



# Health & Human Services Code Recodification

Crosswalk for S.B. 38, 39, 40, and 41 (2023 GS) | February 15, 2023

## Summary

Senate Bills 38, 39, 40, and 41 (2023 General Session) combine Title 26, Utah Health Code, and Title 62A, Utah Human Services Code, into a new Title 26B, Utah Health and Human Services Code. This crosswalk shows where each section in the recodified Title 26B comes from in Title 26 or Title 62A.

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## S.B. 38, Health and Human Services Recodification - Administration, Licensing, and Recovery Services

Chapter 1. Department of Health and Human Services.

New Section	Section Title	Current
<i>Part 1. General Provisions.</i>		
26B-1-102	Definitions.	(amended)
26B-1-103	Purpose of title -- Consolidation of functions into single state agency.	(no change)
26B-1-104	Severability of code provisions.	(no change)
26B-1-105	Individual rights protected.	(no change)
<i>Part 2. Department of Health and Human Services.</i>		
26B-1-201	Department of Health and Human Services -- Creation -- Duties.	(no change)
26B-1-202	Department authority and duties.	(no change)
26B-1-203	Executive director -- Appointment -- Compensation -- Qualifications -- Deputy directors required -- Responsibilities.	(no change)
26B-1-204	Creation of boards, divisions, and offices -- Power to organize department.	(no change)
26B-1-205	Division directors -- Appointment -- Compensation -- Qualifications.	(no change)
26B-1-206	Limitation on establishment of advisory bodies.	(no change)
26B-1-207	Policymaking responsibilities -- Regulations for local health departments prescribed by department -- Local standards not more stringent than federal or state standards -- Consultation with local health departments -- Committee to evaluate health policies and to review federal grants.	(no change)
26B-1-208	Participation in federal programs -- Federal grants -- Authority of executive director.	(no change)
26B-1-209	Fee schedule adopted by department.	(no change)
26B-1-210	Department budget -- Reports from divisions.	(no change)
26B-1-211	Background checks for employees -- Access to abuse and neglect information to screen employees and volunteers.	(no change)
26B-1-212	Confidential records.	(no change)
26B-1-213	Department and committee rules and proceedings.	(no change)
26B-1-214	Executive director -- Enforcement powers.	26-1-10
26B-1-215	Actions on behalf of department -- Party in interest.	62A-1-115
26B-1-216	Powers and duties of the office.	62A-18-105



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
26B-1-217	Content and form of certificates and reports.	26-1-35
26B-1-218	Intergenerational poverty mitigation reporting.	26-1-44
26B-1-219	Requirements for issuing, recommending, or facilitating rationing criteria.	26-1-45
26B-1-220	Legal advice and representation for department.	26-23-1
26B-1-221	Administrative review of actions of department or director.	26-23-2
26B-1-222	Violation of public health laws or orders unlawful.	26-23-3
26B-1-223	Unlawful acts by department officers and employees.	26-23-4
26B-1-224	Criminal and civil penalties and liability for violations.	26-23-6
26B-1-225	Application of enforcement procedures and penalties.	26-23-7
26B-1-226	Representatives of department authorized to enter regulated premises.	26-23-8
26B-1-227	Authority of department as to functions transferred from other agencies.	26-23-9
26B-1-228	Religious exemptions from code -- Regulation of state-licensed healing system practice unaffected by code.	26-23-10
26B-1-229	Authority to provide data on treatment and condition of persons to designated agencies -- Immunity from liability.	26-25-1
26B-1-230	Governmental entities prohibited from requiring a COVID-19 vaccine.	26-68-102
26B-1-231	Duties of the office.	26B-1a-104
26B-1-232	American Indian-Alaska Native Health Liaison -- Appointment -- Duties.	26B-1a-105
26B-1-233	Indian Child Welfare Act Liaison -- Appointment -- Qualifications -- Duties.	26B-1a-106
26B-1-234	Child pornography.	62A-1-122
26B-1-235	Request for proposal required for non-state supplied services.	26-10-8
26B-1-236	Minimum period of impoundment -- Efforts required to contact owner and to make animal available -- Prerogative of person voluntarily providing animal.	26-26-3
26B-1-237	Utah Office of Internal Audit.	26-18-605
26B-1-238	Division responsibilities -- Normalizing lives of children.	62A-4a-211
<i>Part 3. Funds and Accounts.</i>		
26B-1-301	Executive director -- Power to accept funds and gifts.	(no change)
26B-1-302	National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account.	(no change)
26B-1-304	Restricted account created to fund drug testing for law enforcement agencies.	(no change)
26B-1-305	Department of Health and Human Services Transition Restricted Account.	(no change)
26B-1-306	Emergency Medical Services System Account.	26-8a-108
26B-1-307	Automatic External Defibrillator Restricted Account.	26-8b-602
26B-1-308	Rural Health Care Facilities Account -- Source of revenues -- Interest -- Distribution of revenues -- Expenditure of revenues -- Unexpended revenues lapse into the General Fund.	26-9-4
26B-1-309	Medicaid Restricted Account.	26-18-402
26B-1-310	Qualified Patient Enterprise Fund -- Creation -- Revenue neutrality.	26-61a-109



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
26B-1-311	Creation of Kurt Oscarson Children's Organ Transplant Account.	26-18a-4
26B-1-312	Allyson Gamble Organ Donation Contribution Fund created.	26-18b-101
26B-1-313	Cancer Research Restricted Account.	26-21a-302
26B-1-314	Children with Cancer Support Restricted Account.	26-21a-304
26B-1-315	Medicaid Expansion Fund.	26-36b-208
26B-1-316	Hospital Provider Assessment Expendable Revenue Fund.	26-36d-207
26B-1-317	Ambulance Service Provider Assessment Expendable Revenue Fund.	26-37a-107
26B-1-318	Traumatic Brain Injury Fund.	26-50-201
26B-1-319	Spinal Cord and Brain Injury Rehabilitation Fund -- Creation -- Administration -- Uses.	26-54-102
26B-1-320	Pediatric Neuro-Rehabilitation Fund -- Creation -- Administration -- Uses.	26-54-102.5
26B-1-321	Children with Heart Disease Support Restricted Account.	26-58-102
26B-1-322	Adult Autism Treatment Account.	26-67-205
26B-1-323	"Out and About" Homebound Transportation Assistance Fund.	62A-3-110
26B-1-324	Statewide Behavioral Health Crisis Response Account -- Creation -- Administration -- Permitted uses.	62A-15-123
26B-1-325	Governor's Suicide Prevention Fund.	62A-15-1103
26B-1-326	Suicide Prevention and Education Fund.	62A-15-1104
26B-1-327	Survivors of Suicide Loss Account.	62A-15-1502
26B-1-328	Psychiatric and Psychotherapeutic Consultation Program Account.	62A-15-1602
26B-1-329	Mental Health Services Donation Fund.	62A-15-1702
26B-1-330	Utah State Developmental Center Miscellaneous Donation Fund -- Use.	62A-5-206.5
26B-1-331	Utah State Developmental Center Long-Term Sustainability Fund.	62A-5-206.7
26B-1-332	Nursing Care Facilities Provider Assessment Expendable Revenue Fund -- Creation -- Deposits -- Uses.	26-35a-106
<i>Part 4. Boards, Commissions, Councils, and Advisory Committees.</i>		
26B-1-401	Executive director -- Power to amend, modify, or rescind committee rules.	26-1-11
26B-1-402	Rare Disease Advisory Council Grant Program -- Creation -- Reporting.	26-1-41
26B-1-403	Opioid and Overdose Fatality Review Committee.	26-7-13
26B-1-404	State Emergency Medical Services Committee -- Membership -- Expenses.	26-8a-103
26B-1-405	Air Ambulance Committee -- Membership -- Duties.	26-8a-107
26B-1-406	Trauma system advisory committee.	26-8a-251
26B-1-407	Stroke registry advisory committee.	26-8d-104
26B-1-408	Cardiac registry advisory committee.	26-8d-105
26B-1-409	Utah Digital Health Service Commission.	26-9f-103
26B-1-410	Primary Care Grant Committee.	26-10b-106
26B-1-411	Creation and membership of Kurt Oscarson Children's Organ Transplant Coordinating Committee -- Expenses.	26-18a-2
26B-1-412	Health Facility Committee -- Members -- Terms -- Organization -- Meetings.	26-21-3



26B-1-413	Purpose, powers, and duties of the committee.	26-33a-104
26B-1-414	Child Care Center Licensing Committee.	26-39-200
26B-1-415	Residential Child Care Licensing Advisory Committee.	26-39-201
26B-1-416	Utah Children's Health Insurance Program Advisory Council.	26-40-104
26B-1-417	Traumatic Brain Injury Advisory Committee -- Membership -- Time limit.	26-50-202
26B-1-418	Spinal Cord and Brain Injury Rehabilitation Fund and Pediatric Neuro-Rehabilitation Fund Advisory Committee -- Creation -- Membership -- Terms -- Duties.	26-54-103
26B-1-419	Advisory committee -- Membership -- Compensation -- Duties.	26-46-103
26B-1-420	Cannabis Research Review Board.	26-61-201
26B-1-421	Compassionate Use Board.	26-61a-105
26B-1-422	Early Childhood Utah Advisory Council -- Duties.	26-66-202
26B-1-423	Rural Physician Loan Repayment Program Advisory Committee -- Membership -- Compensation -- Duties.	26-46a-104
26B-1-424	Adult Autism Treatment Program Advisory Committee -- Membership -- Procedures -- Compensation -- Duties -- Expenses.	26-67-202
26B-1-425	Utah Health Workforce Advisory Council creation and membership.	26-69-201
26B-1-426	Board of Aging and Adult Services -- Members, appointment, terms, vacancies, chairperson, compensation, meetings, quorum.	62A-1-107
26B-1-427	Tracking effects of abuse of alcoholic products.	62A-1-121
26B-1-428	Youth Electronic Cigarette, Marijuana, and Other Drug Prevention Program.	26-7-10
26B-1-429	Utah State Developmental Center Board -- Creation -- Membership -- Duties -- Powers.	62A-5-202.5
26B-1-430	Coordinating Council for Persons with Disabilities -- Creation -- Membership -- Expenses.	62A-5a-103
26B-1-431	Forensic Mental Health Coordinating Council -- Establishment and purpose.	62A-15-605
<i>Part 5. Fatality Review.</i>		
26B-1-501	Definitions.	62A-16-102
26B-1-502	Initial review.	62A-16-201
26B-1-503	Fatality review committee for a qualified individual who was not a resident of the Utah State Hospital or the Utah State Developmental Center.	62A-16-202
26B-1-504	Fatality review committees for a resident of the Utah State Hospital or the Utah State Developmental Center.	62A-16-203
26B-1-505	Fatality review committee proceedings.	62A-16-204
26B-1-506	Fatality review committee report -- Response to report.	62A-16-301
26B-1-507	Reporting to, and review by, legislative committees.	62A-16-302



*Chapter 2. Licensing and Certifications.*

<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
<i>Part 1. Human Services Programs and Facilities.</i>		
26B-2-101	Definitions.	26B-2-101
26B-2-102	Purpose of licensure.	62A-2-102
26B-2-103	Office of Licensing -- Appointment -- Qualifications of director.	62A-2-103
26B-2-104	Office responsibilities.	62A-2-106
26B-2-105	Licensure requirements -- Expiration -- Renewal.	62A-2-108
26B-2-106	License application -- Classification of information.	62A-2-109
26B-2-107	Administrative inspections.	62A-2-118
26B-2-108	Adoption of inspections, examinations, and studies.	62A-2-119
26B-2-109	Human services program non-discrimination.	62A-2-124
26B-2-110	License revocation -- Suspension.	62A-2-113
26B-2-111	Adjudicative proceedings.	62A-2-111
26B-2-112	Violations -- Penalties.	62A-2-112
26B-2-113	Violation -- Criminal penalties.	62A-2-116
26B-2-114	Injunctive relief and other legal procedures.	62A-2-115
26B-2-115	Exclusions from chapter.	62A-2-110
26B-2-116	Coordination of human services and educational services -- Licensing of programs -- Procedures.	62A-2-108.1
26B-2-117	Licensing residential treatment programs and recovery residences -- Notification of local government.	62A-2-108.2
26B-2-118	Request by local government.	62A-2-108.4
26B-2-119	Residential support program -- Temporary homeless youth shelter.	62A-2-108.8
26B-2-120	Background check -- Direct access to children or vulnerable adults.	62A-2-120
26B-2-121	Access to abuse and neglect information.	62A-2-121
26B-2-122	Access to vulnerable adult abuse and neglect information.	62A-2-122
26B-2-123	Congregate care program regulation.	62A-2-123
26B-2-124	Congregate care program requirements.	62A-2-125
26B-2-125	Youth transportation company registration.	62A-2-128
26B-2-126	Notification requirement for child-placing agencies that provide foster home services -- Rulemaking authority.	62A-2-108.5
26B-2-127	Child placing licensure requirements -- Prohibited acts.	62A-2-108.6
26B-2-128	Numerical limit of foster children in a foster home.	62A-2-116.5
26B-2-129	Licensure of tribal foster homes.	62A-2-117
26B-2-130	Foster care by a child's relative.	62A-2-117.5
26B-2-131	Child-placing agency responsible for educational services -- Costs.	62A-2-127
26B-2-132	Child-placing agency proof of authority in a proceeding.	62A-2-115.2
26B-2-133	Injunctive relief and civil penalty for unlawful child placing -- Enforcement by county attorney or attorney general.	62A-2-115.1



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
<i>Part 2. Health Care Facility Licensing and Inspection.</i>		
26B-2-201	Definitions.	26-21-2
26B-2-202	Duties of department.	26-21-6
26B-2-203	Services.	26-21-2.1
26B-2-204	Licensing of an abortion clinic -- Rulemaking authority -- Fee.	26-21-6.5
26B-2-205	Exempt facilities.	26-21-7
26B-2-206	License required -- Not assignable or transferable -- Posting -- Expiration and renewal -- Time for compliance by operating facilities.	26-21-8
26B-2-207	Application for license -- Information required -- Public records.	26-21-9
26B-2-208	Violations -- Denial or revocation of license -- Restricting or prohibiting new admissions -- Monitor.	26-21-11
26B-2-209	Failure to follow certain health care claims practices -- Penalties.	26-21-11.1
26B-2-210	Issuance of new license after revocation -- Restoration.	26-21-12
26B-2-211	License issued to facility in compliance or substantial compliance with chapter and rules.	26-21-13
26B-2-212	Intermediate care facilities for people with an intellectual disability -- Licensing.	26-21-13.5
26B-2-213	Rural hospital -- Optional service designation.	26-21-13.6
26B-2-214	Closing facility -- Appeal.	26-21-14
26B-2-215	Action by department for injunction.	26-21-15
26B-2-216	Operating facility in violation of chapter a misdemeanor.	26-21-16
26B-2-217	Department agency of state to contract for certification of facilities under Social Security Act.	26-21-17
26B-2-218	Life and Health Insurance Guaranty Association Act not amended.	26-21-19
26B-2-219	Requirement for hospitals to provide statements of itemized charges to patients.	26-21-20
26B-2-220	Authentication of medical records.	26-21-21
26B-2-221	Reporting of disciplinary information -- Immunity from liability.	26-21-22
26B-2-222	Licensing of a new nursing care facility -- Approval for a licensed bed in an existing nursing care facility -- Fine for excess Medicare inpatient revenue.	26-21-23
26B-2-223	Prohibition against bed banking by nursing care facilities for Medicaid reimbursement.	26-21-24
26B-2-224	Patient identity protection.	26-21-25
26B-2-225	General acute hospital to report prescribed controlled substance poisoning or overdose.	26-21-26
26B-2-226	Information regarding certain health care facility charges.	26-21-27
26B-2-227	Pilot program for managed care model with a small health care facility operating as a skilled nursing facility.	26-21-28
26B-2-228	Birthing centers -- Regulatory restrictions.	26-21-29



<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
26B-2-229	Disposal of controlled substances at nursing care facilities.	26-21-30
26B-2-230	Prohibition on certain age-based physician testing.	26-21-31
26B-2-231	Notification of air ambulance policies and charges.	26-21-32
26B-2-232	Treatment of aborted remains.	26-21-33
26B-2-233	Treatment of miscarried remains.	26-21-34
26B-2-234	Resident consumer protection.	26-21-35
26B-2-235	[Sepsis] Protocols.	26-21c-103
26B-2-236	Monitoring device -- Installation, notice, and consent -- Liability.	26-21-303
26B-2-237	Transfer or discharge.	26-21-305
26B-2-238	Definitions.	26-21-201
26B-2-239	Clearance required.	26-21-202
26B-2-240	Clearance.	26-21-204
26B-2-241	Direct Access Clearance System database -- Contents -- Use.	26-21-209
<i>Part 3. Long Term Care Ombudsman.</i>		
26B-2-301	Definitions.	62A-3-202
26B-2-302	Legislative findings -- Purpose -- Ombudsman.	62A-3-201
26B-2-303	Long-Term Care Ombudsman Program -- Responsibilities.	62A-3-203
26B-2-304	Powers and responsibilities of ombudsman.	62A-3-204
26B-2-305	Procedures -- Adjudicative proceedings.	62A-3-205
26B-2-306	Investigation of complaints -- Procedures.	62A-3-206
26B-2-307	Confidentiality of materials relating to complaints or investigations -- Immunity from liability -- Discriminatory, disciplinary, or retaliatory actions prohibited.	62A-3-207
26B-2-308	Prohibited acts -- Penalty.	62A-3-208
26B-2-309	Assisted living facility transfers.	62A-3-209
<i>Part 4. Child Care Licensing.</i>		
26B-2-401	Definitions.	26-39-102
26B-2-402	Duties of the department -- Enforcement of chapter -- Licensing committee requirements.	26-39-301
26B-2-403	Licensure requirements -- Expiration -- Renewal.	26-39-401
26B-2-404	Residential Child Care Certificate.	26-39-402
26B-2-405	Exclusions from chapter -- Criminal background checks by an excluded person.	26-39-403
26B-2-406	Disqualified individuals -- Criminal history checks -- Payment of costs.	26-39-404
26B-2-407	Drinking water quality in child care centers.	26-39-405
26B-2-408	Investigations -- Records.	26-39-501
26B-2-409	License violations -- Penalties.	26-39-601
26B-2-410	Offering or providing care in violation of chapter -- Misdemeanor.	26-39-602



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
<i>Part 5. Certifications.</i>		
26B-2-501	Definitions.	26-71-101
26B-2-502	Rulemaking.	26-71-102
26B-2-503	Community Health Worker Certification Advisory Board.	26-71-103
26B-2-504	Certification -- Unlawful conduct.	26-71-104
26B-2-505	Qualifications for certification.	26-71-105
26B-2-506	Certification is voluntary.	26-71-106
26B-2-507	Term of certification - Expiration - Renewal.	26-71-107
<i>Part 6. Mammography Quality Assurance.</i>		
26B-2-601	Definitions.	26-21a-101
26B-2-602	Department rulemaking authority.	26-21a-203
26B-2-603	Mammogram provider certification.	26-21a-204
26B-2-604	Department duties.	26-21a-205
26B-2-605	Women's cancer screening notification requirement.	26-21a-206
26B-2-606	Breast cancer mortality reduction program.	26-21a-301

*Chapter 9. Recovery Services and Administration of Child Support.*

<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
<i>Part 1. Office of Recovery Services.</i>		
26B-9-101	Miscellaneous provisions -- Reserved.	26B-9-101
26B-9-102	Legislative intent -- Liberal construction.	62A-11-101
26B-9-103	Office of Recovery Services -- Creation.	62A-11-102
26B-9-104	Duties of office.	62A-11-104
26B-9-105	Disclosure of information regarding employees.	62A-11-104.1
26B-9-106	Adjudicative proceedings.	62A-11-105
26B-9-107	Office may file as real party in interest -- Written consent to payment agreements -- Money judgment in favor of obligee considered to be in favor of office to extent of right to recover.	62A-11-106
26B-9-108	Director -- Powers of office -- Representation by county attorney or attorney general -- Receipt of grants -- Rulemaking and enforcement.	62A-11-107
26B-9-109	Office designated as criminal justice agency -- Access by IV-D agencies to motor vehicle and law enforcement data through the office.	62A-11-108
26B-9-110	Lien provisions.	62A-11-111
26B-9-111	Assignment of support -- Children in state custody.	62A-1-117
26B-9-112	Alternative payment by obligor through electronic funds transfer.	62A-11-703
26B-9-113	Mandatory distribution to obligee through electronic funds transfer.	62A-11-704





<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
<i>Part 2. Child Support Services.</i>		
26B-9-201	Definitions.	62A-11-303
26B-9-202	Common-law and statutory remedies augmented by act -- Public policy.	62A-11-302
26B-9-203	Application for child support services.	62A-11-303.5
26B-9-204	Annual fee for child support services to a custodial parent who has not received TANF assistance.	62A-11-303.7
26B-9-205	Expedited procedures for establishing paternity or establishing, modifying, or enforcing a support order.	62A-11-304.1
26B-9-206	Issuance or modification of administrative order -- Compliance with court order -- Authority of office -- Stipulated agreements -- Notification requirements.	62A-11-304.2
26B-9-207	Filing of location information -- Service of process.	62A-11-304.4
26B-9-208	Financial institutions.	62A-11-304.5
26B-9-209	Support collection services requested by agency of another state.	62A-11-305
26B-9-210	Issuance or modification of an order to collect support for persons not receiving public assistance.	62A-11-306.1
26B-9-211	Mandatory review and adjustment of child support orders for TANF recipients.	62A-11-306.2
26B-9-212	Collection directly from responsible parent.	62A-11-307.1
26B-9-213	Duties of obligee after assignment of support rights.	62A-11-307.2
26B-9-214	Liens by operation of law and writs of garnishment.	62A-11-312.5
26B-9-215	Effect of Lien.	62A-11-313
26B-9-216	Enforcement of liens arising in another state.	62A-11-315.5
26B-9-217	Requirement to honor voluntary assignment of earnings -- Discharge of employee prohibited -- Liability for discharge -- Earnings subject to support lien or garnishment.	62A-11-316
26B-9-218	Release of lien, attachment, or garnishment by department.	62A-11-319
26B-9-219	Payment schedules.	62A-11-320
26B-9-220	Review and adjustment of child support order in three-year cycle -- Substantial change in circumstances not required.	62A-11-320.5
26B-9-221	Review and adjustment of support order for substantial change in circumstances outside three-year cycle.	62A-11-320.6
26B-9-222	Three-year notice of opportunity to review.	62A-11-320.7
26B-9-223	Posting bond or security for payment of support debt -- Procedure.	62A-11-321



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
26B-9-224	Medical and dental expenses of dependent children.	62A-11-326
26B-9-225	Enrollment of child in accident and health insurance plan -- Order -- Notice.	62A-11-326.1
26B-9-226	Compliance with order -- Enrollment of dependent child for insurance.	62A-11-326.2
26B-9-227	Determination of parental liability.	62A-11-326.3
26B-9-228	Reporting past-due support to consumer reporting agency.	62A-11-327
26B-9-229	Information received from State Tax Commission provided to other states' child support collection agencies.	62A-11-328
26B-9-230	Right to judicial review.	62A-11-333
26B-9-231	Reporting past-due support for criminal prosecution.	62A-11-334
<i>Part 3. Income Withholding in IV-D Cases.</i>		
26B-9-301	Definitions.	62A-11-401
26B-9-302	Administrative procedures.	62A-11-402
26B-9-303	Provision for income withholding in child support order -- Immediate income withholding.	62A-11-403
26B-9-304	Office procedures for income withholding for orders issued or modified on or after October 13, 1990.	62A-11-404
26B-9-305	Office procedures for income withholding for orders issued or modified before October 13, 1990.	62A-11-405
26B-9-306	Notice to payor.	62A-11-406
26B-9-307	Payor's procedures for income withholding.	62A-11-407
26B-9-308	Termination of income withholding.	62A-11-408
26B-9-309	Payor's compliance with income withholding.	62A-11-409
26B-9-310	Violations by payor.	62A-11-410
26B-9-311	Priority of notice or order to withhold income.	62A-11-411
26B-9-312	Records and documentation -- Distribution or refund of collected income -- Allocation of payments among multiple notices to withhold.	62A-11-413
26B-9-313	Income withholding upon obligor's request.	62A-11-414
<i>Part 4. Income Withholding in Non IV-D Cases.</i>		
26B-9-401	Definitions.	ENACT
26B-9-402	Definitions -- Application.	62A-11-501
26B-9-403	Child support orders issued or modified on or after January 1, 1994 -- Immediate income withholding.	62A-11-502
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## **S.B. 49, Health and Human Services Recodification - Health Care Assistance and Data**

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*Chapter 8. Health Data, Vital Statistics, and Utah Medical Examiner*

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## **S.B. 40, Health and Human Services Recodification - Health Care Delivery and Repeals**

### *Chapter 4. Health Care -- Delivery and Access.*

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26B-4-103	Waiver of rules and education and licensing requirements.	26-8a-106
26B-4-104	Public awareness efforts.	26-8a-201
26B-4-105	Emergency medical communications.	26-8a-202
26B-4-106	Data collection.	26-8a-203
26B-4-107	Emergency Medical Services Grant Program.	26-8a-207
26B-4-108	Fees for training equipment rental, testing, and quality assurance reviews.	26-8a-208
26B-4-109	Regional Emergency Medical Services Liaisons -- Qualifications -- Duties.	26-8a-210
26B-4-110	Community paramedicine program.	26-8a-212
26B-4-111	Establishment of statewide trauma system.	26-8a-250
26B-4-112	Department duties.	26-8a-252
26B-4-113	Statewide trauma registry and quality assurance program.	26-8a-253
26B-4-114	Trauma center designations and guidelines.	26-8a-254
26B-4-115	General requirement.	26-8a-301
26B-4-116	Licensure of emergency medical service personnel.	26-8a-302
26B-4-117	Designation of emergency medical service providers and nonemergency secured behavioral health transport providers.	26-8a-303
26B-4-118	Permits for emergency medical service vehicles and nonemergency secured behavioral health transport vehicles.	26-8a-304
26B-4-119	Ambulance license required for emergency medical transport.	26-8a-305
26B-4-120	Medical control.	26-8a-306
26B-4-121	Patient destination.	26-8a-307
26B-4-122	Exemptions.	26-8a-308



<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
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26B-4-124	Background clearance for emergency medical service personnel.	26-8a-310
26B-4-125	Background check requirements for emergency medical dispatchers.	26-8a-310.5
26B-4-126	Discrimination prohibited.	26-8a-501
26B-4-127	Illegal activity.	26-8a-502
26B-4-128	Prohibition on the use of "911".	26-8a-502.1
26B-4-129	Discipline of emergency medical services personnel.	26-8a-503
26B-4-130	Discipline of designated and licensed providers.	26-8a-504
26B-4-131	Service interruption or cessation -- Receivership -- Default coverage -- Notice.	26-8a-505
26B-4-132	Investigations for enforcement of chapter.	26-8a-506
26B-4-133	Cease and desist orders.	26-8a-507
26B-4-134	Persons and activities exempt from civil liability.	26-8a-601
26B-4-135	Notification of air ambulance policies and charges.	26-8a-602
26B-4-136	Volunteer Emergency Medical Service Personnel Health Insurance Program -- Creation -- Administration -- Eligibility -- Benefits -- Rulemaking -- Advisory board.	26-8a-603
26B-4-137	EMS Personnel Licensure Interstate Compact.	26-8c-102
26B-4-150	State regulation of emergency medical services market -- License term.	26-8a-401
26B-4-151	Exclusive geographic service areas.	26-8a-402
26B-4-152	Establishment of maximum rates.	26-8a-403
26B-4-153	Ground ambulance and paramedic licenses -- Application and department review.	26-8a-404
26B-4-154	Ground ambulance and paramedic licenses -- Agency notice of approval.	26-8a-405
26B-4-155	Selection of provider by political subdivision.	26-8a-405.1
26B-4-156	Selection of provider -- Request for competitive sealed proposal -- Public convenience and necessity.	26-8a-405.2
26B-4-157	Use of competitive sealed proposals -- Procedure -- Appeal rights.	26-8a-405.3
26B-4-158	Non-911 provider -- Finding of meritorious complaint -- Request for proposals.	26-8a-405.4
26B-4-159	Use of competitive sealed proposals -- Procedure -- Appeal rights.	26-8a-405.5
26B-4-160	Ground ambulance and paramedic licenses -- Parties.	26-8a-406
26B-4-161	Ground ambulance and paramedic licenses -- Proceedings.	26-8a-407
26B-4-162	Criteria for determining public convenience and necessity.	26-8a-408
26B-4-163	Ground ambulance and paramedic licenses -- Hearing and presiding officers.	26-8a-409
26B-4-164	Local approvals.	26-8a-410
26B-4-165	Limitation on repetitive applications.	26-8a-411
26B-4-166	License for air ambulance providers.	26-8a-412
26B-4-167	License renewals.	26-8a-413



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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26B-4-169	Changes in ownership.	26-8a-415
26B-4-170	Overlapping licenses.	26-8a-416
<i>Part 2. Cannabinoid Research and Medical Cannabis.</i>		
26B-4-201	Definitions.	26-61a-102
26B-4-202	Electronic verification system.	26-61a-103
26B-4-203	Qualifying condition.	26-61a-104
26B-4-204	Qualified medical provider registration -- Continuing education -- Treatment recommendation -- Limited medical provider.	26-61a-106
26B-4-205	Standard of care -- Physicians and pharmacists not liable -- No private right of action.	26-61a-107
26B-4-206	Agreement with a tribe.	26-61a-108
26B-4-207	Nondiscrimination for medical care or government employment -- Notice to prospective and current public employees -- No effect on private employers.	26-61a-111
26B-4-208	No insurance requirement.	26-61a-112
26B-4-209	No effect on use of hemp extract -- Cannabidiol -- Approved drugs.	26-61a-113
26B-4-210	Severability clause.	26-61a-114
26B-4-211	Analogous to prescribed controlled substances.	26-61a-115
26B-4-212	Institutional review board -- Approved study of cannabis, a cannabinoid product, or an expanded cannabinoid product.	26-61-103
26B-4-213	Medical cannabis patient card -- Medical cannabis guardian card -- Conditional medical cannabis card -- Application -- Fees -- Studies.	26-61a-201
26B-4-214	Medical cannabis caregiver card -- Registration -- Renewal -- Revocation.	26-61a-202
26B-4-215	Designated caregiver -- Guardian -- Criminal background check.	26-61a-203
26B-4-216	Medical cannabis card -- Patient and designated caregiver requirements -- Rebuttable presumption.	26-61a-204
26B-4-217	Medical cannabis pharmacy agent -- Registration.	26-61a-401
26B-4-218	Medical cannabis pharmacy agent registration card -- Rebuttable presumption.	26-61a-402
26B-4-219	Pharmacy medical providers -- Registration -- Continuing education.	26-61a-403
26B-4-220	Enforcement -- Misdemeanor.	26-61a-701
26B-4-221	Enforcement -- Fine -- Citation.	26-61a-702
26B-4-222	Report.	26-61a-703
26B-4-223	Advertising.	26-61a-116
26B-4-224	Medical cannabis pharmacy -- License -- Eligibility.	26-61a-301
26B-4-225	Medical cannabis pharmacy owners and directors -- Criminal background checks.	26-61a-302
26B-4-226	Renewal.	26-61a-303
26B-4-227	Operating plan.	26-61a-304



<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
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26B-4-229	Operating requirements -- General.	26-61a-501
26B-4-230	Dispensing -- Amount a medical cannabis pharmacy may dispense -- Reporting -- Form of cannabis or cannabis product.	26-61a-502
26B-4-231	Partial filling.	26-61a-503
26B-4-232	Inspections.	26-61a-504
26B-4-233	Advertising.	26-61a-505
26B-4-234	Medical cannabis transportation.	26-61a-506
26B-4-235	Local control.	26-61a-507
26B-4-236	State central patient portal -- Department duties.	26-61a-601
26B-4-237	State central patient portal medical provider.	26-61a-602
26B-4-238	Payment provider for electronic medical cannabis transactions.	26-61a-603
26B-4-239	Home delivery of medical cannabis shipments -- Medical cannabis couriers -- License.	26-61a-604
26B-4-240	Medical cannabis shipment transportation.	26-61a-605
26B-4-241	Medical cannabis courier agent -- Background check -- Registration card -- Rebuttable presumption.	26-61a-606
26B-4-242	Home delivery of medical cannabis shipments.	26-61a-607
<i>Part 3. Health Care Access.</i>		
26B-4-301	Definitions.	26-10b-101
26B-4-302	Authority to administer CPR or use an AED.	26-8b-201
26B-4-303	Immunity.	26-8b-202
26B-4-304	Reporting location of automatic external defibrillators.	26-8b-301
26B-4-305	Distributors to notify of reporting requirements.	26-8b-302
26B-4-306	Duties of emergency medical dispatch centers.	26-8b-303
26B-4-307	Education and training.	26-8b-401
26B-4-308	AEDs for demonstration purposes.	26-8b-402
26B-4-309	Tampering with an AED prohibited -- Penalties.	26-8b-501
26B-4-310	Department to award grants -- Applications.	26-10b-102
26B-4-311	Content of grant applications.	26-10b-103
26B-4-312	Process and criteria for awarding primary care grants.	26-10b-104
26B-4-313	Community education and outreach contracts.	26-10b-107
26B-4-314	Assistance to rural communities by department.	26-9-1
26B-4-315	Responsibility of department for coordinating rural health programs.	26-9-2
26B-4-316	Rural health development initiatives.	26-9-3
26B-4-317	Rural County Health Care Special Service District Retirement Grant Program.	26-9-5
26B-4-318	Maternal and child health provided by department.	26-10-2
26B-4-319	Testing of newborn infants.	26-10-6



<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
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26B-4-321	Immunizations -- Consent of minor to treatment.	26-10-9
26B-4-322	Children's Hearing Aid Program -- Advisory Committee -- Restricted Account -- Rulemaking.	26-10-11
26B-4-323	Reporting results of a test for hearing loss.	26-10-13
<i>Part 4. School Health.</i>		
26B-4-401	Definitions.	26-53-102
26B-4-402	Plan for school health services.	26-10-5
26B-4-403	Adoption and enforcement of concussion and head injury policy -- Notice of policy to parent or guardian.	26-53-201
26B-4-404	Removal of child suspected of sustaining concussion or a traumatic head injury -- Medical clearance required before return to participation.	26-53-301
26B-4-405	School nurses evaluating student injuries.	26-53-401
26B-4-406	Voluntary participation.	26-41-103
26B-4-407	Training in use and storage of epinephrine auto-injector.	26-41-104
26B-4-408	Training in use and storage of stock albuterol.	26-41-104.1
26B-4-409	Authority to obtain and use an epinephrine auto-injector or stock albuterol.	26-41-105
26B-4-410	Immunity from liability.	26-41-106
26B-4-411	Administrative rulemaking authority.	26-41-107
<i>Part 5. Treatment Access.</i>		
26B-4-501	Definitions.	26-64-102
26B-4-502	Emergency contraception services for a victim of sexual assault.	26-21b-201
26B-4-503	Voluntary participation.	26-64-103
26B-4-504	Authorization to dispense self-administered hormonal contraceptives.	26-64-104
26B-4-505	Standing prescription drug orders for a self-administered hormonal contraceptive.	26-64-105
26B-4-506	Guidelines for dispensing a self-administered hormonal contraceptive.	26-64-106
26B-4-507	Limited civil liability.	26-64-107
26B-4-508	Voluntary participation.	26-55-103
26B-4-509	Prescribing, dispensing, and administering an opiate antagonist -- Immunity from liability.	26-55-104
26B-4-510	Standing prescription drug orders for an opiate antagonist.	26-55-105
26B-4-511	Overdose outreach providers.	26-55-106
26B-4-512	Opiate Overdose Outreach Pilot Program -- Grants -- Annual reporting by grantees -- Rulemaking -- Annual reporting by department.	26-55-107
26B-4-513	Coprescription guidelines.	26-55-108
26B-4-514	Opiate abuse prevention pamphlet.	26-55-109





<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
<i>Part 6. Adult Autism Treatment Program.</i>		
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26B-4-602	Adult Autism Treatment Program -- Creation -- Requirements -- Reporting.	26-67-201
26B-4-603	Provider qualifications.	26-67-203
26B-4-604	Department rulemaking.	26-67-204
<i>Part 7. Health Care Workforce.</i>		
26B-4-701	Definitions.	26-46a-102
26B-4-702	Creation of program -- Duties of department.	26-46-102
26B-4-703	Rural Physician Loan Repayment Program -- Purpose -- Repayment limit -- Funding -- Reporting -- Rulemaking -- Advisory committee.	26-46a-103
26B-4-704	Scope of telehealth practice.	26-60-103
26B-4-705	Utah Health Workforce Information Center.	26-69-301
26B-4-706	Utah Medical Education Council.	26-69-402
26B-4-707	Medical Education Program.	26-69-403
26B-4-708	Duties of UMEC.	26-69-404
26B-4-709	Powers of UMEC.	26-69-405
26B-4-710	Rural residency training program.	26-69-406
26B-4-711	Residency grant program.	26-69-407
26B-4-712	Forensic psychiatrist fellowship grant.	26-69-408
<i>Part 8. Uniform Emergency Volunteer Health Practitioners Act.</i>		
26B-4-801	Definitions.	26-49-102
26B-4-802	Applicability to volunteer health practitioners.	26-49-103
26B-4-803	Regulation of services during emergency.	26-49-201
26B-4-804	Volunteer health practitioner registration systems.	26-49-202
26B-4-805	Recognition of volunteer health practitioners licensed in other states.	26-49-203
26B-4-806	No effect on credentialing and privileging.	26-49-204
26B-4-807	Provision of volunteer health or veterinary services -- Administrative sanctions -- Authority of Division of Professional Licensing.	26-49-205
26B-4-808	Relation to other laws.	26-49-301
26B-4-809	Regulatory authority.	26-49-401
26B-4-810	Limitations on civil liability for volunteer health practitioners.	26-49-501
26B-4-811	Workers' compensation coverage.	26-49-601
26B-4-812	Uniformity of application and construction.	26-49-701

*For repeals, a separate informational document listing repealed sections is provided.*



## S.B. 41, Health and Human Services Recodification - Prevention, Supports, Substance Use and Mental Health

### Chapter 5. Health Care -- Substance Use and Mental Health.

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26B-5-102	Division -- Creation -- Responsibilities.	62A-15-103
26B-5-103	Director -- Qualifications.	62A-15-104
26B-5-104	Authority and responsibilities of division.	62A-15-105
26B-5-105	Employment first emphasis on the provision of services.	62A-15-105.2
26B-5-106	Authority to assess fees.	62A-15-107
26B-5-107	Formula for allocation of funds to local substance abuse authorities and local mental health authorities.	62A-15-108
26B-5-108	Contracts for substance abuse and mental health services -- Provisions -- Responsibilities.	62A-15-110
26B-5-109	Local plan program funding.	62A-15-113
26B-5-110	Suicide Prevention Education Program -- Definitions -- Grant requirements.	62A-15-103.1
26B-5-111	Mental health crisis response training.	62A-15-115
26B-5-112	Mobile crisis outreach team expansion.	62A-15-116
26B-5-113	Medicaid reimbursement for school-based health services -- Report to Legislature.	62A-15-117
26B-5-114	Behavioral Health Receiving Center Grant Program.	62A-15-118
26B-5-115	Safety Net Initiative.	62A-15-119
26B-5-116	Suicide technical assistance program.	62A-15-121
26B-5-117	Early childhood mental health support grant program.	62A-15-122
26B-5-118	Collaborative care grant program.	62A-15-124
26B-5-119	Forms.	62A-15-615
<i>Part 2. Substance Use Disorder Intervention, Prevention, and Education.</i>		
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26B-5-202	Teen substance abuse schools -- Establishment.	62A-15-203
26B-5-203	Court order to attend substance abuse school -- Assessments.	62A-15-204
26B-5-204	Commitment of minor to secure drug or alcohol facility or program -- Procedures -- Review.	62A-15-301
26B-5-205	Alcohol training and education seminar.	62A-15-401
26B-5-206	Drinking while pregnant prevention media and education campaign.	62A-15-403
26B-5-207	DUI -- Legislative policy -- Rehabilitation treatment and evaluation -- Use of victim impact panels.	62A-15-501



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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26B-5-209	Assessments for DUI -- Use of money for rehabilitation programs, including victim impact panels -- Rulemaking power granted.	62A-15-503
26B-5-210	Policy -- Alternatives to incarceration.	62A-15-504
<i>Part 3. Utah State Hospital and Other Mental Health Facilities</i>		
26B-5-301	Definitions.	62A-15-602
26B-5-302	Utah State Hospital.	62A-15-601
26B-5-303	Administration of state hospital -- Division -- Authority.	62A-15-603
26B-5-304	Appointment of superintendent -- Qualifications -- Powers and responsibilities.	62A-15-613
26B-5-305	Clinical director -- Appointment -- Conditions and procedure -- Duties.	62A-15-614
26B-5-306	Objectives of state hospital and other facilities -- Persons who may be admitted to state hospital.	62A-15-610
26B-5-307	Additional powers of director -- Reports and records of division.	62A-15-644
26B-5-308	Standards for care and treatment.	62A-15-639
26B-5-309	Mechanical restraints and medication -- Clinical record.	62A-15-640
26B-5-310	Restrictions and limitations -- Civil rights and privileges.	62A-15-641
26B-5-311	Habeas corpus.	62A-15-642
26B-5-312	Confidentiality of information and records -- Exceptions -- Penalty.	62A-15-643
26B-5-313	Declaration for mental health treatment.	62A-15-1002
26B-5-314	Physician and provider responsibilities -- Provision of services contrary to declaration -- Revocation.	62A-15-1003
26B-5-315	Declaration for mental health treatment -- Form.	62A-15-1004
26B-5-316	Responsibility for cost of care.	62A-15-607
26B-5-317	Expenses of voluntary patients.	62A-15-617
26B-5-318	Liability of estate of person with a mental illness.	62A-15-619
26B-5-319	Receipt of gift -- Transfer of persons from other institutions.	62A-15-604
26B-5-320	Trespass -- Disturbance -- Penalty.	62A-15-621
26B-5-321	Abduction of patient -- Penalty.	62A-15-622
26B-5-322	Criminal's escape -- Penalty.	62A-15-623
26B-5-323	Violations of this part -- Penalty.	62A-15-624
26B-5-324	Local mental health authority -- Supervision and treatment of persons with a mental illness.	62A-15-608
26B-5-325	Responsibility for education of school-aged children at the hospital -- Responsibility for noninstructional services.	62A-15-609
26B-5-326	Allocation of state hospital beds -- Formula.	62A-15-611
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<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
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26B-5-333	Circumstances under which conditions justifying initial involuntary commitment shall be considered to continue to exist.	62A-15-632
26B-5-334	Detention pending placement in custody.	62A-15-634
26B-5-335	Notice of commitment.	62A-15-635
26B-5-336	Periodic review -- Discharge.	62A-15-636
26B-5-337	Release of patient to receive other treatment -- Placement in more restrictive environment -- Procedures.	62A-15-637
26B-5-338	Reexamination of court order for commitment -- Procedures -- Costs.	62A-15-638
26B-5-339	Designated examiners.	62A-15-618
26B-5-340	Mental health commissioners.	62A-15-630
26B-5-341	Release from commitment.	62A-15-626
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26B-5-350	Assisted outpatient treatment services.	62A-15-630.4
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26B-5-363	Persons entering state mentally ill.	62A-15-616
26B-5-364	Persons eligible for care or treatment by federal agency -- Continuing jurisdiction of state courts.	62A-15-633
26B-5-365	Interstate compact on mental health -- Compact provisions.	62A-15-801
26B-5-366	Requirement of conformity with this chapter.	62A-15-802
26B-5-367	Severability.	62A-15-647
26B-5-370	Establishment.	62A-15-901
26B-5-371	Design and operation -- Security.	62A-15-902
26B-5-372	Admission of person in custody of Department of Corrections to state hospital -- Retransfer of person to Department of Corrections.	62A-15-605.5
26B-5-380	Mental illness and intellectual disability examinations -- Responsibilities of the department.	62A-1-108.5
<i>Part 4. Commitment of Persons Under Age 18</i>		
26B-5-401	Definitions.	62A-15-701
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26B-5-404	Invasive treatment -- Due process proceedings.	62A-15-704
26B-5-405	Commitment proceedings in juvenile court -- Criteria -- Custody.	62A-15-705



<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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26B-5-407	Confidentiality of information and records -- Exceptions -- Penalty.	62A-15-707
26B-5-408	Mechanical restraints -- Clinical record.	62A-15-708
26B-5-409	Habeas corpus.	62A-15-709
26B-5-410	Restrictions and limitations -- Civil rights and privileges.	62A-15-710
26B-5-411	Standards for care and treatment.	62A-15-711
26B-5-412	Responsibilities of the Division of Substance Abuse and Mental Health.	62A-15-712
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<i>Part 5. Essential Treatment and Intervention.</i>		
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26B-5-503	Petition for essential treatment -- Contents -- Commitment to pay.	62A-15-1203
26B-5-504	Criteria for essential treatment and intervention.	62A-15-1204
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26B-5-506	Failure to comply with court order.	62A-15-1205.5
26B-5-507	Periodic review -- Discharge.	62A-15-1206
26B-5-508	Seventy-two-hour emergency treatment pending a final court order.	62A-15-1207
26B-5-509	Emergency, life saving treatment -- Temporary personal representative.	62A-15-1207.5
26B-5-510	Confidentiality.	62A-15-1208
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26B-5-601	Definitions.	62A-17-102
26B-5-602	Designated approved 211 service provider -- Department responsibilities.	62A-17-103
26B-5-603	Utah 211 created -- Responsibilities.	62A-17-104
26B-5-604	Other state agencies and local governments.	62A-17-105
26B-5-605	Immunity from liability.	62A-17-106
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26B-5-607	Grants for development of an ACT team.	62A-15-1803
26B-5-608	Housing assistance program for individuals discharged from the Utah State Hospital and receiving assertive community treatment.	62A-15-1804
26B-5-609	Department and division duties -- MCOT license creation.	62A-15-1402
26B-5-610	Contracts for statewide mental health crisis line and statewide warm line -- Crisis worker and certified peer support specialist qualification or certification.	62A-15-1302
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Chapter 6. Long Term Services and Supports, Aging, and Disabilities.

<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
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<b><u>New Section</u></b>	<b><u>Section Title</u></b>	<b><u>Current</u></b>
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<b>New Section</b>	<b>Section Title</b>	<b>Current</b>
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