



# House of Representatives *State of Utah*

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February 1, 2005

Mr. Speaker:

The Health and Human Services Committee reports a favorable recommendation on **H.B. 79**, PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Lockhart, with the following amendments:

1. *Page 2, Lines 29 through 31:*

29           ▶ prohibits the Division of Services for People with Disabilities from disbursing  
30 public funds to pay for the services of a direct service worker, unless the direct  
31 service worker successfully completes a background check or, after submitting the  
required information for a background check, and before a determination on the  
background check is made, the direct service worker is directly supervised by a  
direct service worker who successfully completes a background check ;

2. *Page 11, Line 322:*

322           (i) monitor and sanction approved providers , as specified in the providers'  
contract ;

3. *Page 12, Lines 359 through 367:*

359           (1) For purposes of this section :  
(a) "office" is as defined in Section 62A-2-101 {-} ; and  
(b) "directly supervised" means that the person being supervised is under the  
uninterrupted visual and auditory surveillance of the person doing the supervising.

=  
360           (2) Subject to Subsection (4), public funds may not be disbursed to pay a direct  
service

361 worker for personal services rendered to a person, unless :

(a) the direct service worker is approved  
362 by the office to have direct access and provide services to children or vulnerable adults

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- 363 pursuant to Section 62A-2-120 ~~{-}~~ ; or  
(b) (i) during the time that the direct service worker renders the services described in this Subsection (2), the direct service worker who renders the services is directly supervised by a direct service worker who is approved by the office to have direct access and provide services to children or vulnerable adults pursuant to Section 62A-2-120;  
(ii) the direct service worker who renders the services described in this Subsection (2) has submitted the information required for a background check pursuant to Section 62A-2-120; and  
(iii) the office has not determined whether to approve the direct service worker described in Subsection (2)(b)(ii) to have direct access and provide services to children or vulnerable adults.
- 364 (3) For purposes of Subsection (2), the office shall conduct a background check of a  
365 direct service worker:  
366 (a) , except as provided in Subsection (2)(b), before public funds are disbursed  
367 to pay the direct service worker for the personal  
services described in Subsection (2); and

Respectfully,

Bradley G. Last  
Committee Chair

Voting: 6-0-2

3 HB0079.HC1.WPD 2/1/05 9:35 am snewton/MDA TRV/MDA

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