

1 **BEHAVIORAL HEALTH CRISIS RESPONSE COMMISSION**

2 **AMENDMENTS**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5
6 **LONG TITLE**

7 **General Description:**

8 This bill amends provisions governing the Behavioral Health Crisis Response
9 Commission.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ amends membership of the Behavioral Health Crisis Response Commission
13 (Commission) to include the executive director of the Department of Health and
14 Human Services;
- 15 ▶ repeals outdated language and makes corresponding modifications;
- 16 ▶ directs the Commission to coordinate services by local mental health crisis lines and
17 mobile crisis outreach teams;
- 18 ▶ extends the sunset of the Commission to July 1, 2028, and modifies corresponding
19 sunset provisions;
- 20 ▶ repeals codified title provisions; and
- 21 ▶ makes technical corrections.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 AMENDS:

28 **63C-18-202**, as last amended by Laws of Utah 2021, Chapter 76

29 **63C-18-203**, as last amended by Laws of Utah 2021, Chapter 76

30 **63I-1-226**, as last amended by Laws of Utah 2022, Chapters 194, 206, 224, 253, 255,
31 347, and 451

32 **63I-1-262**, as last amended by Laws of Utah 2022, Chapters 34, 35, 149, 257, and 335
 33 **63I-1-263**, as last amended by Laws of Utah 2022, Chapters 23, 34, 68, 153, 218, 236,
 34 249, 274, 296, 313, 361, 362, 417, 419, and 472

35 REPEALS:

36 **63C-18-201**, as enacted by Laws of Utah 2017, Chapter 23

37

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

39 Section 1. Section **63C-18-202** is amended to read:

40 **63C-18-202. Commission established -- Members.**

41 (1) There is created the Behavioral Health Crisis Response Commission, composed of
 42 the following members:

43 (a) the executive director of the University Neuropsychiatric Institute;

44 (b) the governor or the governor's designee;

45 (c) the director of the [~~Division~~] Office of Substance [~~Abuse~~] Use and Mental Health;

46 (d) one representative of the Office of the Attorney General, appointed by the attorney
 47 general;

48 (e) the executive director of the Department of Health and Human Services or the
 49 executive director's designee;

50 [~~(e)~~] (f) one member of the public, appointed by the chair of the commission and
 51 approved by the commission;

52 [~~(f)~~] (g) two individuals who are mental or behavioral health clinicians licensed to
 53 practice in the state, appointed by the chair of the commission and approved by the
 54 commission, at least one of whom is an individual who:

55 (i) is licensed as a physician under:

56 (A) Title 58, Chapter 67, Utah Medical Practice Act;

57 (B) Title 58, Chapter 67b, Interstate Medical Licensure Compact; or

58 (C) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

59 (ii) is board eligible for a psychiatry specialization recognized by the American Board
 60 of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic
 61 Specialists;

62 [~~(g)~~] (h) one individual who represents a county of the first or second class, appointed

63 by the Utah Association of Counties;

64 ~~[(h)]~~ (i) one individual who represents a county of the third, fourth, or fifth class,
65 appointed by the Utah Association of Counties;

66 ~~[(i)]~~ (j) one individual who represents the Utah Hospital Association, appointed by the
67 chair of the commission;

68 ~~[(j)]~~ (k) one individual who represents law enforcement, appointed by the chair of the
69 commission;

70 ~~[(k)]~~ (l) one individual who has lived with a mental health disorder, appointed by the
71 chair of the commission;

72 ~~[(l)]~~ (m) one individual who represents an integrated health care system that:

73 (i) is not affiliated with the chair of the commission; and

74 (ii) provides inpatient behavioral health services and emergency room services to
75 individuals in the state;

76 ~~[(m)]~~ (n) one individual who represents an accountable care organization, as defined in
77 Section 26-18-423, with a statewide membership base;

78 ~~[(n)]~~ (o) ~~[three members]~~ one member of the House of Representatives, appointed by
79 the speaker of the House of Representatives~~[,no more than two of whom may be from the same~~
80 ~~political party]; and~~

81 ~~[(o)]~~ (p) ~~[three members]~~ one member of the Senate, appointed by the president of the
82 Senate~~[,no more than two of whom may be from the same political party;]~~

83 ~~[(p)]~~ ~~one individual who represents 911 call centers and public safety answering points,~~
84 ~~appointed by the chair of the commission;]~~

85 ~~[(q)]~~ ~~one individual who represents Emergency Medical Services, appointed by the~~
86 ~~chair of the commission;]~~

87 ~~[(r)]~~ ~~one individual who represents the mobile wireless service provider industry,~~
88 ~~appointed by the chair of the commission;]~~

89 ~~[(s)]~~ ~~one individual who represents rural telecommunications providers, appointed by~~
90 ~~the chair of the commission;]~~

91 ~~[(t)]~~ ~~one individual who represents voice over internet protocol and land line providers,~~
92 ~~appointed by the chair of the commission; and]~~

93 ~~[(u)]~~ ~~one individual who represents the Utah League of Cities and Towns, appointed by~~

94 the chair of the commission. ~~(2) On December 31, 2022:~~

95 ~~[(a) the number of members described in Subsection (1)(n) and the number of members~~
96 ~~described in Subsection (1)(o) is reduced to one, with no restriction relating to party~~
97 ~~membership; and]~~

98 ~~[(b) the members described in Subsections (1)(p) through (u) are removed from the~~
99 ~~commission.]~~

100 ~~[(3)]~~ (2) (a) The executive director of the University Neuropsychiatric Institute is the
101 chair of the commission.

102 (b) The chair of the commission shall appoint a member of the commission to serve as
103 the vice chair of the commission, with the approval of the commission.

104 (c) The chair of the commission shall set the agenda for each commission meeting.

105 ~~[(4)]~~ (3) (a) A majority of the members of the commission constitutes a quorum.

106 (b) The action of a majority of a quorum constitutes the action of the commission.

107 ~~[(5)]~~ (4) (a) Except as provided in Subsection ~~[(5)(b)]~~ (4)(b), a member may not
108 receive compensation, benefits, per diem, or travel expenses for the member's service on the
109 commission.

110 (b) Compensation and expenses of a member who is a legislator are governed by
111 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

112 ~~[(6)]~~ (5) The Office of the Attorney General shall provide staff support to the
113 commission.

114 Section 2. Section **63C-18-203** is amended to read:

115 **63C-18-203. Commission duties -- Reporting requirements.**

116 (1) The commission shall:

117 (a) identify a method to integrate existing local mental health crisis lines to ensure each
118 individual who accesses a local mental health crisis line is connected to a qualified mental or
119 behavioral health professional, regardless of the time, date, or number of individuals trying to
120 simultaneously access the local mental health crisis line;

121 (b) study how to establish and implement a statewide mental health crisis line and a
122 statewide warm line, including identifying:

123 (i) a statewide phone number or other means for an individual to easily access the
124 statewide mental health crisis line, including a short code for text messaging and a three-digit

- 125 number for calls;
- 126 (ii) a statewide phone number or other means for an individual to easily access the
127 statewide warm line, including a short code for text messaging and a three-digit number for
128 calls;
- 129 (iii) a supply of:
- 130 (A) qualified mental or behavioral health professionals to staff the statewide mental
131 health crisis line; and
- 132 (B) qualified mental or behavioral health professionals or certified peer support
133 specialists to staff the statewide warm line; and
- 134 (iv) a funding mechanism to operate and maintain the statewide mental health crisis
135 line and the statewide warm line;
- 136 (c) coordinate with local mental health authorities in fulfilling the commission's duties
137 described in Subsections (1)(a) and (b); ~~[and]~~
- 138 (d) recommend standards for the certifications described in Section 62A-15-1302; and
- 139 (e) coordinate services provided by local mental health crisis lines and mobile crisis
140 outreach teams, as defined in Section 62A-15-1401.
- 141 ~~[(2) In preparation for the implementation of the statewide 988 hotline, the commission~~
142 ~~shall study and make recommendations regarding:]~~
- 143 ~~[(a) crisis line practices and needs, including:]~~
- 144 ~~[(i) quality and timeliness of service;]~~
- 145 ~~[(ii) service volume projections;]~~
- 146 ~~[(iii) a statewide assessment of crisis line staffing needs, including required~~
147 ~~certifications; and]~~
- 148 ~~[(iv) a statewide assessment of technology needs;]~~
- 149 ~~[(b) primary duties performed by crisis line workers;]~~
- 150 ~~[(c) coordination or redistribution of secondary duties performed by crisis line workers,~~
151 ~~including responding to non-emergency calls;]~~
- 152 ~~[(d) establishing a statewide 988 hotline:]~~
- 153 ~~[(i) in accordance with federal law;]~~
- 154 ~~[(ii) that ensures the efficient and effective routing of calls to an appropriate crisis~~
155 ~~center; and]~~

156 ~~[(iii) that includes directly responding to calls with trained personnel and the provision~~
157 ~~of acute mental health, crisis outreach, and stabilization services;]~~

158 ~~[(e) opportunities to increase operational and technological efficiencies and~~
159 ~~effectiveness between 988 and 911, utilizing current technology;]~~

160 ~~[(f) needs for interoperability partnerships and policies related to 911 call transfers and~~
161 ~~public safety responses;]~~

162 ~~[(g) standards for statewide mobile crisis outreach teams, including:]~~

163 ~~[(i) current models and projected needs;]~~

164 ~~[(ii) quality and timeliness of service;]~~

165 ~~[(iii) hospital and jail diversions, and]~~

166 ~~[(iv) staffing and certification;]~~

167 ~~[(h) resource centers, including:]~~

168 ~~[(i) current models and projected needs, and]~~

169 ~~[(ii) quality and timeliness of service;]~~

170 ~~[(i) policy considerations related to whether the state should:]~~

171 ~~[(i) manage, operate, and pay for a complete behavioral health system; or]~~

172 ~~[(ii) create partnerships with private industry, and]~~

173 ~~[(j) sustainable funding source alternatives, including:]~~

174 ~~[(i) charging a 988 fee, including a recommendation on the fee amount;]~~

175 ~~[(ii) General Fund appropriations;]~~

176 ~~[(iii) other government funding options;]~~

177 ~~[(iv) private funding sources;]~~

178 ~~[(v) grants;]~~

179 ~~[(vi) insurance partnerships, including coverage for support and treatment after initial~~
180 ~~call and triage; and]~~

181 ~~[(vii) other funding resources. (3) The commission shall:]~~

182 ~~[(a) before December 31, 2021, present an initial report on the matters described in~~
183 ~~Subsection (2), including any proposed legislation, to the Executive Appropriations~~
184 ~~Committee; and]~~

185 ~~[(b) before December 31, 2022, present a final report on the items described in~~
186 ~~Subsection (2), including any proposed legislation, to the Executive Appropriations~~

187 ~~Committee.]~~

188 ~~[(4) The duties described in Subsection (2) are removed on December 31, 2022.]~~

189 ~~[(5)] (2)~~ The commission may conduct other business related to the commission's
190 duties described in this section.

191 ~~[(6)] (3)~~ The commission shall consult with the ~~[Division]~~ Office of Substance ~~[Abuse]~~
192 Use and Mental Health regarding:

193 (a) the standards and operation of the statewide mental health crisis line and the
194 statewide warm line, in accordance with Title 62A, Chapter 15, Part 13, Statewide Mental
195 Health Crisis Line and Statewide Warm Line; and

196 (b) the incorporation of the statewide mental health crisis line and the statewide warm
197 line into behavioral health systems throughout the state.

198 (4) Beginning in 2023, on or before October 1 of each year, the commission shall
199 report to the Health and Human Services Interim Committee on the matters described in
200 Subsections (1) and (2), including any recommendations, legislation proposals, and
201 opportunities for behavioral health crisis response system improvement.

202 Section 3. Section **63I-1-226** is amended to read:

203 **63I-1-226. Repeal dates: Title 26 through 26B.**

204 (1) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July
205 1, 2025.

206 (2) Section 26-1-40 is repealed July 1, 2022.

207 (3) Section 26-1-41 is repealed July 1, 2026.

208 (4) Section 26-1-43 is repealed December 31, 2025.

209 (5) Section 26-7-10 is repealed July 1, 2025.

210 (6) Subsection 26-7-11(5), regarding reports to the Legislature, is repealed July 1,
211 2028.

212 (7) Section 26-7-14 is repealed December 31, 2027.

213 (8) Section 26-8a-603 is repealed July 1, 2027.

214 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
215 1, 2025.

216 (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,
217 is repealed July 1, 2026.

- 218 (11) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed
219 July 1, 2025.
- 220 (12) Subsection 26-15c-104(3), relating to a limitation on the number of
221 microenterprise home kitchen permits that may be issued, is repealed July 1, 2022.
- 222 (13) Subsection 26-18-2.6(9), which addresses reimbursement for dental hygienists, is
223 repealed July 1, 2028.
- 224 (14) Section 26-18-27 is repealed July 1, 2025.
- 225 (15) Section 26-18-28 is repealed June 30, 2027.
- 226 (16) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,
227 2027.
- 228 (17) Subsection 26-18-418(2), the language that states "and the Behavioral Health
229 Crisis Response Commission created in Section 63C-18-202" is repealed July 1, [~~2023~~] 2028.
- 230 (18) Section 26-33a-117 is repealed December 31, 2023.
- 231 (19) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.
- 232 (20) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
233 2024.
- 234 (21) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed
235 July 1, 2024.
- 236 (22) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.
- 237 (23) Section 26-39-201, which creates the Residential Child Care Licensing Advisory
238 Committee, is repealed July 1, 2024.
- 239 (24) Section 26-39-405, Drinking water quality in child care centers, is repealed July 1,
240 2027.
- 241 (25) Section 26-40-104, which creates the Utah Children's Health Insurance Program
242 Advisory Council, is repealed July 1, 2025.
- 243 (26) Section 26-50-202, which creates the Traumatic Brain Injury Advisory
244 Committee, is repealed July 1, 2025.
- 245 (27) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
246 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.
- 247 (28) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1,
248 2026.

249 (29) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July 1,
250 2024.

251 (30) Section 26-69-406 is repealed July 1, 2025.

252 (31) Subsection 26B-1-204(2)(i), related to the Residential Child Care Licensing
253 Advisory Committee, is repealed July 1, 2024.

254 (32) Subsection 26B-1-204(2)(k), related to the Primary Care Grant Committee, is
255 repealed July 1, 2025.

256 Section 4. Section **63I-1-262** is amended to read:

257 **63I-1-262. Repeal dates: Title 62A.**

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

259 (2) Sections 62A-5a-101, 62A-5a-102, 62A-5a-103, and 62A-5a-104, which create the
260 Coordinating Council for Persons with Disabilities, are repealed July 1, 2027.

261 (3) Subsections 62A-15-116(1) and (5), the language that states "In consultation with
262 the Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is
263 repealed January 1, [~~2023~~] 2028.

264 (4) Section 62A-15-118 is repealed December 31, 2023.

265 (5) Subsection 62A-15-123(4), the language that states "the Behavioral Health Crisis
266 Response Commission, as defined in Section 63C-18-202," is repealed July 1, 2028.

267 [~~(5)~~] (6) Section 62A-15-124 is repealed December 31, 2024.

268 [~~(6)~~] (7) Section 62A-15-605, which creates the Forensic Mental Health Coordinating
269 Council, is repealed July 1, 2023.

270 [~~(7)~~] (8) Subsections 62A-15-1100(1) and 62A-15-1101(9), in relation to the Utah
271 Substance Use and Mental Health Advisory Council, are repealed January 1, 2033.

272 [~~(8)~~] (9) In relation to the Behavioral Health Crisis Response Commission, on July 1,
273 [~~2023~~] 2028:

274 (a) Subsections 62A-15-1301(2) and 62A-15-1401(1) are repealed;

275 (b) Subsection 62A-15-1302(1)(b), the language that states "and in consultation with
276 the commission" is repealed;

277 (c) Subsection 62A-15-1303(1), the language that states "In consultation with the
278 commission," is repealed;

279 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations

280 from the commission," is repealed; ~~and~~]

281 (e) Subsection 62A-15-1702(6) is repealed; and

282 (f) Subsection 62A-15-1903(3)(b)(iv) is repealed.

283 Section 5. Section **63I-1-263** is amended to read:

284 **63I-1-263. Repeal dates: Titles 63A to 63N.**

285 (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital
286 improvement funding, is repealed July 1, 2024.

287 (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,
288 2023.

289 (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review
290 Committee, are repealed July 1, 2023.

291 (4) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

292 (a) Section 63A-18-102 is repealed;

293 (b) Section 63A-18-201 is repealed; and

294 (c) Section 63A-18-202 is repealed.

295 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
296 1, 2028.

297 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
298 2025.

299 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
300 2024.

301 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
302 repealed July 1, 2023.

303 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
304 July 1, [~~2023~~] 2028.

305 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is
306 repealed July 1, 2026.

307 (11) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.

308 (12) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.

309 (13) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities
310 Advisory Board, is repealed July 1, 2026.

- 311 (14) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
312 2028.
- 313 (15) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
314 2024.
- 315 (16) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 316 (17) Subsection 63J-1-602.1(17), relating to the Nurse Home Visiting Restricted
317 Account, is repealed July 1, 2026.
- 318 (18) Subsection 63J-1-602.2(6), referring to dedicated credits to the Utah Marriage
319 Commission, is repealed July 1, 2023.
- 320 (19) Subsection 63J-1-602.2(7), referring to the Trip Reduction Program, is repealed
321 July 1, 2022.
- 322 (20) Subsection 63J-1-602.2(26), related to the Utah Seismic Safety Commission, is
323 repealed January 1, 2025.
- 324 (21) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is
325 repealed July 1, 2027.
- 326 (22) In relation to the Utah Substance Use and Mental Health Advisory Council, on
327 January 1, 2033:
- 328 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
329 repealed;
- 330 (b) Section 63M-7-305, the language that states "council" is replaced with
331 "commission";
- 332 (c) Subsection 63M-7-305(1)(a) is repealed and replaced with:
333 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
334 (d) Subsection 63M-7-305(2) is repealed and replaced with:
335 "(2) The commission shall:
- 336 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
337 Drug-Related Offenses Reform Act; and
- 338 (b) coordinate the implementation of Section 77-18-104 and related provisions in Subsections
339 77-18-103(2)(c) and (d)."
- 340 (23) The Crime Victim Reparations and Assistance Board, created in Section
341 63M-7-504, is repealed July 1, 2027.

342 (24) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.

343 (25) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed
344 January 1, 2025.

345 (26) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

346 (27) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July
347 1, 2028.

348 (28) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed
349 July 1, 2027.

350 (29) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
351 repealed July 1, 2025.

352 (30) In relation to the Rural Employment Expansion Program, on July 1, 2023:

353 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;
354 and

355 (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion
356 Program, is repealed.

357 (31) In relation to the Board of Tourism Development, on July 1, 2025:

358 (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;

359 (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is
360 repealed and replaced with "Utah Office of Tourism";

361 (c) Subsection 63N-7-101(1), which defines "board," is repealed;

362 (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive
363 approval from the Board of Tourism Development, is repealed; and

364 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

365 (32) Subsection 63N-8-103(3)(c), which allows the Governor's Office of Economic
366 Opportunity to issue an amount of tax credit certificates only for rural productions, is repealed
367 on July 1, 2024.

368 Section 6. **Repealer.**

369 This bill repeals:

370 Section **63C-18-201, Title.**