

**Representative Ken Ivory** proposes the following substitute bill:

**TELEHEALTH MENTAL HEALTH PILOT PROGRAM**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ken Ivory**

Senate Sponsor: J. Stuart Adams

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**LONG TITLE**

**General Description:**

This bill creates a telehealth mental health pilot project grant program.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the Division of Substance Abuse and Mental Health to create a telehealth mental health pilot project grant program;
- ▶ creates a reporting requirement; and
- ▶ repeals the provisions of this bill on December 31, 2021.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2019:

- ▶ to the Department of Human Services - Division of Substance Abuse and Mental Health, as a one-time appropriation:
  - from the General Fund, One-time, \$590,000.

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



26 **63I-1-262**, as last amended by Laws of Utah 2017, Chapter 459

27 ENACTS:

28 **62A-15-114**, Utah Code Annotated 1953

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

31 Section 1. Section **62A-15-114** is enacted to read:

32 **62A-15-114. Telehealth Mental Health Pilot Program.**

33 (1) As used in this section:

34 (a) "Grant" means a grant awarded by the division under this section to a person to  
35 develop and implement a project.

36 (b) "Project" means a telehealth mental health pilot project for which the division  
37 awards a grant.

38 (c) "Public school" means:

39 (i) a school district;

40 (ii) a school under the control of a school district;

41 (iii) a charter school; or

42 (iv) the Utah Schools for the Deaf and the Blind.

43 (d) "Telehealth mental health services" means mental health services provided  
44 remotely through the use of telecommunications technology.

45 (e) "Utah State Hospital" means the Utah State Hospital established in Section  
46 62A-15-601.

47 (2) (a) On or before July 1, 2018, the division shall issue a project proposal request in  
48 accordance with this section to award a grant to:

49 (i) one or more local authorities to develop and implement one or more projects in one  
50 or more public schools in the state; or

51 (ii) the Utah State Hospital.

52 (b) An application for a project described in Subsection (2)(a) shall be submitted  
53 jointly by:

54 (i) a public school or the Utah State Hospital; and

55 (ii) a provider of telehealth mental health services.

56 (c) The division shall award all grants under this section before December 31, 2018.

- 57           (d) A project shall run for two years.
- 58           (3) The purpose of the telehealth mental health pilot program is to:
- 59           (a) determine how telehealth mental health services can best be used in the state to:
- 60           (i) increase access to mental health services by public school students;
- 61           (ii) increase the timeliness and effectiveness of mental health crisis intervention
- 62 services for public school students;
- 63           (iii) reduce the cost associated with providing mental health services to public school
- 64 students; and
- 65           (iv) increase access to mental health services by public school students in underserved
- 66 areas of the state;
- 67           (b) identify best practices for providing telehealth mental health services to public
- 68 school students in the state; and
- 69           (c) identify the best methods of using telecommunications technology to provide
- 70 mental health services to public school students remotely.
- 71           (4) Persons who apply for a grant under this section shall:
- 72           (a) identify the population to which the proposed project will provide telehealth mental
- 73 health services;
- 74           (b) explain how the population described in Subsection (4)(a):
- 75           (i) is currently underserved; and
- 76           (ii) will benefit from the provision of telehealth mental health services;
- 77           (c) provide details regarding:
- 78           (i) how the proposed project will provide the telehealth mental health services;
- 79           (ii) the projected costs of providing the telehealth mental health services;
- 80           (iii) the sustainability of the proposed project; and
- 81           (iv) the methods that the proposed project will use to:
- 82           (A) protect the privacy of students and patients;
- 83           (B) collect nonidentifying data relating to the proposed project; and
- 84           (C) provide transparency on the costs and operation of the proposed project; and
- 85           (d) provide other information requested by the division to ensure that the proposed
- 86 project satisfies the criteria described in Subsection (5).
- 87           (5) In evaluating a proposal for a grant, the division shall consider:

88 (a) the extent to which the proposed project will fulfill the purposes described in  
89 Subsection (3);

90 (b) the extent to which the population that will be served by the proposed project is:

91 (i) currently underserved; and

92 (ii) likely to benefit from the proposed project;

93 (c) the cost of the proposed project;

94 (d) the viability and innovation of the proposed project; and

95 (e) the extent to which the proposed project will yield useful data to evaluate the  
96 effectiveness of the proposed project.

97 (6) (a) Within six months after the day on which the division awards a grant, the  
98 division shall report to the Health and Human Services Interim Committee regarding:

99 (i) each person who received a grant; and

100 (ii) the details of each project.

101 (b) Within six months after the day on which a project concludes, the division shall  
102 report to the Health and Human Services Interim Committee regarding:

103 (i) the success of each project;

104 (ii) data gathered in relation to each project;

105 (iii) knowledge gained from each project relating to the provision of telehealth mental  
106 health services;

107 (iv) proposals for the future use of telehealth mental health services in the state;

108 (v) obstacles encountered in the provision of telehealth mental health services; and

109 (vi) changes needed in the law to overcome obstacles to providing telehealth mental  
110 health services.

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

112 **63I-1-262. Repeal dates, Title 62A.**

113 [~~(1) Section 62A-4a-213 is repealed July 1, 2019.~~]

114 [~~(2) Section 62A-4a-202.9 is repealed December 31, 2019.~~]

115 (1) Section 62A-4a-202.9 is repealed December 31, 2019.

116 (2) Section 62A-4a-213 is repealed July 1, 2019.

117 (3) Section 62A-15-114 is repealed December 31, 2021.

118 [~~(3)~~] (4) Subsection 62A-15-1101(5) is repealed July 1, 2018.

119 Section 3. **Appropriation.**

120 The following sums of money are appropriated for the fiscal year beginning July 1,  
121 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for  
122 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
123 Act, the Legislature appropriates the following sums of money from the funds or accounts  
124 indicated for the use and support of the government of the state of Utah.

125 ITEM 1

126 To Department of Human Services -- Division of Substance Abuse and Mental Health

127 From General Fund, One-time \$590,000

128 Schedule of Programs:

129 Community Mental Health Services \$590,000

130 The Legislature intends that:

131 (1) the Division of Substance Abuse and Mental Health expend appropriations  
132 provided under this item for the Telehealth Mental Health Pilot Program described in Section  
133 [62A-15-114](#);

134 (2) the Division of Substance Abuse and Mental Health expend the appropriations  
135 provided under this item in fiscal years 2019 and 2020, in an amount not to exceed \$310,000 in  
136 fiscal year 2019, and the remainder in fiscal year 2020; and

137 (3) under Section [63J-1-603](#), appropriations provided under this item not lapse at the  
138 close of fiscal year 2019.