1   **SUPPORTED EMPLOYMENT SERVICES TO A**

2   **PERSON WITH A DISABILITY**

3   2008 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Ronda Rudd Menlove**

6   Senate Sponsor: Allen M. Christensen

7

8   **LONG TITLE**

9   **General Description:**

10   This bill makes the pilot program for provision of supported employment services,

11   contained in the Services to People With Disabilities Chapter of the Utah Human

12   Services Code, into an ongoing program, subject to sunset review.

13   **Highlighted Provisions:**

14   This bill:

15   ‣   establishes as an ongoing program the pilot program for provision of supported

16   employment services, subject to a sunset provision; and

17   ‣   makes technical changes.

18   **Monies Appropriated in this Bill:**

19   None

20   **Other Special Clauses:**

21   None

22   **Utah Code Sections Affected:**

23   AMENDS:

24   **62A-5-103.1**, as enacted by Laws of Utah 2006, Chapter 133

25   **63-55-262**, as last amended by Laws of Utah 2007, Chapter 135

26

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

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

29   **62A-5-103.1.   Program for provision of supported employment services.**

30   (1) There is established a [pilot] program for the provision of supported employment

31 services to be administered by the division[, beginning on July 1, 2006, and ending on July 1,

32 2008].

33   (2) The division shall make rules, in accordance with Title 63, Chapter 46a, Utah

34 Administrative Rulemaking Act, as necessary for the implementation and administration of [this]

35 the program described in this section.

36   (3) In accordance with Subsection (4), within funds appropriated by the Legislature for

37 the [pilot] program described in this section, the division shall provide supported employment

38 services to a person with a disability who:

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

40   (b) has applied for, and is waiting to, receive services from the division;

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

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

43   (e) the division determines would substantially benefit from the provision of supported

44 employment services; and

45   (f) does not require the provision of other ongoing services from the division in order to

46 substantially benefit from the provision of supported employment services.

47   (4) (a) The division shall provide supported employment services under this section

48 outside of the prioritization criteria established by the division for the receipt of other services

49 from the division.

50   (b) The division shall establish criteria to determine the priority, between persons

51 eligible for services under this section, for receiving services under this section.

52   (5) It is the intent of the Legislature that the services provided under the [pilot]

53 program described in this section:

54   (a) shall be provided separately from the Medicaid program described in Title XIX of

55 the Social Security Act;

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

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

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

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

60   [(6) The director of the division shall report to the Health and Human Services Interim

61   Committee during the 2007 interim regarding:]

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

63   [(b) whether the Legislature should convert the pilot program to an ongoing program

64   within the division; and]

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

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

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

68   [(b) determine whether the pilot program described in this section should be converted

69   to an ongoing program within the division.]

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

71   **63-55-262.   Repeal dates, Title 62A.**

72   (1) Section 62A-5-103.1, [Pilot program] Program for provision of supported

73   employment services, is repealed July 1, [2008] 2013.

74   (2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed

75   July 1, 2009.