

Representative Steve Eliason proposes the following substitute bill:

SUICIDE PREVENTION AND MEDICAL EXAMINER PROVISIONS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Daniel W. Thatcher

LONG TITLE

General Description:

This bill makes modifications to suicide prevention and medical examiner provisions.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends provisions regarding medical examiner records;
- ▶ expands the scope of suicide prevention programs in schools;
- ▶ increases the funding available for the implementation of school-based suicide prevention programs;
- ▶ provides for the award of grants for higher education institutions to implement the School Safety and Crisis Line, for the development of five new mobile crisis outreach teams, and for communities to provide mental health crisis response training;
- ▶ creates the Statewide Suicide Prevention Coalition;
- ▶ establishes the Governor's Suicide Prevention Fund;
- ▶ allows a taxpayer to contribute to the Governor's Suicide Prevention Fund; and
- ▶ makes technical changes.

Money Appropriated in this Bill:



26 This bill appropriates in fiscal year 2019:
 27 ▶ to the Department of Human Services, the Division of Substance Abuse and Mental
 28 Health -- Community Mental Health Services as a one-time appropriation:
 29 • from the General Fund, One-time, \$250,000.

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

- 34 **26-4-2**, as last amended by Laws of Utah 2011, Chapter 297
- 35 **26-4-11**, as last amended by Laws of Utah 1993, Chapter 38
- 36 **26-4-17**, as last amended by Laws of Utah 1996, Chapter 201
- 37 **53F-5-206**, as renumbered and amended by Laws of Utah 2018, Chapter 2
- 38 **53G-9-702**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 39 **59-10-1304**, as last amended by Laws of Utah 2016, Chapters 111 and 135
- 40 **62A-15-102**, as last amended by Laws of Utah 2015, Chapter 412
- 41 **62A-15-1101**, as last amended by Laws of Utah 2017, Chapters 296 and 346
- 42 **62A-15-1102**, as last amended by Laws of Utah 2017, Chapter 22
- 43 **63M-7-301**, as last amended by Laws of Utah 2017, Chapter 163
- 44 **63M-7-303**, as last amended by Laws of Utah 2016, Chapter 158

45 ENACTS:

- 46 **53E-10-506**, Utah Code Annotated 1953
- 47 **59-10-1320**, Utah Code Annotated 1953
- 48 **62A-15-114**, Utah Code Annotated 1953
- 49 **62A-15-115**, Utah Code Annotated 1953
- 50 **62A-15-1100**, Utah Code Annotated 1953
- 51 **62A-15-1103**, Utah Code Annotated 1953



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

54 Section 1. Section **26-4-2** is amended to read:

55 **26-4-2. Definitions.**

56 As used in this chapter:

57 (1) "Dead body" is as defined in Section 26-2-2.

58 (2) "Death by violence" means death that resulted by the decedent's exposure to
59 physical, mechanical, or chemical forces, and includes death which appears to have been due to
60 homicide, death which occurred during or in an attempt to commit rape, mayhem, kidnapping,
61 robbery, burglary, housebreaking, extortion, or blackmail accompanied by threats of violence,
62 assault with a dangerous weapon, assault with intent to commit any offense punishable by
63 imprisonment for more than one year, arson punishable by imprisonment for more than one
64 year, or any attempt to commit any of the foregoing offenses.

65 (3) "Immediate relative" means an individual's spouse, child, parent, sibling,
66 grandparent, or grandchild.

67 [~~(3)~~] (4) "Medical examiner" means the state medical examiner appointed pursuant to
68 Section 26-4-4 or a deputy appointed by the medical examiner.

69 (5) "Medical examiner record" means:

70 (a) all information that the medical examiner obtains regarding a decedent; and

71 (b) reports that the medical examiner makes regarding a decedent.

72 [~~(4)~~] (6) "Regional pathologist" means a trained pathologist licensed to practice
73 medicine and surgery in the state, appointed by the medical examiner pursuant to Subsection
74 26-4-4(3).

75 [~~(5)~~] (7) "Sudden death while in apparent good health" means apparently instantaneous
76 death without obvious natural cause, death during or following an unexplained syncope or
77 coma, or death during an acute or unexplained rapidly fatal illness.

78 [~~(6)~~] (8) "Sudden infant death syndrome" means the death of a child who was thought
79 to be in good health or whose terminal illness appeared to be so mild that the possibility of a
80 fatal outcome was not anticipated.

81 [~~(7)~~] (9) "Suicide" means death caused by an intentional and voluntary act of a person
82 who understands the physical nature of the act and intends by such act to accomplish
83 self-destruction.

84 [~~(8)~~] (10) "Unattended death" means the death of a person who has not been seen by a
85 physician within the scope of the physician's professional capacity within 30 days immediately
86 prior to the date of death. This definition does not require an investigation, autopsy, or inquest
87 in any case where death occurred without medical attendance solely because the deceased was

88 under treatment by prayer or spiritual means alone in accordance with the tenets and practices
89 of a well-recognized church or religious denomination.

90 [(9)] (11) (a) "Unavailable for postmortem investigation" means that a dead body is:

91 (i) transported out of state;

92 (ii) buried at sea;

93 (iii) cremated; or

94 (iv) otherwise made unavailable to the medical examiner for postmortem investigation
95 or autopsy.

96 (b) "Unavailable for postmortem investigation" does not include embalming or burial
97 of a dead body pursuant to the requirements of law.

98 [(10)] (12) "Within the scope of the decedent's employment" means all acts reasonably
99 necessary or incident to the performance of work, including matters of personal convenience
100 and comfort not in conflict with specific instructions.

101 Section 2. Section 26-4-11 is amended to read:

102 **26-4-11. Records and reports of investigations.**

103 (1) A complete copy of all written records and reports of investigations and facts
104 resulting from medical care treatment, autopsies conducted by any person on the body of the
105 deceased who died in any manner listed in Section 26-4-7 and the written reports of any
106 investigative agency making inquiry into the incident shall be promptly made and filed with the
107 medical examiner.

108 (2) The judiciary or a state or local government entity that retains a record, other than a
109 document described in Subsection (1), of the decedent shall provide a copy of the record to the
110 medical examiner:

111 (a) in accordance with federal law; and

112 (b) upon receipt of the medical examiner's written request for the record.

113 (3) Failure to submit reports or records described in Subsection (1) or (2), other than
114 reports of a county attorney, district attorney, or law enforcement agency, [upon written request
115 from the medical examiner] within 10 days after the day on which the person in possession of
116 the report or record receives the medical examiner's written request for the report or record is a
117 class B misdemeanor.

118 Section 3. Section 26-4-17 is amended to read:

119 **26-4-17. Records of medical examiner -- Confidentiality.**

120 (1) The medical examiner shall ~~[keep and maintain full and complete original records;]~~
121 maintain complete, original records for the medical examiner record, which shall:

122 (a) be properly indexed, giving the name, if known, or otherwise identifying every
123 [person] individual whose death is investigated[;];

124 (b) indicate the place where the body was found[;];

125 (c) indicate the date[;] of death;

126 (d) indicate the cause and manner of death[;];

127 (e) indicate the occupation of the decedent, if available[~~-and~~];

128 (f) include all other relevant information concerning the death[~~-A~~]; and

129 (g) include a full report and detailed findings of the autopsy or report of the
130 investigation [shall be part of the record in each case].

131 ~~[(2) The county attorney, the district attorney, the attorney general, or other law~~
132 ~~enforcement official having jurisdiction may, upon written request, secure copies of the~~
133 ~~original records where necessary for the performance of their duties.]~~

134 ~~[(3) The medical examiner shall promptly deliver copies of all reports, findings, and~~
135 ~~records gathered or compiled in the investigation of a death to the decedent's next-of-kin, legal~~
136 ~~representative, or physicians who attended the decedent during the year before death, upon~~
137 ~~their written request for the release of documents.]~~

138 ~~[(4) The medical examiner shall maintain the confidentiality of the records which shall~~
139 ~~be released as provided herein and upon payment of fees prescribed by the department under~~
140 ~~Section 26-1-6.]~~

141 (2) Upon written request from an individual described in Subsections (2)(a) through
142 (d), the medical examiner shall provide a copy of the medical examiner's final report of
143 examination for the decedent, including the autopsy report, toxicology report, lab reports, and
144 investigative reports to:

145 (a) a decedent's immediate relative;

146 (b) a decedent's legal representative;

147 (c) a physician who attended the decedent during the year before the decedent's death;

148 or

149 (d) as necessary for the performance of the individual's professional duties, a county

150 attorney, a district attorney, a criminal defense attorney, or other law enforcement official with
151 jurisdiction.

152 (3) Reports provided under Subsection (2) may not include records that the medical
153 examiner obtains from a third party in the course of investigating the decedent's death.

154 (4) The medical examiner may provide a medical examiner record to a researcher who:

155 (a) has an advanced degree;

156 (b) (i) is affiliated with an accredited college or university, a hospital, or another
157 system of care, including an emergency medical response or a local health agency; or

158 (ii) is part of a research firm contracted with an accredited college or university, a
159 hospital, or another system of care;

160 (c) requests a medical examiner record for a research project or a quality improvement
161 initiative that will have a public health benefit, as determined by the Department of Health; and

162 (d) provides to the medical examiner an approval from:

163 (i) the researcher's sponsoring organization; and

164 (ii) the Utah Department of Health Institutional Review Board.

165 (5) Records provided under Subsection (4) may not include a third party record, unless:

166 (a) a court has ordered disclosure of the third party record; and

167 (b) disclosure is conducted in compliance with state and federal law.

168 (6) A person who obtains a medical examiner record under Subsection (4) shall:

169 (a) maintain the confidentiality of the medical examiner record by removing personally
170 identifying information about a decedent or the decedent's family and any other information
171 that may be used to identify a decedent before using the medical examiner record in research;

172 (b) conduct any research within and under the supervision of the Office of the Medical
173 Examiner, if the medical examiner record contains a third party record with personally
174 identifiable information;

175 (c) limit the use of a medical examiner record to the purpose for which the person
176 requested the medical examiner record;

177 (d) destroy a medical examiner record and the data abstracted from the medical
178 examiner record at the conclusion of the research for which the person requested the medical
179 examiner record;

180 (e) reimburse the medical examiner, as provided in Section [26-1-6](#), for any costs

181 incurred by the medical examiner in providing a medical examiner record;

182 (f) allow the medical examiner to review, before public release, a publication in which
183 data from a medical examiner record is referenced or analyzed; and

184 (g) provide the medical examiner access to the researcher's database containing data
185 from a medical examiner record, until the day on which the researcher permanently destroys
186 the medical examiner record and all data obtained from the medical examiner record.

187 (7) Except as provided in this chapter or ordered by a court, the medical examiner may
188 not disclose any part of a medical examiner record.

189 (8) A person who obtains a medical examiner record under Subsection (4) is guilty of a
190 class B misdemeanor, if the person fails to comply with the requirements of Subsections (6)(a)
191 through (d).

192 Section 4. Section **53E-10-506** is enacted to read:

193 **53E-10-506. Higher education implementation of School Safety and Crisis Line.**

194 (1) The public education suicide prevention coordinator, described in Section
195 53G-9-702, shall award a grant to an institution of higher education that:

196 (a) is located in Utah;

197 (b) applies for a grant to fully implement the School Safety and Crisis Line, described
198 in Section 53E-10-502; and

199 (c) demonstrates sufficient funds to pay for at least 50% of the cost of implementation.

200 (2) A grant awarded under Subsection (1) shall total no more than 50% of the cost for
201 the applicant to fully implement the School Safety and Crisis Line.

202 (3) Full implementation of the School Safety and Crisis Line includes:

203 (a) providing access to the School Safety and Crisis Line to every student enrolled in
204 the institution;

205 (b) revising the institution's conduct and discipline policy to include procedures for the
206 institution to respond to reports received under Subsection 53E-10-502(3); and

207 (c) informing students enrolled in the institution and school personnel, including
208 faculty and staff, about the School Safety and Crisis Line.

209 Section 5. Section **53F-5-206** is amended to read:

210 **53F-5-206. Grant awards for elementary suicide prevention programs.**

211 (1) To foster [~~peer-to-peer~~] suicide prevention, resiliency, and anti-bullying programs

212 in elementary schools, the public education suicide prevention coordinator, described in
213 Section [53G-9-702](#), shall~~[-subject to legislative appropriations,]~~ award grants to elementary
214 schools.

215 (2) A grant award may not exceed \$500 per school per year.

216 (3) The application for a grant shall contain:

217 (a) a requested award amount;

218 (b) a budget; and

219 (c) a narrative plan of the [~~peer-to-peer~~] suicide prevention, resiliency, or anti-bullying
220 program.

221 (4) When awarding a grant under this section, the public education suicide prevention
222 coordinator shall consider:

223 (a) the content of a grant application; and

224 (b) whether an application is submitted in the manner and form prescribed.

225 (5) Each elementary school applicant may select a program, including a peer-to-peer
226 program or a curriculum-based program, that the applicant determines is appropriate for the
227 elementary school.

228 Section 6. Section [53G-9-702](#) is amended to read:

229 **53G-9-702. Youth suicide prevention programs required in secondary schools --**
230 **State Board of Education to develop model programs -- Reporting requirements.**

231 (1) As used in the section:

232 (a) "Board" means the State Board of Education.

233 (b) "Intervention" means an effort to prevent a student from attempting suicide.

234 (c) "Postvention" means mental health intervention after a suicide attempt or death to
235 prevent or contain contagion.

236 (d) "Program" means a youth suicide prevention program described in Subsection (2).

237 (e) "Public education suicide prevention coordinator" means an individual designated
238 by the board as described in Subsection (3).

239 (f) "Secondary grades":

240 (i) means grades 7 through 12; and

241 (ii) if a middle or junior high school includes grade 6, includes grade 6.

242 (g) "State suicide prevention coordinator" means the state suicide prevention

243 coordinator described in Section [62A-15-1101](#).

244 ~~[(2)(a) In collaboration with the public education suicide prevention coordinator, a~~
245 ~~school district or charter school shall implement a youth suicide prevention program in the~~
246 ~~secondary grades of the school district or charter school.]~~

247 ~~[(b) A school district or charter school's program shall include the following~~
248 ~~components:]~~

249 ~~[(i) in collaboration with the training, programs, and initiatives described in Section~~
250 ~~[53G-9-607](#), programs and training to address]~~

251 (2) In collaboration with the public education suicide prevention coordinator, a school
252 district or charter school, in the secondary grades of the school district or charter school, shall
253 implement a youth suicide prevention program, which, in collaboration with the training,
254 programs, and initiatives described in Section [53G-9-607](#), shall include programs and training
255 to address:

256 (a) bullying and cyberbullying, as those terms are defined in Section [53G-9-601](#);

257 ~~[(ii)]~~ (b) prevention of youth ~~[suicides]~~ suicide;

258 ~~[(iii)]~~ (c) youth suicide intervention; ~~[and]~~

259 ~~[(iv)]~~ (d) postvention for family, students, and faculty[.];

260 (e) underage drinking of alcohol;

261 (f) methods of strengthening the family; and

262 (g) methods of strengthening a youth's relationships in the school and community.

263 (3) The board shall:

264 (a) designate a public education suicide prevention coordinator; and

265 (b) in collaboration with the Department of Health and the state suicide prevention
266 coordinator, develop model programs to provide to school districts and charter schools:

267 (i) program training; and

268 (ii) resources regarding the required components described in Subsection (2)(b).

269 (4) The public education suicide prevention coordinator shall:

270 (a) oversee the youth suicide prevention programs of school districts and charter
271 schools;

272 (b) coordinate prevention and postvention programs, services, and efforts with the state
273 suicide prevention coordinator; and

274 (c) award grants in accordance with Section 53F-5-206.

275 (5) A public school suicide prevention program may allow school personnel to ask a
276 student questions related to youth suicide prevention, intervention, or postvention.

277 (6) (a) Subject to legislative appropriation, the board may distribute money to a school
278 district or charter school to be used to implement evidence-based practices and programs, or
279 emerging best practices and programs, for preventing suicide in the school district or charter
280 school.

281 (b) The board shall distribute money under Subsection (6)(a) so that each school that
282 enrolls students in grade 7 or a higher grade receives an allocation of at least [~~\$500, or a lesser~~
283 ~~amount per school if the legislative appropriation is not sufficient to provide at least \$500 per~~
284 ~~school]~~ \$1,000.

285 (c) (i) A school shall use money allocated to the school under Subsection (6)(b) to
286 implement evidence-based practices and programs, or emerging best practices and programs,
287 for preventing suicide.

288 (ii) Each school may select the evidence-based practices and programs, or emerging
289 best practices and programs, for preventing suicide that the school implements.

290 (7) (a) The board shall provide a written report, and shall orally report to the
291 Legislature's Education Interim Committee, by the October 2015 meeting, jointly with the
292 public education suicide prevention coordinator and the state suicide prevention coordinator,
293 on:

294 (i) the progress of school district and charter school youth suicide prevention programs,
295 including rates of participation by school districts, charter schools, and students;

296 (ii) the board's coordination efforts with the Department of Health and the state suicide
297 prevention coordinator;

298 (iii) the public education suicide prevention coordinator's model program for training
299 and resources related to youth suicide prevention, intervention, and postvention;

300 (iv) data measuring the effectiveness of youth suicide programs;

301 (v) funds appropriated to each school district and charter school for youth suicide
302 prevention programs; and

303 (vi) five-year trends of youth suicides per school, school district, and charter school.

304 (b) School districts and charter schools shall provide to the board information that is

305 necessary for the board's report to the Legislature's Education Interim Committee as required in
306 Subsection (7)(a).

307 Section 7. Section **59-10-1304** is amended to read:

308 **59-10-1304. Removal of designation and prohibitions on collection for certain**
309 **contributions on income tax return -- Conditions for removal and prohibitions on**
310 **collection -- Commission publication requirements.**

311 (1) (a) If a contribution or combination of contributions described in Subsection (1)(b)
312 generate less than \$30,000 per year for three consecutive years, the commission shall remove
313 the designation for the contribution from the individual income tax return and may not collect
314 the contribution from a resident or nonresident individual beginning two taxable years after the
315 three-year period for which the contribution generates less than \$30,000 per year.

316 (b) The following contributions apply to Subsection (1)(a):

317 (i) the contribution provided for in Section [59-10-1306](#);

318 (ii) the sum of the contributions provided for in Subsection [59-10-1307](#)(1);

319 (iii) the contribution provided for in Section [59-10-1308](#);

320 (iv) the contribution provided for in Section [59-10-1310](#);

321 (v) the contribution provided for in Section [59-10-1315](#);

322 (vi) the sum of the contributions provided for in:

323 (A) Section [59-10-1316](#); and

324 (B) Section [59-10-1317](#);

325 (vii) the contribution provided for in Section [59-10-1318](#); [~~or~~]

326 (viii) the contribution provided for in Section [59-10-1319](#)[~~;~~]; or

327 (ix) the contribution provided for in Section [59-10-1320](#).

328 (2) If the commission removes the designation for a contribution under Subsection (1),
329 the commission shall report to the Revenue and Taxation Interim Committee by electronic
330 means that the commission removed the designation on or before the November interim
331 meeting of the year in which the commission determines to remove the designation.

332 (3) (a) Within a 30-day period after making the report required by Subsection (2), the
333 commission shall publish a list in accordance with Subsection (3)(b) stating each contribution
334 that the commission will remove from the individual income tax return.

335 (b) The list shall:

- 336 (i) be published on:
- 337 (A) the commission's website; and
- 338 (B) the public legal notice website in accordance with Section [45-1-101](#);
- 339 (ii) include a statement that the commission:
- 340 (A) is required to remove the contribution from the individual income tax return; and
- 341 (B) may not collect the contribution;
- 342 (iii) state the taxable year for which the removal described in Subsection (3)(a) takes
- 343 effect; and
- 344 (iv) remain available for viewing and searching until the commission publishes a new
- 345 list in accordance with this Subsection (3).

346 Section 8. Section **59-10-1320** is enacted to read:

347 **59-10-1320. Contribution to the Governor's Suicide Prevention Fund.**

348 (1) Except as provided in Section [59-10-1304](#), a resident or nonresident individual that

349 files an individual income tax return under this chapter may designate on the resident or

350 nonresident individual's individual income tax return a contribution to the Governor's Suicide

351 Prevention Fund as provided in this part.

352 (2) The commission shall:

353 (a) determine annually the total amount of contributions designated in accordance with

354 this section; and

355 (b) credit the amount described in Subsection (2)(a) to the Governor's Suicide

356 Prevention Fund created by Section [62A-15-1103](#).

357 Section 9. Section **62A-15-102** is amended to read:

358 **62A-15-102. Definitions.**

359 As used in this chapter:

360 (1) "Criminal risk factors" means a person's characteristics and behaviors that:

361 (a) affect the person's risk of engaging in criminal behavior; and

362 (b) are diminished when addressed by effective treatment, supervision, and other

363 support resources, resulting in reduced risk of criminal behavior.

364 (2) "Director" means the director of the Division of Substance Abuse and Mental

365 Health.

366 (3) "Division" means the Division of Substance Abuse and Mental Health established

367 in Section [62A-15-103](#).

368 (4) "Local mental health authority" means a county legislative body.

369 (5) "Local substance abuse authority" means a county legislative body.

370 (6) "Mental health crisis" means:

371 (a) a mental health condition that manifests in an individual by symptoms of sufficient
372 severity that a prudent layperson who possesses an average knowledge of mental health issues
373 could reasonably expect the absence of immediate attention or intervention to result in:

374 (i) serious danger to the individual's health or well-being; or

375 (ii) a danger to the health or well-being of others; or

376 (b) a mental health condition that, in the opinion of a mental health therapist or the
377 therapist's designee, requires direct professional observation or intervention.

378 (7) "Mental health crisis response training" means community-based training that
379 educates laypersons and professionals on the warning signs of a mental health crisis and how to
380 respond.

381 (8) "Mental health crisis services" means an array of services provided to an individual
382 who experiences a mental health crisis, which may include:

383 (a) direct mental health services;

384 (b) on-site intervention provided by a mobile crisis outreach team;

385 (c) the provision of safety and care plans;

386 (d) prolonged mental health services for up to 90 days after the day on which an
387 individual experiences a mental health crisis;

388 (e) referrals to other community resources;

389 (f) local mental health crisis lines; and

390 (g) the statewide mental health crisis line.

391 (9) "Mental health therapist" means the same as that term is defined in Section
392 [58-60-102](#).

393 (10) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and
394 mental health professionals that, in coordination with local law enforcement and emergency
395 medical service personnel, provides mental health crisis services.

396 [~~(6)~~] (11) (a) "Public funds" means federal money received from the Department of
397 Human Services or the Department of Health, and state money appropriated by the Legislature

398 to the Department of Human Services, the Department of Health, a county governing body, or a
399 local substance abuse authority, or a local mental health authority for the purposes of providing
400 substance abuse or mental health programs or services.

401 (b) "Public funds" include federal and state money that has been transferred by a local
402 substance abuse authority or a local mental health authority to a private provider under an
403 annual or otherwise ongoing contract to provide comprehensive substance abuse or mental
404 health programs or services for the local substance abuse authority or local mental health
405 authority. The money maintains the nature of "public funds" while in the possession of the
406 private entity that has an annual or otherwise ongoing contract with a local substance abuse
407 authority or a local mental health authority to provide comprehensive substance abuse or
408 mental health programs or services for the local substance abuse authority or local mental
409 health authority.

410 (c) Public funds received for the provision of services pursuant to substance abuse or
411 mental health service plans may not be used for any other purpose except those authorized in
412 the contract between the local mental health or substance abuse authority and provider for the
413 provision of plan services.

414 [(7)] (12) "Severe mental disorder" means schizophrenia, major depression, bipolar
415 disorders, delusional disorders, psychotic disorders, and other mental disorders as defined by
416 the division.

417 (13) "Statewide mental health crisis line" means the same as that term is defined in
418 Section 63C-18-102.

419 Section 10. Section **62A-15-114** is enacted to read:

420 **62A-15-114. Mobile crisis outreach team expansion.**

421 (1) In consultation with the Crisis Line Commission, established in Section
422 53E-10-503, the division shall award grants for the development of five mobile crisis outreach
423 teams:

424 (a) (i) in counties of the second, third, fourth, fifth, or sixth class; or

425 (ii) in counties of the first class, if no more than two mobile crisis outreach teams are
426 operating or have been awarded a grant to operate in the county; and

427 (b) to provide mental health crisis services 24 hours per day, 7 days per week, and
428 every day of the year.

429 (2) The division shall prioritize the award of a grant described in Subsection (1) to
430 entities, based on:

431 (a) the number of individuals the proposed mobile crisis outreach team will serve; and

432 (b) the percentage of matching funds the entity will provide to develop the proposed
433 mobile crisis outreach team.

434 (3) An entity does not need to have resources already in place to be awarded a grant
435 described in Subsection (1).

436 (4) In consultation with the Crisis Line Commission, established in Section
437 53E-10-503, the division shall make rules, in accordance with Title 63G, Chapter 3, Utah
438 Administrative Rulemaking Act, for the application and award of the grants described in
439 Subsection (1).

440 Section 11. Section **62A-15-115** is enacted to read:

441 **62A-15-115. Mental health crisis response training.**

442 (1) The division shall award grants to communities to conduct mental health crisis
443 response training.

444 (2) For the application and award of the grants described in Subsection (1), the division
445 shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
446 Act, that determine:

447 (a) the requirements and process for a community to apply for a grant; and

448 (b) the substantive mental health crisis response programs that qualify for the award of
449 a grant.

450 Section 12. Section **62A-15-1100** is enacted to read:

451 **62A-15-1100. Definitions.**

452 As used in this part:

453 (1) "Advisory Council" means the Utah Substance Use and Mental Health Advisory
454 Council created in Section 63M-7-301.

455 (2) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201
456 within the Department of Public Safety.

457 (3) "Coalition" means the Statewide Suicide Prevention Coalition created under
458 Subsection 62A-15-1101(2).

459 (4) "Coordinator" means the state suicide prevention coordinator appointed under

460 Subsection 62A-15-1101(1).

461 (5) "Division" means the Division of Substance Abuse and Mental Health.

462 (6) "Fund" means the Governor's Suicide Prevention Fund created in Section
463 62A-15-1103.

464 (7) "Intervention" means an effort to prevent a person from attempting suicide.

465 (8) "Legal intervention" means an incident in which an individual is shot by another
466 individual who has legal authority to use deadly force.

467 (9) "Postvention" means intervention after a suicide attempt or a suicide death to
468 reduce risk and promote healing.

469 (10) "Shooter" means an individual who uses a gun in an act that results in the death of
470 the actor or another individual, whether the act was a suicide, homicide, legal intervention, act
471 of self-defense, or accident.

472 Section 13. Section **62A-15-1101** is amended to read:

473 **62A-15-1101. Suicide prevention -- Reporting requirements.**

474 [~~(1) As used in the section:~~]

475 [~~(a) "Bureau" means the Bureau of Criminal Identification created in Section~~
476 ~~53-10-201 within the Department of Public Safety.]~~

477 [~~(b) "Division" means the Division of Substance Abuse and Mental Health.]~~

478 [~~(c) "Intervention" means an effort to prevent a person from attempting suicide.]~~

479 [~~(d) "Postvention" means mental health intervention after a suicide attempt or death to~~
480 ~~prevent or contain contagion.]~~

481 [~~(e) "State suicide prevention coordinator" means an individual designated by the~~
482 ~~division as described in Subsections (2) and (3).]~~

483 [(2)] (1) The division shall appoint a state suicide prevention coordinator to administer
484 a state suicide prevention program composed of suicide prevention, intervention, and
485 postvention programs, services, and efforts.

486 (2) The coordinator shall:

487 (a) establish a Statewide Suicide Prevention Coalition with membership from public
488 and private organizations and Utah citizens; and

489 (b) appoint a chair and co-chair from among the membership of the coalition to lead
490 the coalition.

- 491 (3) The state suicide prevention program may include the following components:
- 492 (a) delivery of resources, tools, and training to community-based coalitions;
- 493 (b) evidence-based suicide risk assessment tools and training;
- 494 (c) town hall meetings for building community-based suicide prevention strategies;
- 495 (d) suicide prevention gatekeeper training;
- 496 (e) training to identify warning signs and to manage an at-risk individual's crisis;
- 497 (f) evidence-based intervention training;
- 498 (g) intervention skills training; and
- 499 (h) postvention training.
- 500 (4) The ~~[state suicide prevention]~~ coordinator shall coordinate with the following to
- 501 gather statistics, among other duties:
- 502 (a) local mental health and substance abuse authorities;
- 503 (b) the State Board of Education, including the public education suicide prevention
- 504 coordinator described in Section [53A-15-1301](#);
- 505 (c) the Department of Health;
- 506 (d) health care providers, including emergency rooms;
- 507 (e) federal agencies, including the Federal Bureau of Investigation;
- 508 (f) other unbiased sources; and
- 509 (g) other public health suicide prevention efforts.
- 510 (5) The ~~[state suicide prevention]~~ coordinator shall provide a written report to the
- 511 Health and Human Services Interim Committee, ~~[by]~~ at or before the October meeting every
- 512 year, on:
- 513 (a) implementation of the state suicide prevention program, as described in Subsections
- 514 ~~[(2)]~~ (1) and (3);
- 515 (b) data measuring the effectiveness of each component of the state suicide prevention
- 516 program;
- 517 (c) funds appropriated for each component of the state suicide prevention program; and
- 518 (d) five-year trends of suicides in Utah, including subgroups of youths and adults and
- 519 other subgroups identified by the state suicide prevention coordinator.
- 520 (6) The ~~[state suicide prevention]~~ coordinator shall annually report to the Legislature's:
- 521 (a) Education Interim Committee, ~~[by]~~ at or before the October ~~[2015]~~ meeting, jointly

522 with the State Board of Education, on the coordination of suicide prevention programs and
523 efforts with the State Board of Education and the public education suicide prevention
524 coordinator as described in Section 53A-15-1301; and

525 (b) Health and Human Services Interim Committee, [by] at or before the October
526 [2017] meeting, statistics on the number of annual suicides in Utah, including how many
527 suicides were committed with a gun, and if so:

528 (i) where the victim procured the gun and if the gun was legally possessed by the
529 victim;

530 (ii) if the victim purchased the gun legally and whether a background check was
531 performed before the victim purchased the gun;

532 (iii) whether the victim had a history of mental illness or was under the treatment of a
533 mental health professional;

534 (iv) whether any medication or illegal drugs or alcohol were also involved in the
535 suicide; and

536 (v) if the suicide incident also involved the injury or death of another individual,
537 whether the shooter had a history of domestic violence.

538 (7) The [~~state suicide prevention~~] coordinator shall consult with the bureau to
539 implement and manage the operation of a firearm safety program, as described in Subsection
540 53-10-202(18), Section 53-10-202.1, and the Suicide Prevention Education Program described
541 in Section 53-10-202.3.

542 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
543 division shall make rules:

544 (a) governing the implementation of the state suicide prevention program, consistent
545 with this section; and

546 (b) in conjunction with the bureau, defining the criteria for employers to apply for
547 grants under the Suicide Prevention Education Program in Section 53-10-202.3, which shall
548 include:

549 (i) attendance at a suicide prevention education course; and

550 (ii) display of posters and distribution of the firearm safety brochures or packets
551 created in Subsection 53-10-202(18)(a)(iii), but does not require the distribution of a
552 cable-style gun lock with a firearm if the firearm already has a trigger lock or comparable

553 safety mechanism.

554 ~~[(9) The state suicide prevention coordinator shall present to the Health and Human~~
555 ~~Services Interim Committee, no later than November 2017, a 10-year statewide suicide~~
556 ~~prevention plan.]~~

557 ~~[(10)]~~ (9) As funding by the Legislature allows, the ~~[state suicide prevention]~~
558 coordinator shall award grants, not to exceed a total of \$100,000 per fiscal year, to suicide
559 prevention programs that focus on the needs of children who have been served by the Division
560 of Juvenile Justice Services.

561 (10) The coordinator and the coalition shall submit to the advisory council, no later
562 than October 1 each year, a written report detailing the previous fiscal year's activities to fund,
563 implement, and evaluate suicide prevention activities described in this section.

564 Section 14. Section **62A-15-1102** is amended to read:

565 **62A-15-1102. Study on gun use -- Report.**

566 ~~[(1) As used in this section:]~~

567 ~~[(a) "Coordinator" means the state suicide prevention coordinator described in Section~~
568 ~~62A-15-1101.]~~

569 ~~[(b) "Legal intervention" means an incident in which an individual is shot by another~~
570 ~~individual who has legal authority to use deadly force.]~~

571 ~~[(c) "Shooter" means an individual who uses a gun in an act that results in the death of~~
572 ~~the actor or another individual, whether the act was a suicide, homicide, legal intervention, act~~
573 ~~of self-defense, or accident.]~~

574 ~~[(2)]~~ (1) The coordinator shall, by October 30, 2018, conduct a study on use of guns in
575 the state and on an ongoing basis report on the progress and findings of the study to the Health
576 and Human Services Interim Committee.

577 ~~[(3)]~~ (2) The study described in Subsection ~~[(2)]~~ (1) shall investigate:

578 (a) the number of deaths in the state that involved a gun, including deaths from suicide,
579 homicide including gang-related violence, legal intervention, self-defense, and accidents;

580 (b) where and how a gun that was involved in a death described in Subsection ~~[(3)]~~
581 (2)(a) was procured, and whether that procurement was legal;

582 (c) demographic information on the shooter and, where applicable, a victim of a death
583 described in Subsection ~~[(3)]~~ (2)(a), including gender, race, age, criminal history, and gang

584 affiliation, if any;

585 (d) the total estimated number of gun owners in the state;

586 (e) information on the shooter, including whether the shooter has a history of:

587 (i) mental illness; or

588 (ii) domestic violence; and

589 (f) whether gun deaths are seasonal.

590 [~~(4)~~] (3) The coordinator shall ensure that the study described in Subsection [~~(2)~~] (1) is
591 conducted in an unbiased manner, with no preconceived conclusions about potential results.

592 [~~(5)~~] (4) The coordinator may contract with another state agency, private entity, or
593 research institution to assist the coordinator and office with the study required by Subsection
594 [~~(2)~~] (1).

595 [~~(6)~~] (5) (a) The coordinator shall submit a final report on the study described in
596 Subsection [~~(2)~~] (1), including proposed legislation and recommendations, to the Health and
597 Human Services Interim Committee before November 30, 2018.

598 (b) The final report shall include references to all sources of information and data used
599 in the report and study.

600 Section 15. Section **62A-15-1103** is enacted to read:

601 **62A-15-1103. Governor's Suicide Prevention Fund.**

602 (1) There is created an expendable special revenue fund known as the Governor's
603 Suicide Prevention Fund.

604 (2) The fund shall consist of gifts, grants, and bequests of real property or personal
605 property made to the fund.

606 (3) A donor to the fund may designate a specific purpose for the use of the donor's
607 donation, if the designated purpose is described in Subsection (4) or [62A-15-1101\(3\)](#).

608 (4) Subject to Subsection (3), money in the fund shall be used for the following
609 activities:

610 (a) efforts to directly improve mental health crisis response;

611 (b) efforts that directly reduce risk factors associated with suicide; and

612 (c) efforts that directly enhance known protective factors associated with suicide
613 reduction.

614 (5) The division shall establish a grant application and review process for the

615 expenditure of money from the fund.

616 (6) The grant application and review process shall describe:

617 (a) requirements to complete a grant application;

618 (b) requirements to receive funding;

619 (c) criteria for the approval of a grant application;

620 (d) standards for evaluating the effectiveness of a project proposed in a grant

621 application; and

622 (e) support offered by the division to complete a grant application.

623 (7) The division shall:

624 (a) review a grant application for completeness;

625 (b) make a recommendation to the governor or the governor's designee regarding a
626 grant application;

627 (c) send a grant application to the governor or the governor's designee for evaluation
628 and approval or rejection;

629 (d) inform a grant applicant of the governor or the governor's designee's determination
630 regarding the grant application; and

631 (e) direct the fund administrator to release funding for grant applications approved by
632 the governor or the governor's designee.

633 (8) The state treasurer shall invest the money in the fund under Title 51, Chapter 7,
634 State Money Management Act, except that all interest or other earnings derived from money in
635 the fund shall be deposited into the fund.

636 (9) Money in the fund may not be used for the Office of the Governor's administrative
637 expenses that are normally provided for by legislative appropriation.

638 (10) The governor or the governor's designee may authorize the expenditure of fund
639 money in accordance with this section.

640 (11) The governor shall make an annual report to the Legislature regarding the status of
641 the fund, including a report on the contributions received, expenditures made, and programs
642 and services funded.

643 Section 16. Section **63M-7-301** is amended to read:

644 **63M-7-301. Definitions -- Creation of council -- Membership -- Terms.**

645 (1) (a) As used in this part, "council" means the Utah Substance Use and Mental Health

646 Advisory Council created in this section.

647 (b) There is created within the governor's office the Utah Substance Use and Mental
648 Health Advisory Council.

649 (2) The council shall be comprised of the following voting members:

650 (a) the attorney general or the attorney general's designee;

651 (b) an elected county official appointed by the Utah Association of Counties;

652 (c) the commissioner of public safety or the commissioner's designee;

653 (d) the director of the Division of Substance Abuse and Mental Health or the director's
654 designee;

655 (e) the state superintendent of public instruction or the superintendent's designee;

656 (f) the executive director of the Department of Health or the executive director's
657 designee;

658 (g) the executive director of the Commission on Criminal and Juvenile Justice or the
659 executive director's designee;

660 (h) the executive director of the Department of Corrections or the executive director's
661 designee;

662 (i) the director of the Division of Juvenile Justice Services or the director's designee;

663 (j) the director of the Division of Child and Family Services or the director's designee;

664 (k) the chair of the Board of Pardons and Parole or the chair's designee;

665 (l) the director of the Office of Multicultural Affairs or the director's designee;

666 (m) the director of the Division of Indian Affairs or the director's designee;

667 (n) the state court administrator or the state court administrator's designee;

668 (o) a district court judge who presides over a drug court and who is appointed by the
669 chief justice of the Utah Supreme Court;

670 (p) a district court judge who presides over a mental health court and who is appointed
671 by the chief justice of the Utah Supreme Court;

672 (q) a juvenile court judge who presides over a drug court and who is appointed by the
673 chief justice of the Utah Supreme Court;

674 (r) a prosecutor appointed by the Statewide Association of Prosecutors;

675 (s) the chair or co-chair of each committee established by the council;

676 (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under

677 Subsection 62A-15-11(2)(b).

678 ~~[(t)]~~ (u) the following members appointed to serve four-year terms:

679 (i) a member of the House of Representatives appointed by the speaker of the House of
680 Representatives;

681 (ii) a member of the Senate appointed by the president of the Senate; and

682 (iii) a representative appointed by the Utah League of Cities and Towns;

683 ~~[(t)]~~ (v) the following members appointed by the governor to serve four-year terms:

684 (i) one resident of the state who has been personally affected by a substance use or
685 mental health disorder; and

686 (ii) one citizen representative; and

687 ~~[(t)]~~ (w) in addition to the voting members described in Subsections (2)(a) through

688 ~~[(t)]~~ (v), the following voting members appointed by a majority of the members described in

689 Subsections (2)(a) through ~~[(t)]~~ (v) to serve four-year terms:

690 (i) one resident of the state who represents a statewide advocacy organization for
691 recovery from substance use disorders;

692 (ii) one resident of the state who represents a statewide advocacy organization for
693 recovery from mental illness;

694 (iii) one resident of the state who represents prevention professionals;

695 (iv) one resident of the state who represents treatment professionals;

696 (v) one resident of the state who represents the physical health care field;

697 (vi) one resident of the state who is a criminal defense attorney;

698 (vii) one resident of the state who is a military servicemember or military veteran under

699 Section 53B-8-102;

700 (viii) one resident of the state who represents local law enforcement agencies; and

701 (ix) one representative of private service providers that serve youth with substance use
702 disorders or mental health disorders.

703 ~~[(3) A person]~~

704 (3) An individual other than ~~[a person]~~ an individual described in Subsection (2) may
705 not be appointed as a voting member of the council.

706 Section 17. Section **63M-7-303** is amended to read:

707 **63M-7-303. Duties of council.**

- 708 (1) The Utah Substance Use and Mental Health Advisory Council shall:
- 709 (a) provide leadership and generate unity for Utah's ongoing efforts to reduce and
- 710 eliminate the impact of substance use and mental health disorders in Utah through a
- 711 comprehensive and evidence-based prevention, treatment, and justice strategy;
- 712 (b) recommend and coordinate the creation, dissemination, and implementation of
- 713 statewide policies to address substance use and mental health disorders;
- 714 (c) facilitate planning for a balanced continuum of substance use and mental health
- 715 disorder prevention, treatment, and justice services;
- 716 (d) promote collaboration and mutually beneficial public and private partnerships;
- 717 (e) coordinate recommendations made by any committee created under Section
- 718 [63M-7-302](#);
- 719 (f) analyze and provide an objective assessment of all proposed legislation concerning
- 720 substance use, mental health, and related issues;
- 721 (g) coordinate the implementation of Section [77-18-1.1](#) and related provisions in
- 722 Subsections [77-18-1\(5\)\(b\)\(iii\)](#) and (iv), as provided in Section [63M-7-305](#); ~~and~~
- 723 (h) comply with Section [32B-2-306](#)~~[-]~~; and
- 724 (i) oversee coordination for the funding, implementation, and evaluation of suicide
- 725 prevention efforts described in Section [62A-15-1101](#).
- 726 (2) The council shall meet quarterly or more frequently as determined necessary by the
- 727 chair.
- 728 (3) The council shall report its recommendations annually to the commission,
- 729 governor, the Legislature, and the Judicial Council.

730 Section 18. **Appropriation.**

731 The following sums of money are appropriated for the fiscal year beginning July 1,

732 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for

733 fiscal year 2019. The Legislature authorizes the State Division of Finance to transfer the

734 following amounts between the following funds or accounts as indicated. Expenditures and

735 outlays from the funds to which the money is transferred must be authorized by an

736 appropriation.

737 ITEM 1

738 To Department of Human Services, Division of Substance Abuse and Mental Health

739 From General Fund, One-time \$250,000

740 Schedule of Programs:

741 Community Mental Health Services \$250,000

742 The Legislature intends that the amount provided by this item be used for the award of
743 grants under Section [62A-15-115](#).

744 Section 19. **Effective date.**

745 If approved by two-thirds of all the members elected to each house, this bill takes effect
746 upon approval by the governor, or the day following the constitutional time limit of Utah
747 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
748 the date of veto override.