

FAMILY PRESERVATION SERVICES

AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: Allen M. Christensen

LONG TITLE

General Description:

This bill amends the Services to People With Disabilities chapter of the Utah Human Services Code by removing the reporting and review requirements and the repealer provisions from the Pilot Program for the Provision of Family Preservation Services.

Highlighted Provisions:

This bill:

- ▶ removes the reporting and review requirements from the Pilot Program for the Provision of Family Preservation Services; and
- ▶ removes the repealer provisions relating to the Pilot Program for the Provision of Family Preservation Services.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

62A-5-103.2, as last amended by Laws of Utah 2008, Chapter 382

63I-1-262, as last amended by Laws of Utah 2008, Chapter 136 and renumbered and amended by Laws of Utah 2008, Chapter 382

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

30 Section 1. Section **62A-5-103.2** is amended to read:

31 **62A-5-103.2. Pilot Program for the Provision of Family Preservation Services.**

32 (1) There is established a pilot program for the provision of family preservation
33 services to a person with a disability and that person's family, beginning on July 1, 2007, and
34 ending on July 1, 2009.

35 (2) The family preservation services described in Subsection (1) may include:

- 36 (a) family skill building classes;
- 37 (b) respite hours for class attendance; or
- 38 (c) professional intervention.

39 (3) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
40 Administrative Rulemaking Act, as necessary for the implementation and administration of
41 this section.

42 (4) In accordance with Subsection (5), within funds appropriated by the Legislature
43 for the pilot program described in this section, the division shall provide family preservation
44 services to a person with a disability, and that person's family, if that person:

- 45 (a) is eligible to receive services from the division;
- 46 (b) has applied for, and is willing to receive, services from the division;
- 47 (c) is not receiving other ongoing services from the division;
- 48 (d) is not able to receive sufficient family preservation services from other sources;
- 49 (e) is determined by the division to be a person who would substantially benefit from
50 the provision of family preservation services; and
- 51 (f) does not require the provision of other ongoing services from the division in order
52 to substantially benefit from the provision of family preservation services.

53 (5) (a) The division shall provide family preservation services under this section
54 outside of the prioritization criteria established by the division for the receipt of other services
55 from the division.

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

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

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

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

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

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

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

66 ~~[(7) The director of the division shall report to the Health and Human Services Interim
67 Committee during the 2008 interim regarding:]~~

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

69 ~~[(b) whether the Legislature should convert the pilot program to an ongoing program
70 within the division; and]~~

71 ~~[(c) recommendations for changes, if any, related to the pilot program.]~~

72 ~~[(8) During the 2008 interim, the Health and Human Services Interim Committee
73 shall:]~~

74 ~~[(a) hear or review the report described in Subsection (7); and]~~

75 ~~[(b) determine whether the pilot program described in this section should be converted
76 into an ongoing program within the division.]~~

77 Section 2. Section **63I-1-262** is amended to read:

78 **63I-1-262. Repeal dates, Title 62A.**

79 ~~[(1)]~~ Section 62A-5-103.1, Program for provision of supported employment services,
80 is repealed July 1, 2013.

81 ~~[(2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed
82 July 1, 2009.]~~