Steve Eliason proposes the following substitute bill:

Correctional Health Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill addresses health care for individuals who are involved with the justice system.

Highlighted Provisions:

This bill:

- defines terms;
- requires the Department of Health and Human Services (department) to contract with a telehealth psychiatric consultation provider to provide consultation services to staff responsible for inmates' psychiatric care;
- requires the department to convene a working group to study the department's needs regarding an electronic health record system for inmate health care and, if the current electronic health record system does not meet the department's needs, requires the department to contract for a new system;
- requires the department to contract with psychiatrists to meet staffing needs for correctional health services, except under certain circumstances;
- requires the department to provide an annual report to the Health and Human Services Interim Committee concerning the provision of comprehensive health care to inmates;
- requires the department, in consultation with the Department of Corrections, to prepare and implement a plan for providing opioid use disorder treatment to all inmates who suffer from opioid use disorder, and requires the Department of Corrections to cooperate with the department in providing medication assisted treatment pursuant to that plan;
- requires the Department of Corrections and a local mental health authority to cooperate to have certain offenders assessed for available community-based services, and to take steps to connect an offender to appropriate community-based services based on the results of the assessment; and
- makes technical and conforming changes.

267 of the state;
268 (ii) how the program is addressing those needs; and
269 (iii) the overall effectiveness and efficiency of the program;
270 (d) review annual reports from primary care grant recipients;
271 (e) meet as necessary to carry out its duties, or upon a call by the committee chair or by
272 a majority of committee members; and
273 (f) make rules, with the concurrence of the department, in accordance with Title 63G,
274 Chapter 3, Utah Administrative Rulemaking Act, that govern the committee,
275 including the committee's grant selection criteria.
276 (4) The committee shall consist of:
277 (a) as chair, the executive director or an individual designated by the executive director;
278 and
279 (b) six members appointed by the governor to serve up to two consecutive, two-year
280 terms of office, including:
281 (i) four licensed health care professionals; and
282 (ii) two community advocates who are familiar with a medically underserved
283 population as defined in Section [~~26B-4-325~~] 26B-4-301 and with health care
284 systems, where at least one is familiar with a rural medically underserved
285 population.
286 (5) The executive director may remove a committee member:
287 (a) if the member is unable or unwilling to carry out the member's assigned
288 responsibilities; or
289 (b) for a rational reason.
290 (6) A committee member may not receive compensation or benefits for the member's
291 service, except a committee member who is not an employee of the department may
292 receive per diem and travel expenses in accordance with:
293 (a) Section 63A-3-106;
294 (b) Section 63A-3-107; and
295 (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and
296 63A-3-107.
297 Section 4. Section **26B-4-901** is enacted to read:
298 **Part 9. Inmate Health**
299 **26B-4-901 . Definitions.**
300 As used in this part:

301 (1) "Assertive community treatment team" means the same as that term is defined in
302 Section 26B-5-601.
303 (2) "Correctional facility" means a facility operated to house inmates in a secure or
304 nonsecure setting:
305 (a) by the Department of Corrections; or
306 (b) under a contract with the Department of Corrections.
307 (3) "Health care facility" means the same as that term is defined in Section 26B-2-201.
308 (4) "Inmate" means an individual who is:
309 (a) committed to the custody of the Department of Corrections; and
310 (b) housed at a correctional facility or at a county jail at the request of the Department of
311 Corrections.
312 (5) "Medical monitoring technology" means a device, application, or other technology that
313 can be used to improve health outcomes and the experience of care for patients,
314 including evidence-based clinically evaluated software and devices that can be used to
315 monitor and treat diseases and disorders.
316 (6) "Medication assisted treatment" means the use of a medication, such as buprenorphine,
317 methadone, or naltrexone, to treat substance use withdrawal symptoms or an opioid use
318 disorder.
319 (7) "Substance use disorder" means the same as that term is defined in the current edition of
320 the Diagnostic and Statistical Manual of Mental Disorders published by the American
321 Psychiatric Association.
322 (8) "Telehealth psychiatric consultation" means the same as that term is defined in Section
323 26B-1-328.
324 (9) "Terminally ill" means the same as that term is defined in Section 31A-36-102.
325 Section 5. Section **26B-4-902**, which is renumbered from Section 26B-4-325 is renumbered
326 and amended to read:
327 **[~~26B-4-325~~] 26B-4-902 . Medical care for inmates -- Reporting of statistics.**
328 [~~As used in this section:~~]
329 [~~(1) "Correctional facility" means a facility operated to house inmates in a secure or~~
330 ~~nonsecure setting:~~]
331 [~~(a) by the Department of Corrections; or~~]
332 [~~(b) under a contract with the Department of Corrections.~~]
333 [~~(2) "Health care facility" means the same as that term is defined in Section 26B-2-201.~~]
334 [~~(3) "Inmate" means an individual who is:~~]

335 [~~(a) committed to the custody of the Department of Corrections; and~~]
336 [~~(b) housed at a correctional facility or at a county jail at the request of the Department~~
337 ~~of Corrections.~~]
338 [~~(4) "Medical monitoring technology" means a device, application, or other technology that~~
339 ~~can be used to improve health outcomes and the experience of care for patients,~~
340 ~~including evidence-based clinically evaluated software and devices that can be used to~~
341 ~~monitor and treat diseases and disorders.~~]
342 [~~(5) "Terminally ill" means the same as that term is defined in Section 31A-36-102.~~]
343 [~~(6)~~] (1) The department shall:
344 (a) for each health care facility owned or operated by the Department of Corrections,
345 assist the Department of Corrections in complying with Section 64-13-39;
346 (b) in coordination with the Department of Corrections, and as the Department of
347 Correction's agent:
348 (i) create policies and procedures for providing comprehensive health care to inmates;
349 (ii) provide inmates with comprehensive health care; and
350 (iii) develop standard population indicators and performance measures relating to the
351 health of inmates;[~~ and~~]
352 (c) collaborate with the Department of Corrections to comply with Section 64-13-25.1[~~.~~] ;
353 and
354 (d) contract with a telehealth psychiatric consultation provider to provide consultation
355 services to staff responsible for inmates' psychiatric care.
356 [~~(7)~~] (2) In providing the comprehensive health care described in Subsection [~~(6)(b)(ii)~~]
357 (1)(b)(ii), the department may not, without entering into an agreement with the
358 Department of Corrections, provide, operate, or manage any treatment plans for inmates
359 that are:
360 (a) required to be provided, operated, or managed by the Department of Corrections in
361 accordance with Section 64-13-6; and
362 (b) not related to the comprehensive health care provided by the department.
363 [~~(8)~~] (3) Beginning July 1, 2023, and ending June 30, 2024, the department shall:
364 (a) evaluate and study the use of medical monitoring technology and create a plan for a
365 pilot program that identifies:
366 (i) the types of medical monitoring technology that will be used during the pilot
367 program; and
368 (ii) eligibility for participation in the pilot program; and

(b) make the indicators and performance measures described in Subsection [~~(6)(b)(iii)~~] (1)(b)(iii) available to the public through the Department of Corrections and the department websites.

[~~(9)~~] (4) Beginning July 1, 2024, and ending June 30, 2029, the department shall implement the pilot program.

[~~(10)~~] (5) The department shall submit to the Health and Human Services Interim Committee and the Law Enforcement and Criminal Justice Interim Committee:

(a) a report on or before October 1 of each year regarding the costs and benefits of the pilot program;

(b) a report that summarizes the indicators and performance measures described in Subsection [~~(6)(b)(iii)~~] (1)(b)(iii) on or before October 1, 2024; and

(c) an updated report before October 1 of each year that compares the indicators and population measures of the most recent year to the initial report described in Subsection [~~(10)(b)~~] (5)(b).

[~~(11)~~] (6) An inmate receiving comprehensive health care from the department remains in the custody of the Department of Corrections.

Section 6. Section **26B-4-903** is enacted to read:

26B-4-903 . Electronic health record system.

(1) On or before June 30, 2025, the department shall convene a working group to study and develop recommendations regarding the electronic health record system used in connection with providing inmates with comprehensive health care, including:

(a) identification of the department's electronic health record system requirements;

(b) an analysis of what features of an electronic health record system are needed to maximize the implementation, effectiveness, and efficiency of the waiver described in Section 26B-3-217; and

(c) a determination of whether the department's current electronic health record system meets the requirements and includes the features identified under Subsections (1)(a) and (b).

(2) The working group described in Subsection (1) shall include department staff as determined by the director.

(3) If the working group determines that the department's current electronic health record system does not meet the department's requirements identified pursuant to Subsection (1)(a) or does not include the features identified under Subsection (1)(b), the department shall contract for an electronic health record system, in accordance with Title 63G,

403 Chapter 6a, Utah Procurement Code, that meets the requirements and has the features
404 identified pursuant to Subsections (1)(a) and (b).
405 Section 7. Section **26B-4-904** is enacted to read:
406 **26B-4-904 . Staffing -- Reporting.**
407 (1)(a) Except as provided in Subsection (1)(b), the department shall contract with
408 psychiatrists to ensure that all correctional psychiatric positions are filled.
409 (b) If all correctional psychiatric positions are filled by internal staff for six continuous
410 months:
411 (i) the department shall submit a certification of that fact to the Health and Human
412 Services Interim Committee; and
413 (ii) the department is exempt from the requirement in Subsection (1)(a) for a period
414 of 24 months from the date the certification is submitted to the Health and Human
415 Services Interim Committee.
416 (2) On or before September 1 each year, the department shall provide a report to the Health
417 and Human Services Interim Committee that includes, for the fiscal year immediately
418 preceding the report:
419 (a) a description of the staff positions responsible for providing comprehensive health
420 care to inmates, including an identification of any staff position that was open for
421 more than half of the preceding fiscal year;
422 (b) the average time after admission for an inmate to receive:
423 (i) an initial health assessment;
424 (ii) a mental health evaluation; and
425 (iii) an oral examination by a dentist;
426 (c) the number of inmates who did not receive an initial health assessment within seven
427 days after admission;
428 (d) the number of inmates who did not receive a mental health evaluation within 30 days
429 after admission;
430 (e) the number of inmates who did not receive an oral examination by a dentist within 30
431 days after admission;
432 (f) the average time for an inmate to have a face-to-face encounter with department staff
433 after the inmate submits a health care request; and
434 (g) the number of inmates who did not have a face-to-face encounter with department
435 staff within 24 hours after the inmate submitted a health care request.
436 Section 8. Section **26B-4-905** is enacted to read:

437 **26B-4-905 . Treatment for opioid use disorder.**
438 (1) The department, in consultation with the Department of Corrections, shall prepare and
439 implement a plan to provide, in accordance with current medical standards, opioid use
440 disorder treatment to all inmates who suffer from opioid use disorder.
441 (2) The plan described in Subsection (1) shall include the use of medication assisted
442 treatment, as medically necessary, for inmates who have opioid use disorder.
443 (3) The department shall consult and may contract with addiction specialists at the
444 Huntsman Mental Health Institute to prepare and implement the plan described in
445 Subsection (1).
446 (4) When implementing the plan described in Subsection (1), the department shall prioritize
447 providing medication assisted treatment for:
448 (a) the stabilization, prior to discharge, of inmates who are determined to be at high risk
449 for opioid overdose after discharge;
450 (b) the stabilization of pregnant women; and
451 (c) the continued stabilization of inmates who enter incarceration with a valid
452 prescription for medication assisted treatment and whose sentence is for less than or
453 equal to 90 days.
454 (5) The department shall provide an annual report on the preparation and implementation of
455 the plan described in Subsection (1) to the Health and Human Services Interim
456 Committee on or before the date of the committee's August interim meeting.
457 Section 9. Section **63A-17-307** is amended to read:
458 **63A-17-307 . State pay plans -- Applicability of section -- Exemptions -- Duties of**
459 **director.**
460 (1)(a) This section, and the rules made by the division under this section, apply to each
461 career and noncareer employee not specifically exempted under Subsection (2).
462 (b) If not exempted under Subsection (2), an employee is considered to be in classified
463 service.
464 (2) The following employees are exempt from this section:
465 (a) members of the Legislature and legislative employees;
466 (b) members of the judiciary and judicial employees;
467 (c) elected members of the executive branch and employees designated as schedule AC
468 as provided under Subsection 63A-17-301(1)(c);
469 (d) employees of the State Board of Education;
470 (e) officers, faculty, and other employees of state institutions of higher education;

471 (f) employees in a position that is specified by statute to be exempt from this Subsection
472 (2);
473 (g) employees in the Office of the Attorney General;
474 (h) department heads and other persons appointed by the governor under statute;
475 (i) schedule AS employees as provided under Subsection 63A-17-301(1)(m);
476 (j) department deputy directors, division directors, and other employees designated as
477 schedule AD as provided under Subsection 63A-17-301(1)(d);
478 (k) employees that determine and execute policy designated as schedule AR as provided
479 under Subsection 63A-17-301(1)(l);
480 (l) teaching staff, educational interpreters, and educators designated as schedule AH as
481 provided under Subsection 63A-17-301(1)(g);
482 (m) temporary employees described in Subsection 63A-17-301(1)(r);
483 (n) patients and inmates designated as schedule AU as provided under Subsection
484 63A-17-301(1)(o) who are employed by state institutions; and
485 (o) members of state and local boards and councils and other employees designated as
486 schedule AQ as provided under Subsection 63A-17-301(1)(k).
487 (3)(a) The director shall prepare, maintain, and revise a position classification plan for
488 each employee position not exempted under Subsection (2) to provide equal pay for
489 equal work.
490 (b) Classification of positions shall be based upon similarity of duties performed and
491 responsibilities assumed, so that the same job requirements and the same salary
492 range, subject to Section 63A-17-112, may be applied equitably to each position in
493 the same class.
494 (c) The director shall allocate or reallocate the position of each employee in classified
495 service to one of the classes in the classification plan.
496 (d)(i) The division shall conduct periodic studies and interviews to provide that the
497 classification plan remains reasonably current and reflects the duties and
498 responsibilities assigned to and performed by employees.
499 (ii) The director shall determine the need for studies and interviews after considering
500 factors such as changes in duties and responsibilities of positions or agency
501 reorganizations.
502 (e) In accordance with Subsections (3)(a) and (b), and in consultation with the
503 Department of Health and Human Services and the Department of Corrections, the
504 director may create a classification plan for employee positions responsible for

505 providing comprehensive health care and clinical interventions to inmates in a
506 correctional facility, as those terms are defined in Section 26B-4-901, that accounts
507 for the specific challenges of providing health care in a correctional facility.
508 (4)(a) With the approval of the executive director and the governor, the director shall
509 develop and adopt pay plans for each position in classified service.
510 (b) The director shall design each pay plan to achieve, to the degree that funds permit,
511 comparability of state salary ranges to the market using data obtained from private
512 enterprise and other public employment for similar work.
513 (c) The director shall adhere to the following in developing each pay plan:
514 (i) each pay plan shall consist of sufficient salary ranges to:
515 (A) permit adequate salary differential among the various classes of positions in
516 the classification plan; and
517 (B) reflect the normal growth and productivity potential of employees in that class.
518 (ii) The director shall issue rules for the administration of pay plans.
519 (d) The establishing of a salary range is a nondelegable activity and is not appealable
520 under the grievance procedures of Part 6, Grievance Provisions, Title 67, Chapter
521 19a, Grievance Procedures, or otherwise.
522 (e) The director shall make rules, accordance with Title 63G, Chapter 3, Utah
523 Administrative Rulemaking Act, providing for:
524 (i) agency approved salary adjustments within approved salary ranges, including an
525 administrative salary adjustment; and
526 (ii) structure adjustments that modify salary ranges, including a cost of living
527 adjustment or market comparability adjustment.
528 (5)(a) On or before October 31 of each year, the director shall submit an annual
529 compensation plan to the executive director and the governor for consideration in the
530 executive budget and to the State Employee Benefits Advisory Commission created
531 in Section 63C-31-102.
532 (b) The plan described in Subsection (5)(a) may include recommendations, including:
533 (i) salary increases that generally affect employees, including a general increase or
534 merit increase;
535 (ii) salary increases that address compensation issues unique to an agency or
536 occupation;
537 (iii) structure adjustments, including a cost of living adjustment or market
538 comparability adjustment; or

539 (iv) changes to employee benefits.
540 (c)(i)(A) Subject to Subsection (5)(c)(i)(B) or (C), the director shall incorporate
541 the results of a salary survey of a reasonable cross section of comparable
542 positions in private and public employment in the state into the annual
543 compensation plan.
544 (B) The salary survey for a law enforcement officer, as defined in Section
545 53-13-103, a correctional officer, as defined in Section 53-13-104, or a
546 dispatcher, as defined in Section 53-6-102, shall at minimum include the three
547 largest political subdivisions in the state that employ, respectively, comparable
548 positions.
549 (C) The salary survey for an examiner or supervisor described in Title 7, Chapter
550 1, Part 2, Department of Financial Institutions, shall at minimum include the
551 Federal Deposit Insurance Corporation, Federal Reserve, and National Credit
552 Union Administration.
553 (ii) The director may cooperate with or participate in any survey conducted by other
554 public and private employers.
555 (iii) The director shall obtain information for the purpose of constructing the survey
556 from the Division of Workforce Information and Payment Services and shall
557 include employer name, number of persons employed by the employer, employer
558 contact information and job titles, county code, and salary if available.
559 (iv) The division shall acquire and protect the needed records in compliance with the
560 provisions of Section 35A-4-312.
561 (d) The director may incorporate any other relevant information in the plan described in
562 Subsection (5)(a), including information on staff turnover, recruitment data, or
563 external market trends.
564 (e) The director shall:
565 (i) establish criteria to assure the adequacy and accuracy of data used to make
566 recommendations described in this Subsection (5); and
567 (ii) when preparing recommendations use accepted methodologies and techniques
568 similar to and consistent with those used in the private sector.
569 (f)(i) Upon request and subject to Subsection (5)(f)(ii), the division shall make
570 available foundational information used by the division or director in the drafting
571 of a plan described in Subsection (5)(a), including:
572 (A) demographic and labor market information;

573 (B) information on employee turnover;
574 (C) salary information;
575 (D) information on recruitment; and
576 (E) geographic data.
577 (ii) The division may not provide under Subsection (5)(f)(i) information or other data
578 that is proprietary or otherwise protected under the terms of a contract or by law.
579 (g) The governor shall:
580 (i) consider salary and structure adjustments recommended under Subsection (5)(b)
581 in preparing the executive budget and shall recommend the method of distributing
582 the adjustments;
583 (ii) submit compensation recommendations to the Legislature; and
584 (iii) support the recommendation with schedules indicating the cost to individual
585 departments and the source of funds.
586 (h) If funding is approved by the Legislature in a general appropriations act, the
587 adjustments take effect on the July 1 following the enactment unless otherwise
588 indicated.
589 (6)(a) The director shall make rules, in accordance with Title 63G, Chapter 3, Utah
590 Administrative Rulemaking Act, for the granting of incentive awards, including
591 awards for cost saving actions, awards for commendable actions by an employee, or a
592 market-based award to attract or retain employees.
593 (b) An agency may not grant a market-based award unless the award is previously
594 approved by the division.
595 (c) In accordance with Subsection (6)(b), an agency requesting the division's approval of
596 a market-based award shall submit a request and documentation, subject to
597 Subsection (6)(d), to the division.
598 (d) In the documentation required in Subsection (6)(c), the requesting agency shall
599 identify for the division:
600 (i) any benefit the market-based award would provide for the agency, including:
601 (A) budgetary advantages; or
602 (B) recruitment advantages;
603 (ii) a mission critical need to attract or retain unique or hard to find skills in the
604 market; or
605 (iii) any other advantage the agency would gain through the utilization of a
606 market-based award.

607 (7)(a) The director shall regularly evaluate the total compensation program of state
608 employees in the classified service.
609 (b) The division shall determine if employee benefits are comparable to those offered by
610 other private and public employers using information from:
611 (i) a study conducted by a third-party consultant; or
612 (ii) the most recent edition of a nationally recognized benefits survey.
613 Section 10. Section **63I-2-264** is amended to read:
614 **63I-2-264 . Repeal dates: Title 64.**
615 Section [~~64-13-25.1(4)~~] 64-13-25.1(5), regarding reporting on continuation or
616 discontinuation of a medication assisted treatment plan, is repealed July 1, 2026.
617 Section 11. Section **64-13-21** is amended to read:
618 **64-13-21 . Supervision of sentenced offenders placed in community --**
619 **Rulemaking -- POST certified parole or probation officers and peace officers -- Duties --**
620 **Supervision fee -- Coordination with local mental health authority.**
621 (1)(a) The department, except as otherwise provided by law, shall supervise a sentenced
622 offender placed in the community if the offender:
623 (i)(A) is placed on probation by a court;
624 (B) is released on parole by the Board of Pardons and Parole; or
625 (C) is accepted for supervision under the terms of the Interstate Compact for the
626 Supervision of Parolees and Probationers; and
627 (ii) has been convicted of:
628 (A) a felony;
629 (B) a class A misdemeanor when an element of the offense is the use or attempted
630 use of physical force against an individual or property; or
631 (C) notwithstanding Subsection (1)(a)(ii)(B), a class A misdemeanor if the
632 department is ordered by a court to supervise the offender under Section
633 77-18-105.
634 (b) If a sentenced offender participates in substance use treatment or a residential,
635 vocational and life skills program, as defined in Section 13-53-102, while under
636 supervision on probation or parole, the department shall monitor the offender's
637 compliance with and completion of the treatment or program.
638 (c) The department shall establish standards for:
639 (i) the supervision of offenders in accordance with the adult sentencing and
640 supervision length guidelines, as defined in Section 63M-7-401.1, giving priority,

641 based on available resources, to felony offenders and offenders sentenced under
642 Subsection 58-37-8 (2)(b)(ii); and
643 (ii) the monitoring described in Subsection (1)(b).
644 (2) The department shall apply the graduated and evidence-based responses established in
645 the adult sentencing and supervision length guidelines, as defined in Section
646 63M-7-401.1, to facilitate a prompt and appropriate response to an individual's violation
647 of the terms of probation or parole, including:
648 (a) sanctions to be used in response to a violation of the terms of probation or parole; and
649 (b) requesting approval from the court or Board of Pardons and Parole to impose a
650 sanction for an individual's violation of the terms of probation or parole, for a period
651 of incarceration of not more than three consecutive days and not more than a total of
652 six days within a period of 30 days.
653 (3) The department shall implement a program of graduated incentives as established in the
654 adult sentencing and supervision length guidelines, as defined in Section 63M-7-401.1
655 to facilitate the department's prompt and appropriate response to an offender's:
656 (a) compliance with the terms of probation or parole; or
657 (b) positive conduct that exceeds those terms.
658 (4)(a) The department shall, in collaboration with the State Commission on Criminal and
659 Juvenile Justice and the Division of Substance [~~Abuse~~] Use and Mental Health, create
660 standards and procedures for the collection of information, including cost savings
661 related to recidivism reduction and the reduction in the number of inmates, related to
662 the use of the graduated and evidence-based responses and graduated incentives, and
663 offenders' outcomes.
664 (b) The collected information shall be provided to the State Commission on Criminal
665 and Juvenile Justice not less frequently than annually on or before August 31.
666 (5) Employees of the department who are POST certified as law enforcement officers or
667 correctional officers and who are designated as parole and probation officers by the
668 executive director have the following duties:
669 (a) monitoring, investigating, and supervising a parolee's or probationer's compliance
670 with the conditions of the parole or probation agreement;
671 (b) investigating or apprehending any offender who has escaped from the custody of the
672 department or absconded from supervision;
673 (c) supervising any offender during transportation; or
674 (d) collecting DNA specimens when the specimens are required under Section 53-10-404.

675 (6)(a)(i) A monthly supervision fee of $30 shall be collected from each offender on
676 probation or parole.
677 (ii) The fee described in Subsection (6)(a)(i) may be suspended or waived by the
678 department upon a showing by the offender that imposition would create a
679 substantial hardship or if the offender owes restitution to a victim.
680 (b)(i) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
681 Administrative Rulemaking Act, specifying the criteria for suspension or waiver
682 of the supervision fee and the circumstances under which an offender may request
683 a hearing.
684 (ii) In determining whether the imposition of the supervision fee would constitute a
685 substantial hardship, the department shall consider the financial resources of the
686 offender and the burden that the fee would impose, with regard to the offender's
687 other obligations.
688 (7)(a) For offenders placed on probation under Section 77-18-105 or parole under
689 Subsection 76-3-202(2)(a) on or after October 1, 2015, but before January 1, 2019,
690 the department shall establish a program allowing an offender to earn a reduction
691 credit of 30 days from the offender's period of probation or parole for each month the
692 offender complies with the terms of the offender's probation or parole agreement,
693 including the case action plan.
694 (b)(i) For offenders placed on probation under Section 77-18-105 or parole under
695 Section 76-3-202 on or after July 1, 2026, the department shall establish a
696 program, consistent with the adult sentencing and supervision length guidelines,
697 as defined in Section 63M-7-401.1, to provide incentives for an offender that
698 maintains eligible employment, as defined in Section 64-13g-101.
699 (ii) The program under Subsection (7)(b)(i) may include a credit towards the
700 reduction of the length of supervision for an offender at a rate of up to 30 days for
701 each month that the offender maintains eligible employment, as defined in Section
702 64-13g-101.
703 (iii) A court, or the Board of Pardons and Parole, is not required to grant a request for
704 termination of supervision under the program described in this Subsection (7)(b) if
705 the court, or the Board of Pardons and Parole, finds that:
706 (A) the offender presents a substantial risk to public safety;
707 (B) termination would prevent the offender from completing risk reduction
708 programming or treatment; or

709 (C) the eligibility criteria for termination of supervision, as established in the adult
710 sentencing and supervision length guidelines, as defined in Section
711 63M-7-401.1, have not been met.
712 (iv) This Subsection (7)(b) does not prohibit the department, or another supervision
713 services provider, from requesting termination of supervision based on the
714 eligibility criteria in the adult sentencing and supervision length guidelines, as
715 defined in Section 63M-7-401.1.
716 (c) The department shall:
717 (i) maintain a record of credits earned by an offender under this Subsection (7); and
718 (ii) request from the court or the Board of Pardons and Parole the termination of
719 probation or parole not fewer than 30 days prior to the termination date that
720 reflects the credits earned under this Subsection (7).
721 (d) This Subsection (7) does not prohibit the department from requesting a termination
722 date earlier than the termination date established by earned credits under Subsection
723 (7)(c).
724 (e) The court or the Board of Pardons and Parole shall terminate an offender's probation
725 or parole upon completion of the period of probation or parole accrued by time
726 served and credits earned under this Subsection (7) unless the court or the Board of
727 Pardons and Parole finds that termination would interrupt the completion of a
728 necessary treatment program, in which case the termination of probation or parole
729 shall occur when the treatment program is completed.
730 (f) The department shall report annually to the State Commission on Criminal and
731 Juvenile Justice on or before August 31:
732 (i) the number of offenders who have earned probation or parole credits under this
733 Subsection (7) in one or more months of the preceding fiscal year and the
734 percentage of the offenders on probation or parole during that time that this
735 number represents;
736 (ii) the average number of credits earned by those offenders who earned credits;
737 (iii) the number of offenders who earned credits by county of residence while on
738 probation or parole;
739 (iv) the cost savings associated with sentencing reform programs and practices; and
740 (v) a description of how the savings will be invested in treatment and
741 early-intervention programs and practices at the county and state levels.
742 (8)(a) The department shall coordinate with a local mental health authority to complete