

Effective 5/3/2023

26B-5-609 Department and division duties -- MCOT license creation.

- (1) As used in this section:
 - (a) "Commission" means the Behavioral Health Crisis Response Commission created in Section 63C-18-202.
 - (b) "Emergency medical service personnel" means the same as that term is defined in Section 26B-4-101.
 - (c) "Emergency medical services" means the same as that term is defined in Section 26B-4-101.
 - (d) "MCOT certification" means the certification created in this part for MCOT personnel and mental health crisis outreach services.
 - (e) "MCOT personnel" means a licensed mental health therapist or other mental health professional, as determined by the division, who is a part of a mobile crisis outreach team.
 - (f) "Mental health crisis" means a mental health condition that manifests itself by symptoms of sufficient severity that a prudent layperson who possesses an average knowledge of mental health issues could reasonably expect the absence of immediate attention or intervention to result in:
 - (i) serious jeopardy to the individual's health or well-being; or
 - (ii) a danger to others.
 - (g)
 - (i) "Mental health crisis services" means mental health services and on-site intervention that a person renders to an individual suffering from a mental health crisis.
 - (ii) "Mental health crisis services" includes the provision of safety and care plans, stabilization services offered for a minimum of 60 days, and referrals to other community resources.
 - (h) "Mental health therapist" means the same as that term is defined in Section 58-60-102.
 - (i) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and mental health professionals that provides mental health crisis services and, based on the individual circumstances of each case, coordinates with local law enforcement, emergency medical service personnel, and other appropriate state or local resources.
- (2) To promote the availability of comprehensive mental health crisis services throughout the state, the division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that create a certificate for MCOT personnel and MCOTs, including:
 - (a) the standards the division establishes under Subsection (3); and
 - (b) guidelines for:
 - (i) credit for training and experience; and
 - (ii) the coordination of:
 - (A) emergency medical services and mental health crisis services;
 - (B) law enforcement, emergency medical service personnel, and mobile crisis outreach teams; and
 - (C) temporary commitment in accordance with Section 26B-5-331.
- (3)
 - (a) With recommendations from the commission, the division shall:
 - (i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that establish standards that an applicant is required to meet to qualify for the MCOT certification described in Subsection (2); and
 - (ii) create a statewide MCOT plan that:
 - (A) identifies statewide mental health crisis services needs, objectives, and priorities; and
 - (B) identifies the equipment, facilities, personnel training, and other resources necessary to provide mental health crisis services.

(b) The division may delegate the MCOT plan requirement described in Subsection (3)(a)(ii) to a contractor with which the division contracts to provide mental health crisis services.

Renumbered and Amended by Chapter 308, 2023 General Session