

**Representative Carol Spackman Moss** proposes the following substitute bill:

**JAIL DRUG TREATMENT PROGRAM**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carol Spackman Moss**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill creates a pilot program to provide treatment to incarcerated individuals who are addicted to certain substances.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates a pilot program to administer a schedule of Naltrexone to certain individuals who suffer from alcohol or opiate addiction;
- ▶ provides that the Division of Substance Abuse and Mental Health shall administer the program; and
- ▶ provides minimum standards with which the selected county is to comply when implementing the pilot program.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



26 63I-2-263, as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469

27 ENACTS:

28 63A-15-117, Utah Code Annotated 1953

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

31 Section 1. Section **63A-15-117** is enacted to read:

32 **63A-15-117. Jail Drug Treatment Program.**

33 (1) As used in this section, "federally qualified health center" means the same as that  
34 term is defined in 42 U.S.C. Sec. 1395x.

35 (2) There is created the County Jail Drug Treatment Pilot Program for the purpose of  
36 providing Naltrexone treatment to assist in treating individuals who are or were recently  
37 incarcerated at a county jail to overcome alcohol or opiate addiction.

38 (3) The pilot program begins on July 1, 2019, and ends on June 30, 2025.

39 (4) A county with a population of 150,000 or less is eligible to apply to participate in  
40 the pilot program if:

41 (a) a federally qualified health center is located within the county;

42 (b) one or more federally qualified health centers located in the county agree to  
43 participate in the pilot program in conjunction with the county; and

44 (c) the county jail within the county has access to a health professional licensed to draw  
45 blood, administer prescription drugs by injection, and offer medical advice.

46 (5) To participate in the pilot program, a county shall submit a written application to  
47 the Division of Substance Abuse and Mental Health no later than May 15, 2019, that includes  
48 contact information for the individuals who will oversee and implement the pilot program:

49 (a) at the county;

50 (b) at the county jail; and

51 (c) at the federally qualified health facility.

52 (6) The Division of Substance Abuse and Mental Health shall choose one county to  
53 participate in the pilot program and shall oversee that county's implementation of the pilot  
54 program to ensure compliance with this section.

55 (7) An individual incarcerated at the participating county jail may elect to receive  
56 Naltrexone treatment under the pilot program, if:

- 57           (a) the individual suffers an alcohol or opiate addiction;  
58           (b) the individual is of sufficient health to receive a schedule of Naltrexone treatments,  
59 as determined by a qualified health professional; and  
60           (c) the individual is currently incarcerated at the participating county jail and the  
61 county jail will have adequate time to screen and advise the individual, in accordance with  
62 Subsection (9), before the county jail releases the individual from incarceration.  
63           (8) The schedule of Naltrexone treatments shall, to the extent medically advisable,  
64 consist of:  
65           (a) one injection administered by a medical professional employed by the participating  
66 county jail within seven days before the day on which the county jail releases the individual  
67 from incarceration; and  
68           (b) a minimum of five additional injections, to be administered by a medical  
69 professional employed by the designated federally qualified health center, on a monthly basis  
70 following the individual's release from incarceration.  
71           (9) Before the first injection, a medical professional employed by the participating  
72 county jail shall:  
73           (a) assess the individual's health to ensure the drug treatment is safe for the individual;  
74 and  
75           (b) fully advise the individual of all potential side effects and risks associated with the  
76 drug treatment.  
77           (10) If practicable, the participating county shall provide a case worker to oversee and  
78 assist the individuals participating in the pilot program.  
79           Section 2. Section **63I-2-263** is amended to read:  
80           **63I-2-263. Repeal dates, Title 63A to Title 63N.**  
81           (1) On July 1, 2020:  
82           (a) Subsection **63A-3-403(5)(a)(i)** is repealed; and  
83           (b) in Subsection **63A-3-403(5)(a)(ii)**, the language that states "appointed on or after  
84 May 8, 2018," is repealed.  
85           (2) Section **63A-15-117**, regarding the Drug Jail Treatment Program, is repealed  
86 December 31, 2025.  
87           [~~2~~] (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is

88 repealed July 1, 2020.

89 [~~3~~] (4) Section 63H-7a-303 is repealed on July 1, 2022.

90 [~~4~~] (5) On July 1, 2019:

91 (a) in Subsection 63J-1-206(2)(c)(i), the language that states " Subsection(2)(c)(ii) and"

92 is repealed; and

93 (b) Subsection 63J-1-206(2)(c)(ii) is repealed.

94 [~~5~~] (6) Section 63J-4-708 is repealed January 1, 2023.

95 [~~6~~] (7) Subsection 63N-3-109(2)(f)(i)(B) is repealed July 1, 2020.

96 [~~7~~] (8) Section 63N-3-110 is repealed July 1, 2020.