

**Representative Steve Eliason** proposes the following substitute bill:

**SUICIDE PREVENTION AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Don L. Ipson

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**LONG TITLE**

**General Description:**

This bill relates to suicide prevention and mental health treatment.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ expands the scope of suicide prevention programs in a school;
- ▶ requires the Division of Occupational and Professional Licensing, in conjunction with the Division of Substance Abuse and Mental Health, to create a suicide prevention web-accessible video;
- ▶ requires certain primary care providers to view the suicide prevention web-accessible video in order to renew a medical license;
- ▶ establishes the Survivors of Suicide Loss Account;
- ▶ establishes the Psychiatric Consultation Program Account;
- ▶ provides immunity from civil liability for an individual who provides assistance to another individual who has expressed suicide ideation or taken suicidal action; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2020:



26           ▶ to General Fund Restricted -- Survivors of Suicide Loss Account, as an ongoing  
27 appropriation:

28           • from General Fund, \$83,000.

29           ▶ to Department of Human Services -- Division of Substance Abuse and Mental  
30 Health, as an ongoing appropriation:

31           • from General Fund -- Survivors of Suicide Loss Account, \$83,000.

32           ▶ to General Fund Restricted -- Psychiatric Consultation Program Account, as an  
33 ongoing appropriation

34           • from General Fund, \$350,000.

35           ▶ to Department of Human Services -- Division of Substance Abuse and Mental  
36 Health, as an ongoing appropriation:

37           • from General Fund -- Psychiatric Consultation Program Account, \$350,000.

38           ▶ to Department of Human Services -- Division of Substance Abuse and Mental  
39 Health, as an ongoing appropriation:

40           • from General Fund, \$900,000.

41           ▶ to Governor's Office -- Suicide Prevention -- Suicide Prevention, as a one-time  
42 appropriation:

43           • from General Fund, One-time, \$1,500,000.

44 **Other Special Clauses:**

45           None

46 **Utah Code Sections Affected:**

47 AMENDS:

48           **53G-9-702**, as last amended by Laws of Utah 2018, Chapter 414 and renumbered and  
49 amended by Laws of Utah 2018, Chapter 3

50           **58-31b-305**, as last amended by Laws of Utah 2018, Third Special Session, Chapter 1

51           **58-67-303**, as last amended by Laws of Utah 2017, Chapter 299

52           **58-68-303**, as last amended by Laws of Utah 2017, Chapter 299

53           **58-70a-304**, as last amended by Laws of Utah 2001, Chapter 268

54 ENACTS:

55           **58-1-601**, Utah Code Annotated 1953

56           **62A-15-1501**, Utah Code Annotated 1953

57 [62A-15-1502](#), Utah Code Annotated 1953  
 58 [62A-15-1601](#), Utah Code Annotated 1953  
 59 [62A-15-1602](#), Utah Code Annotated 1953  
 60 [78B-4-516](#), Utah Code Annotated 1953

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

63 Section 1. Section [53G-9-702](#) is amended to read:

64 **[53G-9-702. Youth suicide prevention programs required in secondary schools --](#)**  
 65 **[State Board of Education to develop model programs -- Reporting requirements.](#)**

66 (1) As used in the section:

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

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

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

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

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

74 (f) "Secondary grades":

75 (i) means grades 7 through 12; and

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

77 (g) "State suicide prevention coordinator" means the state suicide prevention  
 78 coordinator described in Section [62A-15-1101](#).

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

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

85 (b) prevention of youth suicide;

86 (c) increased risk of suicide among youth who are not accepted by family for any  
 87 reason, including lesbian, gay, bisexual, transgender, or questioning youth;

- 88           ~~[(e)]~~ (d) youth suicide intervention;
- 89           ~~[(d)]~~ (e) postvention for family, students, and faculty;
- 90           ~~[(e)]~~ (f) underage drinking of alcohol;
- 91           ~~[(f)]~~ (g) methods of strengthening the family; and
- 92           ~~[(g)]~~ (h) methods of strengthening a youth's relationships in the school and community.
- 93           (3) The board shall:
- 94           (a) designate a public education suicide prevention coordinator; and
- 95           (b) in collaboration with the Department of Health and the state suicide prevention
- 96 coordinator, develop model programs to provide to school districts and charter schools:
- 97           (i) program training; and
- 98           (ii) resources regarding the required components described in Subsection (2)(b).
- 99           (4) The public education suicide prevention coordinator shall:
- 100           (a) oversee the youth suicide prevention programs of school districts and charter
- 101 schools;
- 102           (b) coordinate prevention and postvention programs, services, and efforts with the state
- 103 suicide prevention coordinator; and
- 104           (c) award grants in accordance with Section [53F-5-206](#).
- 105           (5) A public school suicide prevention program may allow school personnel to ask a
- 106 student questions related to youth suicide prevention, intervention, or postvention.
- 107           (6) (a) Subject to legislative appropriation, the board may distribute money to a school
- 108 district or charter school to be used to implement evidence-based practices and programs, or
- 109 emerging best practices and programs, for preventing suicide in the school district or charter
- 110 school.
- 111           (b) The board shall distribute money under Subsection (6)(a) so that each school that
- 112 enrolls students in grade 7 or a higher grade receives an allocation of at least \$1,000.
- 113           (c) (i) A school shall use money allocated to the school under Subsection (6)(b) to
- 114 implement evidence-based practices and programs, or emerging best practices and programs,
- 115 for preventing suicide.
- 116           (ii) Each school may select the evidence-based practices and programs, or emerging
- 117 best practices and programs, for preventing suicide that the school implements.
- 118           (7) (a) The board shall provide a written report, and shall orally report to the

119 Legislature's Education Interim Committee, by the October 2015 meeting, jointly with the  
120 public education suicide prevention coordinator and the state suicide prevention coordinator,  
121 on:

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

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

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

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

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

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

132 (b) School districts and charter schools shall provide to the board information that is  
133 necessary for the board's report to the Legislature's Education Interim Committee as required in  
134 Subsection (7)(a).

135 Section 2. Section **58-1-601** is enacted to read:

136 **Part 6. Suicide Prevention Training for Primary Care Providers**

137 **58-1-601. Suicide prevention video -- Primary care providers.**

138 (1) As used in this section:

139 (a) "Nurse practitioner" means an individual who is licensed to practice as an advanced  
140 practice registered nurse under Chapter 31b, Nurse Practice Act.

141 (b) "Physician" means an individual licensed to practice as a physician or osteopath  
142 under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical  
143 Practice Act.

144 (c) "Physician assistant" means an individual who is licensed to practice as a physician  
145 assistant under Chapter 70a, Physician Assistant Act.

146 (d) "Primary care provider" means a nurse practitioner, physician, or physician  
147 assistant.

148 (2) The division, in conjunction with the Division of Substance Abuse and Mental  
149 Health created in Section [62A-15-103](#), shall:

- 150 (a) create a series of suicide prevention videos that:  
151 (i) are web-accessible;  
152 (ii) are each no longer than 15 minutes in length; and  
153 (iii) include information about:  
154 (A) individuals at-risk for suicide; and  
155 (B) suicide prevention and intervention; and  
156 (b) provide, on the division's website, educational materials or courses that relate to  
157 suicide prevention that a primary care provider may complete at no cost and apply toward  
158 continuing competency requirements required by division rule.  
159 (3) The division shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
160 Rulemaking Act, make rules that establish procedures for:  
161 (a) producing the suicide prevention videos described in Subsection (2); and  
162 (b) providing access to the videos to each primary care provider.  
163 Section 3. Section **58-31b-305** is amended to read:  
164 **58-31b-305. Term of license -- Expiration -- Renewal.**  
165 (1) (a) The division shall issue each license or certification under this chapter in  
166 accordance with a two-year renewal cycle established by rule.  
167 (b) The division may by rule extend or shorten a renewal period by as much as one year  
168 to stagger the renewal cycles [it] the division administers.  
169 (2) The division shall renew the license of a licensee who, at the time of renewal:  
170 (a) completes and submits an application for renewal in a form prescribed by the  
171 division;  
172 (b) pays a renewal fee established by the division under Section [63J-1-504](#); [~~and~~]  
173 (c) views a suicide prevention video described in Section [58-1-601](#) and submits proof  
174 in the form required by the division; and  
175 [~~e~~] (d) meets continuing competency requirements as established by rule.  
176 (3) In addition to the renewal requirements under Subsection (2), a person licensed as  
177 an advanced practice registered nurse shall be currently certified by a program approved by the  
178 division in collaboration with the board and submit evidence satisfactory to the division of that  
179 qualification or if licensed prior to July 1, 1992, meet the requirements established by rule.  
180 (4) In addition to the requirements described in Subsections (2) and (3), an advanced

181 practice registered nurse licensee specializing in psychiatric mental health nursing who, as of  
 182 the day on which the division originally issued the licensee's license had not completed the  
 183 division's clinical practice requirements in psychiatric and mental health nursing, shall, to  
 184 qualify for renewal:

185 (a) if renewing less than two years after the day on which the division originally issued  
 186 the license, demonstrate satisfactory progress toward completing the clinical practice  
 187 requirements; or

188 (b) have completed the clinical practice requirements.

189 (5) Each license or certification automatically expires on the expiration date shown on  
 190 the license or certification unless renewed in accordance with Section 58-1-308.

191 (6) The division shall accept and apply toward an hour requirement that the division  
 192 establishes under Subsection (2)~~(c)~~(d) continuing education that an advanced practice  
 193 registered nurse completes in accordance with Section 26-61a-106.

194 Section 4. Section 58-67-303 is amended to read:

195 **58-67-303. Term of license -- Expiration -- Renewal.**

196 (1) (a) Except as provided in Section 58-67-302.7, the division shall issue each license  
 197 under this chapter in accordance with a two-year renewal cycle established by division rule.

198 (b) The division may by rule extend or shorten a renewal period by as much as one year  
 199 to stagger the renewal cycles [it] the division administers.

200 (2) At the time of renewal, the licensee shall ~~[show compliance with]~~:

201 (a) view a suicide prevention video described in Section 58-1-601 and submit proof in  
 202 the form required by the division;

203 ~~[(a)]~~ (b) show compliance with continuing education renewal requirements; and

204 ~~[(b)]~~ (c) show compliance with the requirement for designation of a contact person and  
 205 alternate contact person for access to medical records and notice to patients as required by  
 206 Subsections 58-67-304(1)(b) and (c).

207 (3) Each license issued under this chapter expires on the expiration date shown on the  
 208 license unless renewed in accordance with Section 58-1-308.

209 (4) An individual may not be licensed as an associate physician for more than a total of  
 210 four years.

211 Section 5. Section 58-68-303 is amended to read:

212 **58-68-303. Term of license -- Expiration -- Renewal.**

213 (1) (a) The division shall issue each license under this chapter in accordance with a  
214 two-year renewal cycle established by division rule.

215 (b) The division may by rule extend or shorten a renewal period by as much as one year  
216 to stagger the renewal cycles [it] the division administers.

217 (2) At the time of renewal, the licensee shall [~~show compliance with~~]:

218 (a) view a suicide prevention video described in Section 58-1-601 and submit proof in  
219 the form required by the division;

220 [~~(a)~~] (b) show compliance with continuing education renewal requirements; and

221 [~~(b)~~] (c) show compliance with the requirement for designation of a contact person and  
222 alternate contact person for access to medical records and notice to patients as required by  
223 Subsections 58-68-304(1)(b) and (c).

224 (3) Each license issued under this chapter expires on the expiration date shown on the  
225 license unless renewed in accordance with Section 58-1-308.

226 (4) An individual may not be licensed as an associate physician for more than a total of  
227 four years.

228 Section 6. Section **58-70a-304** is amended to read:

229 **58-70a-304. License renewal -- Continuing education.**

230 (1) Prior to license renewal, each licensee shall, during each two-year licensure cycle or  
231 other cycle defined by division rule[;]:

232 (a) view a suicide prevention video described in Section 58-1-601 and submit proof in  
233 the form required by the division; and

234 (b) complete qualified continuing professional education requirements as defined by  
235 division rule made in collaboration with the board.

236 (2) If a renewal period is extended or shortened under Section 58-70a-303, the  
237 continuing education hours required for license renewal under this section are increased or  
238 decreased proportionally.

239 Section 7. Section **62A-15-1501** is enacted to read:

240 **Part 15. Survivors of Suicide Loss Program**

241 **62A-15-1501. Definitions.**

242 As used in this part:



243 (1) "Account" means the Survivors of Suicide Loss Account created in Section  
244 62A-15-1502.

245 (2) "Relative" means father, mother, husband, wife, son, daughter, sister, brother,  
246 grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin,  
247 mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

248 Section 8. Section **62A-15-1502** is enacted to read:

249 **62A-15-1502. Survivors of Suicide Loss Account.**

250 (1) There is created a restricted account within the General Fund known as the  
251 "Survivors of Suicide Loss Account."

252 (2) The division shall administer the account in accordance with this part.

253 (3) The account shall consist of:

254 (a) money appropriated to the account by the Legislature; and

255 (b) interest earned on money in the account.

256 (4) The division shall award grants from the account to:

257 (a) a relative, legal guardian, or cohabitant of an individual who dies by suicide as  
258 reimbursement for costs incurred by the relative, legal guardian, or cohabitant for mental health  
259 treatment or therapy as a result of the suicide; and

260 (b) a person who provides, for no or minimal cost:

261 (i) clean-up of property affected or damaged by an individual's suicide, as  
262 reimbursement for the costs incurred for the clean-up; and

263 (ii) bereavement services to a relative, legal guardian, or cohabitant of an individual  
264 who dies by suicide.

265 (5) The division shall establish a grant application and review process for the  
266 expenditure of money from the account.

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

268 (a) requirements to complete the grant application;

269 (b) requirements for receiving funding;

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

271 (d) support offered by the division to complete a grant application.

272 (7) Upon receipt of a grant application, the division shall:

273 (a) review the grant application for completeness;

- 274 (b) make a determination regarding the grant application;
- 275 (c) inform the grant applicant of the division's determination regarding the grant
- 276 application; and
- 277 (d) if approved, award grants from the account to the grant applicant.
- 278 (8) Before November 30 of each year, the division shall report to the Health and
- 279 Human Services Interim Committee regarding the status of the account and expenditures made
- 280 from the account.

281 Section 9. Section **62A-15-1601** is enacted to read:

282 **Part 16. Psychiatric Consultation Program**

283 **62A-15-1601. Definitions.**

284 As used in this part:

- 285 (1) "Account" means the Psychiatric Consultation Program Account created in Section
- 286 62A-15-1602.
- 287 (2) "Health care facility" means a facility that provides licensed health care programs
- 288 and services and employs at least two psychiatrists, at least one of whom is a child psychiatrist.
- 289 (3) "Nurse practitioner" means an individual who is licensed to practice as an advanced
- 290 practice registered nurse under Title 58, Chapter 31b, Nurse Practice Act.
- 291 (4) "Physician" means an individual licensed to practice as a physician or osteopath
- 292 under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah
- 293 Osteopathic Medical Practice Act.
- 294 (5) "Physician assistant" means an individual who is licensed to practice as a physician
- 295 assistant under Title 58, Chapter 70a, Physician Assistant Act.
- 296 (6) "Primary care provider" means a nurse practitioner, physician, or physician
- 297 assistant.
- 298 (7) "Psychiatrist" means an individual who:
- 299 (a) is licensed as a physician under Title 58, Chapter 67, Utah Medical Practice Act, or
- 300 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and
- 301 (b) is board eligible for a psychiatry specialization recognized by the American Board
- 302 of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic
- 303 Specialists.
- 304 (8) "Telehealth psychiatric consultation" means a consultation regarding a patient's

305 mental health care, including diagnostic clarification, medication adjustment, or treatment  
306 planning, between a primary care provider and a psychiatrist that is completed through the use  
307 of electronic or telephonic communication.

308 Section 10. Section **62A-15-1602** is enacted to read:

309 **62A-15-1602. Psychiatric Consultation Program Account.**

310 (1) There is created a restricted account within the General Fund known as the  
311 "Psychiatric Consultation Program Account."

312 (2) The division shall administer the account in accordance with this part.

313 (3) The account shall consist of:

314 (a) money appropriated to the account by the Legislature; and

315 (b) interest earned on money in the account.

316 (4) The division shall award grants from the account to one or more health care  
317 facilities to implement a program that provides a primary care provider access to a telehealth  
318 psychiatric consultation when evaluating a patient for or providing a patient mental health  
319 treatment.

320 (5) The division may award and distribute grant money to a health care facility only if  
321 the health care facility:

322 (a) is located in the state; and

323 (b) submits an application in accordance with Subsection (6).

324 (6) An application for a grant under this section shall include:

325 (a) the number of psychiatrists employed by the health care facility;

326 (b) the health care facility's plan to implement the telehealth psychiatric consultation  
327 program described in Subsection (4);

328 (c) the estimated cost to implement the telehealth psychiatric consultation program  
329 described in Subsection (4);

330 (d) any plan to use one or more funding sources in addition to a grant under this section  
331 to implement the telehealth psychiatric consultation program described in Subsection (4);

332 (e) the amount of grant money requested to fund the telehealth psychiatric consultation  
333 program described in Subsection (4); and

334 (f) any existing or planned contract or partnership between the health care facility and  
335 another person to implement the telehealth psychiatric consultation program described in

336 Subsection (4).

337 (7) A health care facility that receives grant money under this section shall file a report  
338 with the division before October 1 of each year that details for the immediately preceding  
339 calendar year:

340 (a) the type of services provided in the telehealth psychiatric program and the  
341 effectiveness of the services;

342 (b) the total amount expended from the grant money; and

343 (c) the intended use for grant money that has not been expended.

344 (8) Before November 30 of each year, the division shall report to the Health and  
345 Human Services Interim Committee regarding:

346 (a) the status of the account and expenditures made from the account; and

347 (b) a summary of any report provided to the division under Subsection (7).

348 Section 11. Section **78B-4-516** is enacted to read:

349 **78B-4-516. Immunity for providing assistance in a suicide emergency.**

350 (1) As used in this section:

351 (a) "Emergency care" means assistance or advice offered to avoid, mitigate, or attempt  
352 to mitigate the effects of a suicide emergency.

353 (b) "Suicide emergency" means an occurrence that reasonably indicates an individual is  
354 at risk of dying or attempting to die by suicide.

355 (2) A person who provides emergency care at or near the scene of, or during, a suicide  
356 emergency, gratuitously and in good faith, is not liable for any civil damages or penalties as a  
357 result of any act or omission by the person providing the emergency care, unless the person is  
358 grossly negligent or caused the suicide emergency.

359 Section 12. **Appropriation.**

360 The following sums of money are appropriated for the fiscal year beginning on July 1,  
361 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
362 fiscal year 2020.

363 Subsection (12)(a). **Restricted Fund and Account Transfers.** The Legislature  
364 authorizes the Division of Finance to transfer the following amounts between the following  
365 funds or accounts as indicated. Expenditures and outlays from the funds to which the money is  
366 transferred must be authorized by an appropriation.

367 ITEM 1368 To General Fund Restricted -- Survivors of Suicide Loss Account369 From General Fund \$83,000370 Schedule of Programs:371 General Fund Restricted -- Survivors of Suicide372 Loss Account \$83,000373 ITEM 2374 To General Fund Restricted -- Psychiatric Consultation Program Account375 From General Fund \$350,000376 Schedule of Programs:377 General Fund Restricted -- Psychiatric Consultation378 Program Account \$350,000

379 Subsection (12)(b). **Operating and Capital Budgets.** Under the terms and conditions  
 380 of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following  
 381 sums of money from the funds or accounts indicated for the use and support of the government  
 382 of the state of Utah.

383 ITEM 3384 To Department of Human Services -- Division of Substance385 Abuse and Mental Health386 From General Fund Restricted -- Survivors of Suicide Loss Account \$83,000387 Schedule of Programs:388 Community Mental Health Services \$83,000

389 The Legislature intends that under Section [63J-1-603](#), appropriations provided under  
 390 this item not lapse at the close of fiscal year 2020 and the use of any nonlapsing funds is  
 391 limited to the purpose described under Section [62A-15-1502](#).

392 ITEM 4393 To Department of Human Services -- Division of Substance Abuse and Mental Health394 From General Fund Restricted -- Psychiatric Consultation395 Program Account \$350,000396 Schedule of Programs:397 Community Mental Health Services \$350,000

398 The Legislature intends that under Section 63J-1-603, appropriations provided under  
399 this item not lapse at the close of fiscal year 2020 and the use of any nonlapsing funds is  
400 limited to the purpose described under Section 62A-15-1602.

401 ITEM 5

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

403 From General Fund \$900,000

404 Schedule of Programs:

405 Community Mental Health Services \$900,000

406 The Legislature intends that:

407 (1) appropriations provided under this item be used for suicide prevention,

408 intervention, and postvention, including:

409 (a) suicide prevention and intervention training and education for health care providers

410 and individuals in the community;

411 (b) development of suicide prevention resources and tools and delivery of the resources

412 and tools to individuals in the community; and

413 (c) providing postvention support and information relating to coping and problem

414 solving skills to individuals in the community impacted by suicide loss; and

415 (2) under Section 63J-1-603, appropriations provided under this item not lapse at the

416 close of fiscal year 2020 and the use of any nonlapsing funds is limited to the purpose

417 described under Subsection (1).

418 ITEM 6

419 To Governor's Office -- Suicide Prevention

420 From General Fund, One-time \$1,500,000

421 Schedule of Programs:

422 Suicide Prevention \$1,500,000

423 The Legislature intends that:

424 (1) subject to Subsection (2), the appropriations provided under this item be used to

425 award grants under Section 62A-15-1103; and

426 (2) the amount of appropriations under this item used to award grants under Section

427 62A-15-1103 may not exceed the total amount of private gifts, grants, and bequests of personal

428 property made to the Governor's Suicide Prevention Fund under Section 62A-15-1103 during

429 fiscal year 2020.