

Chapter 11
Utah Commission on Aging

Part 1
General Provisions

63M-11-101 Title.

This chapter is known as "Utah Commission on Aging."

Renumbered and Amended by Chapter 382, 2008 General Session

63M-11-102 Creation -- Purpose.

- (1) In accordance with this chapter, there is created within the governor's office the Utah Commission on Aging.
- (2) The commission's purpose is to:
 - (a) increase public and government understanding of the current and future needs of the state's aging population and how those needs may be most effectively and efficiently met;
 - (b) study, evaluate, and report on the projected impact that the state's increasing aging population will have on:
 - (i) government services;
 - (ii) health services;
 - (iii) social services;
 - (iv) the economy; and
 - (v) society in general;
 - (c) identify and recommend implementation of specific policies, procedures, and programs to respond to the needs and impact of the aging population relating to:
 - (i) government services;
 - (ii) health services;
 - (iii) social services;
 - (iv) the economy; and
 - (v) society in general;
 - (d) facilitate coordination of the functions of public and private entities concerned with the aging population; and
 - (e) accomplish the duties enumerated in Section 63M-11-203.

Renumbered and Amended by Chapter 382, 2008 General Session

63M-11-103 Definitions.

As used in this chapter:

- (1) "Aging" and "aged" are as defined in Section 26B-6-101.
- (2) "Center on Aging" means the Center on Aging within the University of Utah.
- (3) "Commission" means the Utah Commission on Aging, created in Section 63M-11-102.

Renumbered and Amended by Chapter 382, 2008 General Session

Part 2

Commission

63M-11-201 Composition -- Appointments -- Terms -- Removal.

- (1) The commission shall be composed of the following voting members:
 - (a) the executive director of the Department of Health or the executive director's designee;
 - (b) the executive director of the Department of Human Services or the executive director's designee;
 - (c) the executive director of the Governor's Office of Economic Opportunity or the executive director's designee;
 - (d) the executive director of the Department of Workforce Services or the executive director's designee; and
 - (e) 20 members, appointed by the governor in accordance with Subsection (3), including:
 - (i) three members that represent the Utah Association of Areas on Aging, the Alzheimer's Association, or another organization or association that advocates for the aging population;
 - (ii) two members that represent an organization or association that advocates for local government; and
 - (iii) two members that represent the general public.
- (2)
 - (a) A member appointed under Subsection (1)(e) shall serve a two-year term.
 - (b) Notwithstanding the term requirements described in Subsection (2)(a), the governor may adjust the length of the initial commission members' terms to ensure that the terms are staggered so that approximately one-half of the members appointed under Subsection (1)(e) are appointed each year.
 - (c) When, for any reason, a vacancy occurs in a position appointed by the governor under Subsection (1)(e), the governor shall appoint a person to fill the vacancy for the unexpired term of the commission member being replaced.
 - (d) A member appointed under Subsection (1)(e) may be removed by the governor for cause.
 - (e) A member appointed under Subsection (1)(e) shall be removed from the commission and replaced by the governor if the member is absent for three consecutive meetings of the commission without being excused by the chair of the commission.
- (3) In appointing the members under Subsection (1)(e), the governor shall:
 - (a) ensure each of the following areas are represented:
 - (i) higher education in Utah;
 - (ii) the business community;
 - (iii) charitable organizations;
 - (iv) the health care provider industry;
 - (v) the industry that provides telehealth services;
 - (vi) the industry that provides data analysis services;
 - (vii) the industry that provides information technology support services;
 - (viii) financial institutions;
 - (ix) the legal profession;
 - (x) the public safety sector;
 - (xi) public transportation;
 - (xii) ethnic minorities; and
 - (xiii) the industry that provides long-term care for the elderly;
 - (b) take into account the geographical makeup of the commission; and
 - (c) strive to appoint members who:

- (i) are knowledgeable or have an interest in issues relating to the aging population;
- (ii) provide a balanced representation of urban and rural communities in the state; and
- (iii) represent the diversity of the population in the state.

Amended by Chapter 196, 2021 General Session

Amended by Chapter 282, 2021 General Session

63M-11-202 Executive director -- Qualifications -- Appointment -- Functions.

- (1)
 - (a) Subject to Subsections (1)(b) and (c), the executive director of the Center on Aging shall appoint an executive director of the commission.
 - (b) The executive director appointed under Subsection (1)(a) shall be a person knowledgeable and experienced in matters relating to:
 - (i) management; and
 - (ii) the aging population.
 - (c) The appointment described in Subsection (1)(a) is not effective until ratified by the governor.
- (2) The executive director of the commission, under the direction of the commission and the executive director of the Center on Aging, shall administer the duties of the commission.

Renumbered and Amended by Chapter 382, 2008 General Session

63M-11-203 Duties and powers of commission.

- (1) The commission shall:
 - (a) fulfill the commission's purposes described in Section 63M-11-102;
 - (b) facilitate the communication and coordination of public and private entities that provide services to the aging population, including entities responsible for services related to:
 - (i) housing;
 - (ii) transportation;
 - (iii) caregiver support;
 - (iv) preventive health services;
 - (v) individuals with physical or developmental disabilities;
 - (vi) dementia and Alzheimer's disease; and
 - (vii) facility licensing;
 - (c) study, evaluate, and report on the status and effectiveness of policies, procedures, and programs that provide services to the aging population;
 - (d) study and evaluate the policies, procedures, and programs implemented by other states that address the needs of the aging population;
 - (e) facilitate and conduct the research and study of issues related to aging, including emerging public health issues with a significant impact on the aging population;
 - (f) provide a forum for public comment on issues related to aging;
 - (g) provide public information on the aging population and the services available to the aging population;
 - (h) facilitate the provision of services to the aging population from the public and private sectors; and
 - (i) encourage state and local governments to analyze, plan, and prepare for the impacts of the aging population on services and operations.
- (2) To accomplish the commission's duties, the commission may:

- (a) request and receive from any state or local governmental agency or institution, summary information relating to the aging population, including:
 - (i) reports;
 - (ii) audits;
 - (iii) projections; and
 - (iv) statistics;
 - (b) apply for and accept grants or donations for uses consistent with the duties of the commission from public or private sources; and
 - (c) appoint special committees to advise and assist the commission.
- (3) All funds received under Subsection (2)(b) shall be:
- (a) accounted for and expended in compliance with the requirements of federal and state law; and
 - (b) continuously available to the commission to carry out the commission's duties.
- (4)
- (a) A member of a special committee described in Subsection (2)(c):
 - (i) shall be appointed by the commission;
 - (ii) may be:
 - (A) a member of the commission; or
 - (B) an individual from the private or public sector; and
 - (iii) notwithstanding Section 63M-11-206, shall not receive any reimbursement or pay for any work done in relation to the special committee.
 - (b) A special committee described in Subsection (2)(c) shall report to the commission on the progress of the special committee.
- (5) This chapter does not diminish the planning authority conferred on state, regional, and local governments by existing law.

Amended by Chapter 314, 2023 General Session

63M-11-204 Annual report by the commission.

- (1)
- (a) The commission shall annually prepare and publish a report directed to the:
 - (i) governor; and
 - (ii) Health and Human Services Interim Committee.
 - (b) The report described in Subsection (1)(a) shall:
 - (i) describe how the commission fulfilled its statutory purposes and duties during the year; and
 - (ii) contain recommendations on how the state should act to address issues relating to the aging population.
- (2)
- (a) The commission shall:
 - (i) prepare and publish a 10-year master plan with recommendations for services affecting the aging population; and
 - (ii) no later than November 1 of 2023, submit the master plan and the commission's work plan described in Subsection (2)(b) in writing to:
 - (A) the governor; and
 - (B) the Health and Human Services Interim Committee.
 - (b) For the master plan, the commission shall:

- (i) identify and prioritize the commission's goals, objectives, performance measures, and strategies, whether existing or needed, to address demographic factors contributing to the needs of the state's aging population;
 - (ii) adopt a plan for the commission's work over the next three years to address priorities described in Subsection (2)(b)(i); and
 - (iii) identify redundancies in aging services across the state, including working groups or task forces, and local and state executive branch services, and make recommendations for consolidation.
- (c) The plan adopted under Subsection (2)(b)(ii) shall describe which state, local, and private groups the commission has or intends to engage.
- (3) Before July 1, 2026, the commission shall report to the Health and Human Services Interim Committee on:
- (a) proposals for the future review of and updates to the master plan; and
 - (b) any proposed legislation concerning the master plan or the recommendations made in the master plan.

Amended by Chapter 314, 2023 General Session

63M-11-205 Appointment of chair -- Meetings.

- (1) The governor shall appoint a member of the commission to serve as chair.
- (2)
- (a) Subject to the other provisions of this Subsection (2), the chair is responsible for the call and conduct of meetings.
 - (b) The chair shall call and hold meetings of the commission at least quarterly.
 - (c) One of the quarterly meetings described in Subsection (2)(b) shall be held while the Legislature is convened in its annual session.
 - (d) One or more additional meetings may be called upon request by a majority of the commission's members.
- (3)
- (a) A majority of the members of the commission constitute a quorum.
 - (b) The action of a majority of a quorum constitutes the action of the commission.

Amended by Chapter 95, 2017 General Session

63M-11-206 Members serve without pay -- Reimbursement for expenses.

A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:

- (1) Section 63A-3-106;
- (2) Section 63A-3-107; and
- (3) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 246, 2019 General Session

63M-11-207 Oversight -- Executive director salary -- Staff support -- Use of funds.

- (1) The Center on Aging shall:
- (a) pay the salary, and oversee the performance of, the executive director of the commission;
 - (b) provide staff support for the executive director of the commission and the commission; and

- (c) provide office space, furnishings, and supplies to the commission, the executive director of the commission, and support staff.
- (2) The funds appropriated by the Legislature for the commission may only be used for the purposes described in this chapter.

Renumbered and Amended by Chapter 382, 2008 General Session