SOCIAL SERVICES - EMPLOYMENT FIRST PRIORITY

2012 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: V. Lowry Snow
Senate Sponsor: Lyle W. Hillyard

LONG TITLE

General Description:
This bill establishes an employment first priority policy for a person with a disability, a person with a mental illness, and a person seeking treatment for a substance abuse problem within the Employment Support Act and the Substance Abuse and Mental Health Act.

Highlighted Provisions:
This bill:
- defines terms;
- requires the Department of Workforce Services and Division of Substance Abuse and Mental Health to, when providing services to a person with a disability, a person with a mental illness, or a person seeking treatment for a substance abuse problem, give priority to providing services that assist the person in obtaining and retaining meaningful and gainful employment;
- requires the entities described in the preceding paragraph to:
  - develop a written plan to implement the policy described in the preceding paragraph; and
  - set annual goals to implement the policy and plan described in this bill, determine whether the goals for the previous year have been met, and modify the plan as needed; and
- makes technical changes.

Money Appropriated in this Bill:
None
Be it enacted by the Legislature of the state of Utah:

Section 1. Section 35A-3-103.5 is amended to read:

35A-3-103.5. Employment first emphasis on the provision of services.
(1) As used in this section, "recipient" means an individual who:
(a) has a disability;
(b) suffers from a mental illness; or
(c) is undergoing treatment for a substance abuse problem.
[(1)] (2) When providing services to a [person with a disability] recipient in the programs provided under this chapter, the department shall, within funds appropriated by the Legislature and in accordance with the requirements of federal and state law and memorandums of understanding between the department and other state entities that provide services to a [person with a disability] recipient, give priority to providing services that assist an eligible [person] recipient in obtaining and retaining meaningful and gainful employment that enables the [person] recipient to earn sufficient income to:
(a) purchase goods and services;
(b) establish self-sufficiency; and
(c) exercise economic control of the [person's] recipient's life.
[(2)] (3) The department shall develop a written plan to implement the policy described in Subsection [(1)] (2) that includes:
(a) assessing the strengths and needs of a [person with a disability] recipient:
(b) customizing strength-based approaches to obtaining employment;
(c) expecting, encouraging, providing, and rewarding:
(i) integrated employment in the workplace at competitive wages and benefits; and
(ii) self-employment;
(d) developing partnerships with potential employers;
(e) maximizing appropriate employment training opportunities;
(f) coordinating services with other government agencies and community resources;
(g) to the extent possible, eliminating practices and policies that interfere with the
policy described in Subsection [(+] (2); and
(h) arranging sub-minimum wage work or volunteer work for an eligible [person] recipient when employment at market rates cannot be obtained.
[(+] (4) The department shall, on an annual basis:
(a) set goals to implement the policy described in Subsection [(+] (2) and the plan
described in Subsection [(+) (3);
(b) determine whether the goals for the previous year have been met; and
(c) modify the plan described in Subsection [(+) (3) as needed.
Section 2. Section 62A-15-105.2 is enacted to read:

62A-15-105.2. Employment first emphasis on the provision of services.
(1) As used in this section, "recipient" means an individual who is:
(a) undergoing treatment for a substance abuse problem; or
(b) suffers from a mental illness.
(2) When providing services to a recipient, the division shall, within funds
appropriated by the Legislature and in accordance with the requirements of federal and state
law and memorandums of understanding between the division and other state entities that
provide services to a recipient, give priority to providing services that assist an eligible
recipient in obtaining and retaining meaningful and gainful employment that enables the
recipient to earn sufficient income to:
(a) purchase goods and services:
(b) establish self-sufficiency; and

(c) exercise economic control of the recipient's life.

(3) The division shall develop a written plan to implement the policy described in Subsection (2) that includes:

(a) assessing the strengths and needs of a recipient;

(b) customizing strength-based approaches to obtaining employment;

(c) expecting, encouraging, providing, and rewarding:

(i) integrated employment in the workplace at competitive wages and benefits; and

(ii) self-employment;

(d) developing partnerships with potential employers;

(e) maximizing appropriate employment training opportunities;

(f) coordinating services with other government agencies and community resources;

(g) to the extent possible, eliminating practices and policies that interfere with the policy described in Subsection (2); and

(h) arranging sub-minimum wage work or volunteer work for an eligible recipient when employment at market rates cannot be obtained.

(4) The division shall, on an annual basis:

(a) set goals to implement the policy described in Subsection (2) and the plan described in Subsection (3);

(b) determine whether the goals for the previous year have been met; and

(c) modify the plan described in Subsection (3) as needed.