

**Representative Raymond P. Ward** 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;
- ▶ 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:

- ▶ to General Fund Restricted -- Survivors of Suicide Loss Account, as an ongoing appropriation:
  - from General Fund, \$83,000.
- ▶ to Department of Human Services -- Division of Substance Abuse and Mental Health, as an ongoing appropriation:



- 26           • from General Fund -- Survivors of Suicide Loss Account, \$83,000.
- 27           ▶ to General Fund Restricted -- Psychiatric Consultation Program Account, as an
- 28 ongoing appropriation
- 29           • from General Fund, \$350,000.
- 30           ▶ to Department of Human Services -- Division of Substance Abuse and Mental
- 31 Health, as an ongoing appropriation:
- 32           • from General Fund -- Psychiatric Consultation Program Account, \$350,000.
- 33           ▶ to Department of Human Services -- Division of Substance Abuse and Mental
- 34 Health, as an ongoing appropriation:
- 35           • from General Fund, \$900,000.
- 36           ▶ to Governor's Office -- Suicide Prevention -- Suicide Prevention, as a one-time
- 37 appropriation:
- 38           • from General Fund, One-time, \$1,500,000.

39 **Other Special Clauses:**

40           None

41 **Utah Code Sections Affected:**

42 AMENDS:

43           **53G-9-702**, as last amended by Laws of Utah 2018, Chapter 414 and renumbered and  
44 amended by Laws of Utah 2018, Chapter 3

45 ENACTS:

- 46           **62A-15-1501**, Utah Code Annotated 1953
- 47           **62A-15-1502**, Utah Code Annotated 1953
- 48           **62A-15-1601**, Utah Code Annotated 1953
- 49           **62A-15-1602**, Utah Code Annotated 1953
- 50           **78B-4-516**, Utah Code Annotated 1953



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

53           Section 1. Section **53G-9-702** is amended to read:

54           **53G-9-702. Youth suicide prevention programs required in secondary schools --**  
55 **State Board of Education to develop model programs -- Reporting requirements.**

56           (1) As used in the section:

57 (a) "Board" means the State Board of Education.  
 58 (b) "Intervention" means an effort to prevent a student from attempting suicide.  
 59 (c) "Postvention" means mental health intervention after a suicide attempt or death to  
 60 prevent or contain contagion.

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

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

64 (f) "Secondary grades":

65 (i) means grades 7 through 12; and

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

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

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

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

75 (b) prevention of youth suicide;

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

78 [~~(c)~~] (d) youth suicide intervention;

79 [~~(d)~~] (e) postvention for family, students, and faculty;

80 [~~(e)~~] (f) underage drinking of alcohol;

81 [~~(f)~~] (g) methods of strengthening the family; and

82 [~~(g)~~] (h) methods of strengthening a youth's relationships in the school and community.

83 (3) The board shall:

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

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

87 (i) program training; and

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

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

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

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

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

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

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

101 (b) The board shall distribute money under Subsection (6)(a) so that each school that  
102 enrolls students in grade 7 or a higher grade receives an allocation of at least \$1,000.

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

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

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

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

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

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

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

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

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

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

125 Section 2. Section **62A-15-1501** is enacted to read:

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

127 **62A-15-1501. Definitions.**

128 As used in this part:

129 (1) "Account" means the Survivors of Suicide Loss Account created in Section  
130 62A-15-1502.

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

134 Section 3. Section **62A-15-1502** is enacted to read:

135 **62A-15-1502. Survivors of Suicide Loss Account.**

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

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

139 (3) The account shall consist of:

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

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

142 (4) Upon appropriation, the division shall award grants from the account to:

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

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

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

149 (ii) bereavement services to a relative, legal guardian, or cohabitant of an individual

150 who dies by suicide.

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

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

154 (a) requirements to complete the grant application;

155 (b) requirements for receiving funding;

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

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

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

159 (a) review the grant application for completeness;

160 (b) make a determination regarding the grant application;

161 (c) inform the grant applicant of the division's determination regarding the grant  
162 application; and

163 (d) if approved, award grants from the account to the grant applicant.

164 (8) Before November 30 of each year, the division shall report to the Health and  
165 Human Services Interim Committee regarding the status of the account and expenditures made  
166 from the account.

167 Section 4. Section **62A-15-1601** is enacted to read:

168 **Part 16. Psychiatric Consultation Program**

169 **62A-15-1601. Definitions.**

170 As used in this part:

171 (1) "Account" means the Psychiatric Consultation Program Account created in Section  
172 62A-15-1602.

173 (2) "Health care facility" means a facility that provides licensed health care programs  
174 and services and employs at least two psychiatrists, at least one of whom is a child psychiatrist.

175 (3) "Nurse practitioner" means an individual who is licensed to practice as an advanced  
176 practice registered nurse under Title 58, Chapter 31b, Nurse Practice Act.

177 (4) "Physician" means an individual licensed to practice as a physician or osteopath  
178 under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah  
179 Osteopathic Medical Practice Act.

180 (5) "Physician assistant" means an individual who is licensed to practice as a physician

181 assistant under Title 58, Chapter 70a, Physician Assistant Act.

182 (6) "Primary care provider" means a nurse practitioner, physician, or physician  
183 assistant.

184 (7) "Psychiatrist" means an individual who:

185 (a) is licensed as a physician under Title 58, Chapter 67, Utah Medical Practice Act, or  
186 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

187 (b) is board eligible for a psychiatry specialization recognized by the American Board  
188 of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic  
189 Specialists.

190 (8) "Telehealth psychiatric consultation" means a consultation regarding a patient's  
191 mental health care, including diagnostic clarification, medication adjustment, or treatment  
192 planning, between a primary care provider and a psychiatrist that is completed through the use  
193 of electronic or telephonic communication.

194 Section 5. Section **62A-15-1602** is enacted to read:

195 **62A-15-1602. Psychiatric Consultation Program Account.**

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

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

199 (3) The account shall consist of:

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

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

202 (4) Upon appropriation, the division shall award grants from the account to one or  
203 more health care facilities to implement a program that provides a primary care provider access  
204 to a telehealth psychiatric consultation when evaluating a patient for or providing a patient  
205 mental health treatment.

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

208 (a) is located in the state; and

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

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

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

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

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

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

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

220 (f) any existing or planned contract or partnership between the health care facility and  
221 another person to implement the telehealth psychiatric consultation program described in  
222 Subsection (4).

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

226 (a) the type of services provided in the telehealth psychiatric program and the  
227 effectiveness of the services;

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

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

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

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

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

234 Section 6. Section **78B-4-516** is enacted to read:

235 **78B-4-516. Immunity for providing assistance in a suicide emergency.**

236 (1) As used in this section:

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

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

241 (2) A person who provides emergency care at or near the scene of, or during, a suicide  
242 emergency, gratuitously and in good faith, is not liable for any civil damages or penalties as a

243 result of any act or omission by the person providing the emergency care, unless the person is  
244 grossly negligent or caused the suicide emergency.

245 Section 7. **Appropriation.**

246 The following sums of money are appropriated for the fiscal year beginning on July 1,  
247 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
248 fiscal year 2020.

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

253 ITEM 1

254	<u>To General Fund Restricted -- Survivors of Suicide Loss Account</u>	
255	<u>From General Fund</u>	<u>\$83,000</u>
256	<u>Schedule of Programs:</u>	
257	<u>General Fund Restricted -- Survivors of Suicide</u>	
258	<u>Loss Account</u>	<u>\$83,000</u>

259 ITEM 2

260	<u>To General Fund Restricted -- Psychiatric Consultation Program Account</u>	
261	<u>From General Fund</u>	<u>\$350,000</u>
262	<u>Schedule of Programs:</u>	
263	<u>General Fund Restricted -- Psychiatric Consultation</u>	
264	<u>Program Account</u>	<u>\$350,000</u>

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

269 ITEM 3

270	<u>To Department of Human Services -- Division of Substance</u>	
271	<u>Abuse and Mental Health</u>	
272	<u>From General Fund Restricted -- Survivors of Suicide Loss Account</u>	<u>\$83,000</u>
273	<u>Schedule of Programs:</u>	

274 Community Mental Health Services \$83,000

275 The Legislature intends that under Section 63J-1-603, appropriations provided under

276 this item not lapse at the close of fiscal year 2020 and the use of any nonlapsing funds is

277 limited to the purpose described under Section 62A-15-1502.

278 ITEM 4

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

280 From General Fund Restricted -- Psychiatric Consultation

281 Program Account \$350,000

282 Schedule of Programs:

283 Community Mental Health Services \$350,000

284 The Legislature intends that under Section 63J-1-603, appropriations provided under

285 this item not lapse at the close of fiscal year 2020 and the use of any nonlapsing funds is

286 limited to the purpose described under Section 62A-15-1602.

287 ITEM 5

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

289 From General Fund \$900,000

290 Schedule of Programs:

291 Community Mental Health Services \$900,000

292 The Legislature intends that:

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

294 intervention, and postvention, including:

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

296 and individuals in the community;

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

298 and tools to individuals in the community; and

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

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

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

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

303 described under this item.

304 ITEM 6

