

**Effective 7/1/2023**

**Effective until 5/1/2024**

**26B-1-328 Psychiatric and Psychotherapeutic Consultation Program Account -- Creation -- Administration -- Uses.**

(1) As used in this section:

- (a) "Child care" means the child care services defined in Section 35A-3-102 for a child during early childhood.
- (b) "Child care provider" means a person who provides child care or mental health support or interventions to a child during early childhood.
- (c) "Child mental health care facility" means a facility that provides licensed mental health care programs and services to children and families and employs a child mental health therapist.
- (d) "Child mental health therapist" means a mental health therapist who:
  - (i) is knowledgeable and trained in early childhood mental health; and
  - (ii) provides mental health services to children during early childhood.
- (e) "Division" means the Division of Integrated Healthcare within the department.
- (f) "Early childhood" means the time during which a child is zero to six years old.
- (g) "Early childhood psychotherapeutic telehealth consultation" means a consultation regarding a child's mental health care during the child's early childhood between a child care provider or a mental health therapist and a child mental health therapist that is focused on psychotherapeutic and psychosocial interventions and is completed through the use of electronic or telephonic communication.
- (h) "Health care facility" means a facility that provides licensed health care programs and services and employs at least two psychiatrists, at least one of whom is a child psychiatrist.
- (i) "Primary care provider" means:
  - (i) an individual who is licensed to practice as an advanced practice registered nurse under Title 58, Chapter 31b, Nurse Practice Act;
  - (ii) a physician as defined in Section 58-67-102; or
  - (iii) a physician assistant as defined in Section 58-70a-102.
- (j) "Psychiatrist" means a physician who is board eligible for a psychiatry specialization recognized by the American Board of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic Specialists.
- (k) "Telehealth psychiatric consultation" means a consultation regarding a patient's mental health care, including diagnostic clarification, medication adjustment, or treatment planning, between a primary care provider and a psychiatrist that is completed through the use of electronic or telephonic communication.

(2) Upon appropriation, the Office of Substance Use and Mental Health shall award grants from the appropriation to:

- (a) at least one health care facility to implement a program that provides a primary care provider access to a telehealth psychiatric consultation when the primary care provider is evaluating a patient for or providing a patient mental health treatment; and
- (b) at least one child mental health care facility to implement a program that provides access to an early childhood psychotherapeutic telehealth consultation to:
  - (i) a mental health therapist as defined in Section 58-60-102 when the mental health therapist is evaluating a child for or providing a child mental health treatment; or
  - (ii) a child care provider when the child care provider is providing child care to a child.

(3) The Office of Substance Use and Mental Health may award and distribute grant money to a health care facility or child mental health care facility only if the health care facility or child mental health care facility:

- (a) is located in the state; and
  - (b) submits an application in accordance with Subsection (4).
- (4) An application for a grant under this section shall include:
- (a) the number of psychiatrists employed by the health care facility or the number of child mental health therapists employed by the child mental health care facility;
  - (b) the health care facility's or child mental health care facility's plan to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (2);
  - (c) the estimated cost to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (2);
  - (d) any plan to use one or more funding sources in addition to a grant under this section to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (2);
  - (e) the amount of grant money requested to fund the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (2); and
  - (f) any existing or planned contract or partnership between the health care facility and another person to implement the telehealth psychiatric consultation program or the early childhood psychotherapeutic telehealth consultation program described in Subsection (2).
- (5) A health care facility or child mental health care facility that receives grant money under this section shall file a report with the division before October 1 of each year that details for the immediately preceding calendar year:
- (a) the type and effectiveness of each service provided in the telehealth psychiatric program or the early childhood psychotherapeutic telehealth consultation program;
  - (b) the utilization of the telehealth psychiatric program or the early childhood psychotherapeutic telehealth consultation program based on metrics or categories determined by the division;
  - (c) the total amount expended from the grant money; and
  - (d) the intended use for grant money that has not been expended.
- (6) Before November 30 of each year, the department shall report to the Health and Human Services Interim Committee regarding:
- (a) expenditures made in accordance with this section; and
  - (b) a summary of any report provided to the division under Subsection (5).