

## Sunset Overview

### Purpose

Section [62A-15-605](#) creates the Forensic Mental Health Coordinating Council and establishes its duties for advising how criminal justice, juvenile justice, and civil commitment systems interact to best serve individuals with an intellectual disability or mental illness. The Council is required to study state hospital bed capacity and the forecast for long-term need and to annually report its findings and make recommendations for changes.

### Current Sunset Date

July 1, 2023 (Utah Code Section [63I-1-262](#))

### Sections of Code that Sunset

- Section [62A-15-605](#)

#### **62A-15-605. Forensic Mental Health Coordinating Council – Establishment and purpose.**

- (1) There is established the Forensic Mental Health Coordinating Council composed of the following members:
  - (a) the director of the Division of Substance Abuse and Mental Health or the director's appointee;
  - (b) the superintendent of the state hospital or the superintendent's appointee;
  - (c) the executive director of the Department of Corrections or the executive director's appointee;
  - (d) a member of the Board of Pardons and Parole or its appointee;
  - (e) the attorney general or the attorney general's appointee;
  - (f) the director of the Division of Services for People with Disabilities or the director's appointee;
  - (g) the director of the Division of Juvenile Justice Services or the director's appointee;
  - (h) the director of the Commission on Criminal and Juvenile Justice or the director's appointee;
  - (i) the state court administrator or the administrator's appointee;
  - (j) the state juvenile court administrator or the administrator's appointee;
  - (k) a representative from a local mental health authority or an organization, excluding the state hospital that provides mental health services under contract with the Division of Substance Abuse and Mental Health or a local mental health authority, as appointed by the director of the division;
  - (l) the executive director of the Utah Developmental Disabilities Council or the director's appointee; and
  - (m) other individuals, including individuals from appropriate advocacy organizations with an interest in the mission described in Subsection (3), as appointed by the members described in Subsections (1)(a) through (l).
- (2) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (3) The purpose of the Forensic Mental Health Coordinating Council is to:
  - (a) advise the director regarding the state hospital admissions policy for individuals in the custody of the Department of Corrections;
  - (b) develop policies for coordination between the division and the Department of Corrections;
  - (c) advise the executive director of the Department of Corrections regarding department policy related to the care of individuals in the custody of the Department of Corrections who are mentally ill;
  - (d) promote communication between and coordination among all agencies dealing with individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system;

- (e) study, evaluate, and recommend changes to laws and procedures relating to individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system;
  - (f) identify and promote the implementation of specific policies and programs to deal fairly and efficiently with individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system;
  - (g) promote judicial education relating to individuals with an intellectual disability or mental illness who become involved in the civil commitment system or in the criminal or juvenile justice system; and
  - (h) in consultation with the Utah Substance Abuse Advisory Council created in Section 63M-7-301, study the long-term need for adult patient beds at the state hospital, including:
    - (i) the total number of beds currently in use in the adult general psychiatric unit of the state hospital;
    - (ii) the current bed capacity at the state hospital;
    - (iii) the projected total number of beds needed in the adult general psychiatric unit of the state hospital over the next three, five, and 10 years based on:
      - (A) the state's current and projected population growth;
      - (B) current access to mental health resources in the community; and
      - (C) any other factors the Forensic Mental Health Coordinating Council finds relevant to projecting the total number of beds; and
    - (iv) the cost associated with the projected total number of beds described in Subsection (3)(h)(iii).
- (4) The Forensic Mental Health Coordinating Council shall report the results of the study described in Subsection (3)(h) and any recommended changes to laws or procedures based on the results to the Health and Human Services Interim Committee before November 30 of each year.