

1                   **SUNSET REAUTHORIZATION - EMPLOYMENT SERVICES**

2                                   **FOR THE DISABLED**

3   2013 GENERAL SESSION

4   STATE OF UTAH

5                           **Chief Sponsor: Ronda Rudd Menlove**

6                                   Senate Sponsor: Allen M. Christensen

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8   **LONG TITLE**

9   **General Description:**

10           This bill modifies a provision that repeals a program that provides employment services  
11 to a person with a disability.

12   **Highlighted Provisions:**

13           This bill:

- 14           ▶ removes the repeal date for a program that provides employment services to a
- 15 person with a disability;
- 16           ▶ requires the division to report to the Health and Human Services Interim Committee
- 17 in even calendar years regarding the success and progress of the program; and
- 18           ▶ makes technical changes.

19   **Money Appropriated in this Bill:**

20           None

21   **Other Special Clauses:**

22           None

23   **Utah Code Sections Affected:**

24   AMENDS:

25           **62A-5-103.1**, as last amended by Laws of Utah 2008, Chapters 136 and 382

26           **63I-1-262**, as last amended by Laws of Utah 2012, Chapter 372

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

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

30           **62A-5-103.1. Program for provision of supported employment services.**

31           (1) There is established a program for the provision of supported employment services  
32 to be administered by the division.

33           (2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah  
34 Administrative Rulemaking Act, as necessary for the implementation and administration of the  
35 program described in this section.

36           (3) In accordance with Subsection (4), within funds appropriated by the Legislature for  
37 the 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  
46 to 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 program  
53 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 division shall report to the Health and Human Services Interim Committee on  
61 even calendar years regarding the success and progress of employment services offered under  
62 this section.

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

64 **63I-1-262. Repeal dates, Title 62A.**

65 [(1)] Section 62A-2-120.5, Pilot program for expedited background check of a  
66 qualified human services applicant, is repealed July 1, 2017.

67 [~~2~~] ~~Section 62A-5-103.1, Program for provision of supported employment services, is~~  
68 ~~repealed July 1, 2013.]~~