

TELEHEALTH MENTAL HEALTH PROGRAM

2021 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill modifies provisions relating to a program for providing telehealth mental health services.

Highlighted Provisions:

This bill:

- ▶ removes the sunset date from provisions requiring the Division of Substance Abuse and Mental Health within the Department of Human Services to award a grant for a telehealth mental health pilot program and provisions describing the program as a pilot program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

62A-15-114, as enacted by Laws of Utah 2018, Chapter 74

63I-1-262, as last amended by Laws of Utah 2020, Chapters 154, 303, 304, and 358

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

Section 1. Section **62A-15-114** is amended to read:

62A-15-114. Telehealth Mental Health Grant Program.

(1) As used in this section:

(a) "Grant" means a grant awarded by the division under this section to a person to develop and implement a project.

(b) "Project" means a telehealth mental health [~~pilot~~] project for which the division awards a grant under this section.

33 (c) "Public school" means:

34 (i) a school district;

35 (ii) a school under the control of a school district;

36 (iii) a charter school; or

37 (iv) the Utah Schools for the Deaf and the Blind.

38 (d) "Telehealth mental health services" means mental health services provided
39 remotely through the use of telecommunications technology.

40 (e) "Utah State Hospital" means the Utah State Hospital established in Section
41 62A-15-601.

42 (2) (a) [~~On or before July 1, 2018, the~~] The division shall issue a project proposal
43 request in accordance with this section to award a grant to:

44 (i) one or more local authorities to develop and implement one or more projects in one
45 or more public schools in the state; or

46 (ii) the Utah State Hospital to develop and implement one or more projects in the state.

47 (b) An application for a project described in Subsection (2)(a) shall be submitted
48 jointly by:

49 (i) a public school or the Utah State Hospital; and

50 (ii) a provider of telehealth mental health services.

51 [~~(c) The division shall award all grants under this section before December 31, 2018.~~]

52 [~~(d) A project shall run for two years.~~]

53 [~~(3) The purpose of the telehealth mental health pilot program is to:~~]

54 [~~(a) determine how telehealth mental health services can best be used in the state to:~~]

55 [~~(i) increase access to mental health services by public school students;~~]

56 [~~(ii) increase the timeliness and effectiveness of mental health crisis intervention
57 services for public school students;~~]

58 [~~(iii) reduce the cost associated with providing mental health services to public school
59 students; and]~~

60 [~~(iv) increase access to mental health services by public school students in underserved
61 areas of the state;~~]

62 [~~(b) identify best practices for providing telehealth mental health services to public
63 school students in the state; and]~~

64 ~~[(c) identify the best methods of using telecommunications technology to provide~~
65 ~~mental health services to public school students remotely.]~~

66 ~~[(4)]~~ (3) Persons who apply for a grant under this section shall:

67 (a) identify the population to which the proposed project will provide telehealth mental
68 health services;

69 (b) explain how the population described in Subsection ~~[(4)]~~ (3)(a):

70 (i) is currently underserved; and

71 (ii) will benefit from the provision of telehealth mental health services;

72 (c) provide details regarding:

73 (i) how the proposed project will provide the telehealth mental health services;

74 (ii) the projected costs of providing the telehealth mental health services;

75 (iii) the sustainability of the proposed project; and

76 (iv) the methods that the proposed project will use to:

77 (A) protect the privacy of students and patients;

78 (B) collect nonidentifying data relating to the proposed project; and

79 (C) provide transparency on the costs and operation of the proposed project; and

80 (d) provide other information requested by the division to ensure that the proposed

81 project satisfies the criteria described in Subsection ~~[(5)]~~ (4).

82 ~~[(5)]~~ (4) In evaluating a proposal for a grant, the division shall consider:

83 ~~[(a) the extent to which the proposed project will fulfill the purposes described in~~

84 ~~Subsection (3);]~~

85 ~~[(b)]~~ (a) the extent to which the population that will be served by the proposed project

86 is:

87 (i) currently underserved; and

88 (ii) likely to benefit from the proposed project;

89 ~~[(c)]~~ (b) the cost of the proposed project;

90 ~~[(d)]~~ (c) the viability and innovation of the proposed project; and

91 ~~[(e)]~~ (d) the extent to which the proposed project will yield useful data to evaluate the
92 effectiveness of the proposed project.

93 ~~[(6)]~~ (5) (a) Within six months after the day on which the division awards a grant, the
94 division shall report to the Health and Human Services Interim Committee regarding:

- 95 (i) each person who received a grant; and
 96 (ii) the details of each project.
 97 (b) Within six months after the day on which a project concludes, the division shall
 98 report to the Health and Human Services Interim Committee regarding:
 99 (i) the success of each project;
 100 (ii) data gathered in relation to each project;
 101 (iii) knowledge gained from each project relating to the provision of telehealth mental
 102 health services;
 103 (iv) proposals for the future use of telehealth mental health services in the state;
 104 (v) obstacles encountered in the provision of telehealth mental health services; and
 105 (vi) changes needed in the law to overcome obstacles to providing telehealth mental
 106 health services.

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

108 **63I-1-262. Repeal dates, Title 62A.**

109 (1) Subsections 62A-1-120(8)(g), (h), and (i) relating to completion of premarital
 110 counseling or education under Section 30-1-34 are repealed July 1, 2023.

111 (2) Section 62A-3-209 is repealed July 1, 2023.

112 (3) Section 62A-4a-202.9 is repealed December 31, 2021.

113 (4) Section 62A-4a-213 is repealed July 1, 2024.

114 (5) Sections 62A-5a-101, 62A-5a-102, 62A-5a-103, and 62A-5a-104, which create the
 115 Coordinating Council for Persons with Disabilities, are repealed July 1, 2022.

116 [~~(6)~~ Section 62A-15-114 is repealed December 31, 2021.]

117 [~~(7)~~ (6) Subsections 62A-15-116(1) and [~~(4)~~ (5)], the language that states "In
 118 consultation with the Behavioral Health Crisis Response Commission, established in Section
 119 63C-18-202," is repealed January 1, 2023.

120 [~~(8)~~ (7) Section 62A-15-118 is repealed December 31, 2023.

121 [~~(9)~~ (8) Subsections 62A-15-605(3)(h) and (4) relating to the study of long-term needs
 122 for adult beds in the state hospital are repealed July 1, 2022.

123 [~~(10)~~ (9) Section 62A-15-605, which creates the Forensic Mental Health Coordinating
 124 Council, is repealed July 1, 2023.

125 [~~(11)~~ (10) Subsections 62A-15-1100(1) and 62A-15-1101(9), in relation to the Utah

- 126 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.
- 127 ~~[(12)]~~ (11) In relation to the Behavioral Health Crisis Response Commission, on July
- 128 1, 2023:
- 129 (a) Subsections 62A-15-1301(2) and 62A-15-1401(1) are repealed;
- 130 (b) Subsection 62A-15-1302(1)(b), the language that states "and in consultation with
- 131 the commission" is repealed;
- 132 (c) ~~[Section]~~ Subsection 62A-15-1303(1), the language that states "In consultation with
- 133 the commission," is repealed;
- 134 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations
- 135 from the commission," is repealed; and
- 136 (e) Subsection 62A-15-1702(6) is repealed.