

**Representative Norman K Thurston** proposes the following substitute bill:

**FORENSIC MENTAL HEALTH COORDINATING COUNCIL**

**AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K Thurston**

Senate Sponsor: Deidre M. Henderson

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to the composition and responsibilities of the Forensic Mental Health Coordinating Council.

**Highlighted Provisions:**

This bill:

- ▶ amends the composition of the Forensic Mental Health Coordinating Council;
- ▶ clarifies the responsibilities of the Forensic Mental Health Coordinating Council;

and

- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**62A-15-605**, as last amended by Laws of Utah 2011, Chapter 366

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

27 Section 1. Section **62A-15-605** is amended to read:

28 **62A-15-605. Forensic Mental Health Coordinating Council -- Establishment and**  
29 **purpose.**

30 (1) There is established the Forensic Mental Health Coordinating Council composed of  
31 the following members:

32 (a) the director of the Division of Substance Abuse and Mental Health or the director's  
33 appointee;

34 (b) the superintendent of the state hospital or the superintendent's appointee;

35 (c) the executive director of the Department of Corrections or the executive director's  
36 appointee;

37 (d) a member of the Board of Pardons and Parole or its appointee;

38 (e) the attorney general or the attorney general's appointee;

39 (f) the director of the Division of Services for People with Disabilities or the director's  
40 appointee;

41 (g) the director of the Division of Juvenile Justice Services or the director's appointee;

42 (h) the director of the Commission on Criminal and Juvenile Justice or the director's  
43 appointee;

44 (i) the state court administrator or the administrator's appointee;

45 (j) the state juvenile court administrator or the administrator's appointee;

46 (k) a representative from a local mental health authority or an organization, excluding  
47 the state hospital that provides mental health services under contract with the Division of  
48 Substance Abuse and Mental Health or a local mental health authority, as appointed by the  
49 director of the division;

50 (l) the executive director of the [~~Governor's Council for People with Disabilities~~] Utah  
51 Developmental Disabilities Council or the director's appointee; and

52 (m) other [~~persons~~] individuals, including individuals from appropriate advocacy  
53 organizations with an interest in the mission described in Subsection (3), as appointed by the  
54 members described in Subsections (1)(a) through (l).

55 (2) A member may not receive compensation or benefits for the member's service, but  
56 may receive per diem and travel expenses in accordance with:

- 57 (a) Section [63A-3-106](#);
- 58 (b) Section [63A-3-107](#); and
- 59 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
- 60 [63A-3-107](#).
- 61 (3) The purpose of the Forensic Mental Health Coordinating Council is to:
- 62 (a) advise the director regarding the state hospital admissions [~~to the state hospital of~~
- 63 ~~persons~~] policy for individuals in the custody of the Department of Corrections;
- 64 (b) develop policies for coordination between the division and the Department of
- 65 Corrections;
- 66 (c) advise the executive director of the Department of Corrections regarding [~~issues of~~
- 67 ~~care for persons~~] department policy related to the care of individuals in the custody of the
- 68 Department of Corrections who are mentally ill;
- 69 (d) promote communication between and coordination among all agencies dealing with
- 70 [~~persons~~] individuals with an intellectual disability or mental illness who become involved in
- 71 the civil commitment system or in the criminal or juvenile justice system;
- 72 (e) study, evaluate, and recommend changes to laws and procedures relating to
- 73 [~~persons~~] individuals with an intellectual disability or mental illness who become involved in
- 74 the civil commitment system or in the criminal or juvenile justice system;
- 75 (f) identify and promote the implementation of specific policies and programs to deal
- 76 fairly and efficiently with [~~persons~~] individuals with an intellectual disability or mental illness
- 77 who become involved in the civil commitment system or in the criminal or juvenile justice
- 78 system; and
- 79 (g) promote judicial education relating to [~~persons~~] individuals with an intellectual
- 80 disability or mental illness who become involved in the civil commitment system or in the
- 81 criminal or juvenile justice system.