



An Overview of Sunset Reviews

Health and Human Services Interim Committee | May 18, 2021

Purpose of Sunset Reviews

Review statutes that are scheduled to be repealed, in order to:

- eliminate programs that do not serve a clear public purpose; and
- improve existing programs.

Guidelines for Sunset Reviews

From [Utah Code Section 63I-1-103](#)

[...]

(3) The interim committee shall then consider:

(a) the extent to which the statute or agency has operated in the public interest and any areas in which the statute or agency needs to improve its ability to operate in the public interest;

(b) the extent to which existing statutes interfere with or assist the legitimate functions of the statute or agency, and any other circumstances including budgetary, resource, and personnel matters that have a bearing on the capacity of the statute or agency to serve the public interest;

(c) the extent to which the public has been encouraged to participate in the adoption of the rules established in connection with the statute or agency;

(d) the extent to which the statute's provisions or agency's programs and services are duplicative of those offered by other statutes or state agencies;

(e) the extent to which the objectives of the statute or agency have been accomplished and their public benefit;

(f) the adverse effect on the public of termination of the statute or agency; and

(g) any other matter relevant to the review.

Questions for Sunset Reviews

1. Is the program necessary?

2. Is the program accomplishing its objective?

3. Are there ways to improve the program?



Health and Human Services Interim Committee Sunset Reviews

Microenterprise Home Kitchen Permit Limitations	
Sections of Code that Sunset	26-15c-104(3)
Purpose	Limits the amount of microenterprise home kitchen permits that may be issued by local health departments.
Current Sunset Date	July 1, 2022 (Utah Code Section 631-1-226)

Insurance Coverage for Opioids – Policies – Reports	
Sections of Code that Sunset	31A-22-615.5
Purpose	Permits a health insurer to enact policies related to limiting opioid addiction and overdose, as well as non-narcotic pain treatment and medication-assisted treatment for patients with an opioid dependence disorder.
Current Sunset Date	June 1, 2022 (Utah Code Section 631-1-231)

Educational Qualifications for Licensure and Reporting	
Sections of Code that Sunset	58-60-405(3)
Purpose	Allows for an alternative path to licensure for clinical mental health counselors and requires DOPL to report how many individuals were licensed under the alternative path.
Current Sunset Date	July 1, 2022 (Utah Code Section 631-1-258)

Controlled Substances	
Sections of Code that Sunset	58-37-6(7)(f)(iii)
Purpose	Prohibits filling a schedule II or III controlled substance prescription at a rate that exceeds a seven-day daily dosage rate unless used for a documented complex or chronic condition.
Current Sunset Date	July 1, 2022 (Utah Code Section 631-1-258)

Anesthesia, Sedation, and Unprofessional Conduct	
Sections of Code that Sunset	<ul style="list-style-type: none"> • 26-1-40 • 58-5a-502 • 58-31b-502.5 • 58-67-502.5 • 58-68-502.5 • 58-69-502.5



Purpose	Defines responsibilities of the Department of Health to create and maintain a database of deaths and adverse events from the administration of sedation or anesthesia in outpatient settings and non-emergency departments. Also creates reporting requirements and whistleblower protections for the database. Defines unprofessional conduct related to administration of sedation or anesthesia.
Current Sunset Date	July 1, 2022 (Utah Code Sections 631-1-226 and 631-1-258)

Coordinating Council for Persons with Disabilities	
Sections of Code that Sunset	62A-5a-101 through 62A-5a-104
Purpose	Creates the Coordinating Council for Persons with Disabilities, which coordinates policy concerning, and care for, persons with disabilities.
Current Sunset Date	July 1, 2022 (Utah Code Section 631-1-262)

Study for Long-Term Needs for Adult Beds in the State Hospital	
Sections of Code that Sunset	62A-15-605(3)(h) and (4)
Purpose	Requires the Forensic Mental Health Coordinating Council to consult with the Utah Substance Abuse Advisory Council and study the long-term need for adult patient beds at the state hospital. Requires the Forensic Mental Health Coordinating Council to report results of study and any recommended changes to the Health and Human Services Interim Committee before Nov. 30 each year.
Current Sunset Date	July 1, 2022 (Utah Code Section 631-1-262)

Utah Substance Abuse and Mental Health Advisory Council	
Sections of Code that Sunset	<ul style="list-style-type: none"> • 62A-15-1100(1) • 62A-15-1101(9) • 32B-2-306(1)(a), (4)(b), (4)(e) are repealed, and (4), (5)(a), and (5)(b) specific language related to the Utah Substance Use and Mental Health Advisory Council is repealed • 32B-2-402(1)(b) • 32B-2-404, specific language • 32B-2-405(2) and (4)(a)(i), specific language • 63M-7-301 through 63M-7-304 and 63M-7-306 • 63M-7-305(1) and (2), specific language
Purpose	Creates and defines responsibilities of the Utah Substance Use and Mental Health Advisory Council.
Current Sunset Date	January 1, 2023 (Utah Code Sections 631-1-262 , 631-1-232 , and 631-1-263)



Behavioral Health Crisis Response Commission	
Sections of Code that Sunset	62A-15-116 (1) and (5), specific language related to the Behavioral Health Crisis Response Commission
Purpose	Defines responsibilities of the Division of Substance Abuse and Mental Health to award grants to mobile crisis outreach teams. Requires the division to make rules for the application and award of grants.
Current Sunset Date	January 1, 2023 (Utah Code Section 631-1-262)