

1 **BEHAVIORAL HEALTH CRISIS RESPONSE**

2 **MODIFICATIONS**

3 2024 GENERAL SESSION

4 STATE OF UTAH

5

6 **LONG TITLE**

7 **General Description:**

8 This bill addresses receiving centers and mobile crisis outreach teams.

9 **Highlighted Provisions:**

10 This bill:

- 11 ▶ provides for the award of grants for the development of mobile crisis outreach
- 12 teams and rural behavioral health receiving centers; and
- 13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **26B-5-112.5**, as enacted by Laws of Utah 2023, Chapter 270

21 **26B-5-114**, as last amended by Laws of Utah 2023, Chapter 270 and renumbered and
22 amended by Laws of Utah 2023, Chapter 308

23

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

25 Section 1. Section **26B-5-112.5** is amended to read:

26 **26B-5-112.5. Mobile Crisis Outreach Team Grant Program.**

27 (1) As used in this section, "commission" means the Behavioral Health Crisis
28 Response Commission established in Section 63C-18-202.

29 (2) The commission shall provide recommendations and the division shall award
30 grants for the development of up to five mobile crisis outreach teams.

31 (3) (a) Subject to appropriations by the Legislature, and after consulting with the

32 commission, in fiscal year 2025 the division shall award grants for the development of up to
 33 four mobile crisis outreach teams.

34 (b) The grants described in Subsection (3)(a) are in addition to the grants described in
 35 Subsection (2).

36 ~~[(3)]~~ (4) A mobile crisis outreach team that is awarded a grant under ~~[Subsection (2)]~~
 37 this section shall provide mental health crisis services 24 hours per day, seven days per week,
 38 and every day of the year.

39 ~~[(4)]~~ (5) The division shall prioritize the award of a grant ~~[described in Subsection (2)]~~
 40 under this section to entities based on:

41 (a) the outstanding need for crisis outreach services within the area the proposed
 42 mobile crisis outreach team will serve; and

43 (b) the capacity for implementation of the proposed mobile crisis outreach team in
 44 accordance with the division's established standards and requirements for mobile crisis
 45 outreach teams.

46 ~~[(5)]~~ (6) (a) In consultation with the commission, the division shall make rules, in
 47 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the
 48 application and award of ~~[the]~~ grants ~~[described in Subsection (2)]~~ awarded under this section.

49 (b) (i) The rules created under Subsection ~~[(5)(a)]~~ (6)(a) shall implement a funding
 50 structure for a mobile crisis outreach team developed using a grant awarded under this section.

51 (ii) The funding structure described in Subsection ~~[(5)(b)(i)]~~ (6)(b)(i) shall provide for
 52 tiers and phases of shared funding coverage between the state and counties.

53 Section 2. Section **26B-5-114** is amended to read:

54 **26B-5-114. Behavioral Health Receiving Center Grant Program.**

55 (1) As used in this section:

56 (a) "Behavioral health receiving center" means a 23-hour nonsecure program or facility
 57 that is responsible for, and provides mental health crisis services to, an individual experiencing
 58 a mental health crisis.

59 (b) "Commission" means the Behavioral Health Crisis Response Commission
 60 established in Section 63C-18-202.

61 (c) "Project" means a behavioral health receiving center project described in
 62 Subsection (2) ~~[or]~~, (3)(a), or (4)(a).

63 (2) Before July 1, 2020, the division shall issue a request for proposals in accordance
64 with this section to award a grant to one or more counties of the first or second class, as
65 classified in Section 17-50-501, to develop and implement a behavioral health receiving center.

66 (3) (a) Before July 1, 2023, the division shall issue a request for proposals in
67 accordance with this section to award a grant to one county of the third class, as classified in
68 Section 17-50- 501, to develop and implement a behavioral health receiving center.

69 (b) Subject to appropriations by the Legislature, the division shall award grants under
70 this Subsection (3) before December 31, 2023.

71 ~~[(c) The commission shall provide recommendations to the division regarding the
72 development and implementation of a behavioral health receiving center.]~~

73 (4) (a) Before July 1, 2024, the division shall issue a request for proposals in
74 accordance with this section to award grants to develop and implement up to two behavioral
75 health receiving centers in counties of the third, fourth, or fifth class, as classified in Section
76 17-50-501.

77 (b) Subject to appropriations by the Legislature, the division shall award grants under
78 this Subsection (4) before December 31, 2024.

79 (5) The purpose of a project is to:

80 (a) increase access to mental health crisis services for individuals in the state who are
81 experiencing a mental health crisis; and

82 (b) reduce the number of individuals in the state who are incarcerated or in a hospital
83 emergency room while experiencing a mental health crisis.

84 ~~[(5)]~~ (6) An application for a grant under this section shall:

85 (a) identify the population to which the behavioral health receiving center will provide
86 mental health crisis services;

87 (b) identify the type of mental health crisis services the behavioral health receiving
88 center will provide;

89 (c) explain how the population described in Subsection ~~[(5)(a)]~~ (6)(a) will benefit from
90 the provision of mental health crisis services;

91 (d) provide details regarding:

92 (i) how the proposed project plans to provide mental health crisis services;

93 (ii) how the proposed project will ensure that consideration is given to the capacity of

94 the behavioral health receiving center;

95 (iii) how the proposed project will ensure timely and effective provision of mental
96 health crisis services;

97 (iv) the cost of the proposed project;

98 (v) any existing or planned contracts or partnerships between the applicant and other
99 individuals or entities to develop and implement the proposed project;

100 (vi) any plan to use funding sources in addition to a grant under this section for the
101 proposed project;

102 (vii) the sustainability of the proposed project; and

103 (viii) the methods the proposed project will use to:

104 (A) protect the privacy of each individual who receives mental health crisis services
105 from the behavioral health receiving center;

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

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

108 (e) provide other information requested by the division to ensure that the proposed
109 project satisfies the criteria described in Subsection [~~(7)~~] (8).

110 [~~(6)~~] (7) A recipient of a grant under this section shall enroll as a Medicaid provider
111 and meet minimum standards of care for behavioral health receiving centers established by the
112 division.

113 [~~(7)~~] (8) In evaluating an application for the grant, the division shall consider:

114 (a) the extent to which the proposed project will fulfill the purposes described in
115 Subsection [~~(4)~~] (5);

116 (b) the extent to which the population described in Subsection [~~(5)(a)~~] (6)(a) is likely to
117 benefit from the proposed project;

118 (c) the cost of the proposed project;

119 (d) the extent to which any existing or planned contracts or partnerships between the
120 applicant and other individuals or entities to develop and implement the project, or additional
121 funding sources available to the applicant for the proposed project, are likely to benefit the
122 proposed project; and

123 (e) the viability and innovation of the proposed project.

124 (9) The commission shall provide recommendations to the division regarding the

125 development and implementation of a behavioral health receiving center developed using a
126 grant awarded under this section.

127 ~~[(8)]~~ (10) Before June 30, 2023, the division shall report to the Health and Human
128 Services Interim Committee regarding:

129 (a) data gathered in relation to each project described in Subsection (2);

130 (b) knowledge gained relating to the provision of mental health crisis services in a
131 behavioral health receiving center;

132 (c) recommendations for the future use of mental health crisis services in behavioral
133 health receiving centers;

134 (d) obstacles encountered in the provision of mental health crisis services in a
135 behavioral health receiving center; and

136 (e) recommendations for appropriate Medicaid reimbursement for rural behavioral
137 health receiving centers.

138 ~~[(9)]~~ (11) (a) In consultation with the commission, the division shall make rules, in
139 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the
140 application and award of a grant under this section.

141 (b) (i) The rules created under Subsection ~~[(9)(a)]~~ (11)(a) shall:

142 (A) implement a funding structure for a behavioral health receiving center developed
143 using a grant awarded under this section;

144 (B) include implementation standards and minimum program requirements for a
145 behavioral health receiving center developed using a grant awarded under this section,
146 including minimum guidelines and standards of care, and minimum staffing requirements; and

147 (C) require a behavioral health receiving center developed using a grant awarded under
148 this section to operate 24 hours per day, seven days per week, and every day of the year.

149 (ii) The funding structure described in Subsection ~~[(9)(b)(i)(A)]~~ (11)(b)(i)(A) shall
150 provide for tiers and phases of shared funding coverage between the state and counties.

151 ~~[(10)]~~ (12) Before June 30, 2024, the division shall report to the Health and Human
152 Services Interim Committee regarding:

153 (a) grants awarded under Subsection (3)(a); and

154 (b) the details of each project described in Subsection (3)(a).

155 (13) Before June 30, 2025, the division shall report to the Health and Human Services

156 Interim Committee regarding:

157 (a) grants awarded under Subsection (4)(a); and

158 (b) the details of each project described in Subsection (4)(a).

159 ~~[(11)]~~ (14) Before June 30, 2026, the division shall provide a report to the Health and
160 Human Services Interim Committee that includes:

161 (a) data gathered in relation to each project described in [~~Subsection (3)(a)~~]

162 Subsections (3)(a) and (4)(a); and

163 (b) an update on the items described in Subsections ~~[(8)(b)]~~ (10)(b) through (d).

164 Section 3. **Effective date.**

165 This bill takes effect on May 1, 2024.