if the seminar provider establishes to the satisfaction of the division that the seminar provider will comply with this section.

(8) An individual's receipt of the training and educational materials described in Subsection (4)(b)(v)(B) does not place any additional responsibility or liability on the individual or the individual's employer, and shall not be construed to increase or create liability or responsibility for the individual or the individual's employer.

Section 3. Effective Date.

This bill takes effect on May 7, 2025.