

**PILOT PROGRAM FOR THE PROVISION OF
SERVICES FOR PEOPLE WITH
DISABILITIES**

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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



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

- provides, under the Legislative Oversight and Sunset Act, that the pilot program created by this bill will be repealed on July 1, 2008; and
- makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

62A-5-103.1, Utah Code Annotated 1953

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

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

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

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

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

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

- (a) is eligible to receive services from the division;
- (b) is on the waiting list to receive services from the division;
- (c) is not receiving other ongoing services from the division;

(d) is not able to receive sufficient supported employment services from other sources;
(e) the division determines would substantially benefit from the provision of supported
employment services; and

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

(4) (a) The division shall provide supported employment services under this section
outside of the waiting list prioritization criteria established by the division for the receipt of
other services from the division.

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

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

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

(b) may not be supported with Medicaid funds;

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

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

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

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

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

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

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

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

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

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

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

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

~~[(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.

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.