

1                                   **PILOT PROGRAM FOR THE PROVISION OF**  
2                                   **SERVICES FOR PEOPLE WITH**  
3                                   **DISABILITIES**

4                                   2006 GENERAL SESSION

5                                   STATE OF UTAH

6                                   **Chief Sponsor: Ronda Rudd Menlove**

7                                   Senate Sponsor: Peter C. Knudson

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8  
9   **LONG TITLE**

10 **General Description:**

11           This bill establishes a pilot program within the Services to People with Disabilities  
12 chapter of the Utah Human Services Code, for the expedited provision of supported  
13 employment services to people with disabilities.

14 **Highlighted Provisions:**

15           This bill:

- 16           ▶ establishes a pilot program, beginning on July 1, 2006, and ending on July 1, 2008,  
17 for the provision of supported employment services to eligible people with  
18 disabilities, outside of the ~~H~~→ [waiting list] ←~~H~~ prioritization criteria established by the  
19 division for the provision of other services;
- 20           ▶ grants rulemaking authority to the division;
- 21           ▶ describes a person who is eligible to receive expedited services under this bill;
- 22           ▶ provides that the division shall establish criteria to determine the order of priority  
23 for receiving services under this bill;
- 24           ▶ provides that the services provided under the pilot program described in this bill do  
25 not constitute an entitlement and shall be provided and funded separately from the  
26 Medicaid program;
- 27           ▶ requires the director of the Division of Services for People with Disabilities to



28 report, for consideration and decision, to the Health and Human Services Interim Committee  
29 during the 2007 interim regarding whether the pilot program created by this bill should be  
30 modified or converted into an ongoing program;

31       ▶ provides, under the Legislative Oversight and Sunset Act, that the pilot program  
32 created by this bill will be repealed on July 1, 2008; and

33       ▶ makes technical changes.

34 **Monies Appropriated in this Bill:**

35       None

36 **Other Special Clauses:**

37       None

38 **Utah Code Sections Affected:**

39 AMENDS:

40       **63-55-262**, as last amended by Chapter 134, Laws of Utah 2001

41 ENACTS:

42       **62A-5-103.1**, Utah Code Annotated 1953



44 *Be it enacted by the Legislature of the state of Utah:*

45       Section 1. Section **62A-5-103.1** is enacted to read:

46       **62A-5-103.1. Pilot program for provision of supported employment services.**

47       (1) There is established a pilot program for the provision of supported employment  
48 services to be administered by the division, beginning on July 1, 2006, and ending on July 1,  
49 2008.

50       (2) The division shall make rules, in accordance with Title 63, Chapter 46a, Utah  
51 Administrative Rulemaking Act, as necessary for the implementation and administration of this  
52 section.

53       (3) In accordance with Subsection (4), within funds appropriated by the Legislature for  
54 the pilot program described in this section, the division shall provide supported employment  
55 services to a person with a disability who:

56       (a) is eligible to receive services from the division;

57       (b) ~~is on the waiting list~~ has applied for, and is waiting ~~to~~ receive  
57a services from the division;

58       (c) is not receiving other ongoing services from the division;

59 (d) is not able to receive sufficient supported employment services from other sources;

60 (e) the division determines would substantially benefit from the provision of supported  
61 employment services; and

62 (f) does not require the provision of other ongoing services from the division in order  
63 to substantially benefit from the provision of supported employment services.

64 (4) (a) The division shall provide supported employment services under this section  
65 outside of the ~~H~~→ [waiting list] ←~~H~~ prioritization criteria established by the division for the receipt  
65a of  
66 other services from the division.

67 (b) The division shall establish criteria to determine the priority, between persons  
68 eligible for services under this section, for receiving services under this section.

69 (5) It is the intent of the Legislature that the services provided under the pilot program  
70 described in this section:

71 (a) shall be provided separately from the Medicaid program described in Title XIX of  
72 the Social Security Act;

73 (b) may not be supported with Medicaid funds;

74 (c) may not be provided as part of a Medicaid waiver;

75 (d) do not constitute an entitlement of any kind; and

76 (e) may be withdrawn from a person at any time.

77 (6) The director of the division shall report to the Health and Human Services Interim  
78 Committee during the 2007 interim regarding:

79 (a) the operation and accomplishments of the pilot program described in this section;

80 (b) whether the Legislature should convert the pilot program to an ongoing program  
81 within the division; and

82 (c) recommendations for changes, if any, relating to the pilot program.

83 (7) During the 2007 interim, the Health and Human Services Interim Committee shall:

84 (a) hear or review the report described in Subsection (6); and

85 (b) determine whether the pilot program described in this section should be converted  
86 to an ongoing program within the division.

87 Section 2. Section **63-55-262** is amended to read:

88 **63-55-262. Repeal dates, Title 62A.**

89 [~~1~~] Section ~~62A-4a-202.7~~, Pilot Program for Differentiated Responses to Child Abuse

90 and Neglect Reports, is repealed July 1, 2005.]

91 [~~2~~] (1) Title 62A, Chapter 4a, Part 8, Safe Relinquishment of a Newborn Child, is  
92 repealed July 1, 2006.

93 (2) Section 62A-5-103.1, Pilot program for provision of supported employment  
94 services, is repealed July 1, 2008.

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**Legislative Review Note**  
as of 11-9-05 4:38 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

**Interim Committee Note**  
as of 12-21-05 12:18 PM

The Health and Human Services Interim Committee recommended this bill.