

Effective 5/4/2022

Chapter 21

Mental Health Resources for First Responders

Superseded 7/1/2024

53-21-101 Definitions.

As used in this chapter:

- (1) "Crime scene investigator technician" means an individual employed by a law enforcement agency to collect and analyze evidence from crime scenes and crime-related incidents.
- (2) "Department" means the Department of Public Safety.
- (3) "First responder" means:
 - (a) a law enforcement officer, as defined in Section 53-13-103;
 - (b) an emergency medical technician, as defined in Section 26B-4-137;
 - (c) an advanced emergency medical technician, as defined in Section 26B-4-137;
 - (d) a paramedic, as defined in Section 26B-4-137;
 - (e) a firefighter, as defined in Section 34A-3-113;
 - (f) a dispatcher, as defined in Section 53-6-102;
 - (g) a correctional officer, as defined in Section 53-13-104;
 - (h) a special function officer, as defined in Section 53-13-105, employed by a local sheriff;
 - (i) a search and rescue worker under the supervision of a local sheriff;
 - (j) a forensic interviewer or victim advocate employed by a children's justice center established in accordance with Section 67-5b-102;
 - (k) a credentialed criminal justice system victim advocate as defined in Section 77-38-403 who responds to incidents with a law enforcement officer;
 - (l) a crime scene investigator technician;
 - (m) a wildland firefighter; or
 - (n) an investigator or prosecutor of cases involving sexual crimes against children.
- (4) "First responder agency" means:
 - (a) a special district, municipality, interlocal entity, or other political subdivision that employs a first responder to provide fire protection, paramedic, law enforcement, or emergency services; or
 - (b) a certified private law enforcement agency as defined in Section 53-19-102.
- (5) "Mental health resources" means:
 - (a) an assessment to determine appropriate mental health treatment that is performed by a mental health therapist;
 - (b) outpatient mental health treatment provided by a mental health therapist; or
 - (c) peer support services provided by a peer support specialist who is qualified to provide peer support services under Subsection 26B-5-102(2)(h).
- (6) "Mental health therapist" means the same as that term is defined in Section 58-60-102.
- (7) "Plan" means a plan to implement or expand a program that provides mental health resources to first responders for which the division awards a grant under this chapter.
- (8) "Retired" means the status of an individual who has become eligible, applies for, and may receive an allowance under Title 49, Utah State Retirement and Insurance Benefit Act.
- (9) "Separated" means the status of an individual who has separated from employment as a first responder from a first responder agency as a result of a critical incident involving the first responder.

Amended by Chapter 16, 2023 General Session
Amended by Chapter 19, 2023 General Session
Amended by Chapter 328, 2023 General Session

Effective 7/1/2024

53-21-101 Definitions.

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- (1) "Crime scene investigator technician" means an individual employed by a law enforcement agency to collect and analyze evidence from crime scenes and crime-related incidents.
- (2) "Department" means the Department of Public Safety.
- (3) "First responder" means:
 - (a) a law enforcement officer, as defined in Section 53-13-103;
 - (b) an emergency medical technician, as defined in Section 53-2e-101;
 - (c) an advanced emergency medical technician, as defined in Section 53-2e-101;
 - (d) a paramedic, as defined in Section 53-2e-101;
 - (e) a firefighter, as defined in Section 34A-3-113;
 - (f) a dispatcher, as defined in Section 53-6-102;
 - (g) a correctional officer, as defined in Section 53-13-104;
 - (h) a special function officer, as defined in Section 53-13-105, employed by a local sheriff;
 - (i) a search and rescue worker under the supervision of a local sheriff;
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- (9) "Separated" means the status of an individual who has separated from employment as a first responder from a first responder agency as a result of a critical incident involving the first responder.

Amended by Chapter 16, 2023 General Session

Amended by Chapter 19, 2023 General Session
Amended by Chapter 310, 2023 General Session
Amended by Chapter 328, 2023 General Session

53-21-102 Mental health services -- Requirement to provide --- Confidentiality.

- (1) Every first responder agency within the state shall provide or make available mental health resources to:
 - (a) all first responders;
 - (b) the spouse and children of first responders;
 - (c) surviving spouses of first responders whose death is classified as a line-of-duty death under Title 49, Utah State Retirement and Insurance Benefit Act;
 - (d) retired or separated first responders for at least three years from the date that the retired or separated first responder requests mental health resources; and
 - (e) spouses of retired or separated first responders for a least three years from the date that the spouse of the retired or separated first responder requests mental health resources.
- (2) All access by first responders and their families to mental health resources shall be kept confidential.

Amended by Chapter 19, 2023 General Session

53-21-103 Grants to first responder agencies -- Rulemaking.

- (1) The department may award grants to first responder agencies to provide mental health resources in response to a:
 - (a) request for proposal;
 - (b) request for qualifications; or
 - (c) program description that meets the criteria in Subsection (2).
- (2) The request for proposal, request for qualifications, or program description received by the department shall require mental health providers contracted or employed by the first responder agency to have training and experience in working with first responders and provide, at a minimum, the following services:
 - (a) regular periodic screenings for all employees within the first responder agency;
 - (b) assessments and availability to mental health services for personnel directly involved in a critical incident within 12 hours of the incident; and
 - (c) regular and continuing access to the mental health program for:
 - (i) spouses and children of first responders;
 - (ii) first responders who have retired or separated from the agency; and
 - (iii) spouses of first responders who have retired or separated from the agency.
- (3) An application from a first responder agency for a grant under this chapter shall provide the following details:
 - (a) a proposed plan to provide mental health resources to first responders in the first responder agency;
 - (b) the number of first responders to be served by the proposed plan;
 - (c) how the proposed plan will ensure timely and effective provision of mental health resources to first responders in the first responder agency;
 - (d) the cost of the proposed plan; and
 - (e) the sustainability of the proposed plan.
- (4) In evaluating a project proposal for a grant under this section, the department shall consider:

- (a) the extent to which the first responders that will be served by the proposed plan are likely to benefit from the proposed plan;
 - (b) the cost of the proposed plan; and
 - (c) the viability of the proposed plan.
- (5) A first responder agency may not apply for a grant to fund a program already in place. However, a request for proposal to fund an expansion of an already existing program shall, in addition to the requirements of Subsection (4), provide:
- (a) the scope and cost of the agency's current program;
 - (b) the number of additional first responders the expansion will serve; and
 - (c) whether the expansion will provide services under Subsection (2) that the current program does not provide.
- (6) The department shall prioritize grant funding for:
- (a) counties of the 3rd, 4th, 5th, and 6th class;
 - (b) cities of the 3rd, 4th, and 5th class; and
 - (c) towns.
- (7) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer this chapter.
- (8) The department shall:
- (a) notify entities that may be eligible for a grant under this section about the grant program; and
 - (b) on or before October 1, 2023, provide a report to the Law Enforcement and Criminal Justice Interim Committee that describes:
 - (i) the number of entities that have been notified by the department about the grant program under this section; and
 - (ii) the number of grant applications that the department has received.

Amended by Chapter 19, 2023 General Session