

# HB0487S01 compared with HB0487

~~{deleted text}~~ shows text that was in HB0487 but was deleted in HB0487S01.

Inserted text shows text that was not in HB0487 but was inserted into HB0487S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 ~~{Commission on Criminal}~~Division of Substance Abuse and ~~{Juvenile Justice}~~Mental Health shall administer the program; and
- ▶ provides minimum standards with which the selected county is to comply when implementing the pilot program.

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### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

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

ENACTS:

~~{63M-7-211}~~; 63A-15-117, Utah Code Annotated 1953

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

Section 1. Section ~~{63I-2-263}~~ is amended to read:

~~63I-2-263. Repeal dates, Title 63A to Title 63N.~~

~~(1) On July 1, 2020:~~

~~(a) Subsection 63A-3-403(5)(a)(i) is repealed; and~~

~~(b) in Subsection 63A-3-403(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.~~

~~(2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is repealed July 1, 2020.~~

~~(3) Section 63H-7a-303 is repealed on July 1, 2022.~~

~~(4) On July 1, 2019:~~

~~(a) in Subsection 63J-1-206(2)(c)(i), the language that states "Subsection(2)(c)(ii) and" is repealed; and~~

~~(b) Subsection 63J-1-206(2)(c)(ii) is repealed.~~

~~(5) Section 63J-4-708 is repealed January 1, 2023.~~

~~(6) Section 63M-7-211, regarding the Drug Jail Treatment Program, is repealed December 31, 2025.~~

~~[(6)] (7) Subsection 63N-3-109(2)(f)(i)(B) is repealed July 1, 2020.~~

~~[(7)] (8) Section 63N-3-110 is repealed July 1, 2020.~~

Section 2. Section ~~63M-7-211~~; 63A-15-117 is enacted to read:

~~{63M-7-211}~~; 63A-15-117. **Jail Drug Treatment Program.**

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

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

(3) The pilot program begins on July 1, ~~2020~~2019, and ends on June 30, 2025.

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

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

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

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

(5) To participate in the pilot program, a county shall submit a written application to the ~~Commission on Criminal~~Division of Substance Abuse and ~~Juvenile Justice~~Mental Health no later than ~~April 1~~May 15, 2019, that includes contact information for the individuals who will oversee and implement the pilot program:

(a) at the county;

(b) at the county jail; and

(c) at the federally qualified health facility.

(6) The ~~Commission on Criminal~~Division of Substance Abuse and ~~Juvenile Justice~~Mental Health shall choose one county to participate in the pilot program and shall oversee that county's implementation of the pilot program to ensure compliance with this section.

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

(a) the individual suffers an alcohol or opiate addiction;

(b) the individual is of sufficient health to receive a schedule of Naltrexone treatments, as determined by a qualified health professional; and

(c) the individual is currently incarcerated at the participating county jail and the county jail will have adequate time to screen and advise the individual, in accordance with

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Subsection (9), before the county jail releases the individual from incarceration.

(8) The schedule of Naltrexone treatments shall, to the extent medically advisable, consist of:

(a) one injection administered by a medical professional employed by the participating county jail within seven days before the day on which the county jail releases the individual from incarceration; and

(b) a ~~minimum of~~ five additional injections, to be administered by a medical professional employed by the designated federally qualified health center, on a monthly basis following the individual's release from incarceration.

(9) Before the first injection, a medical professional employed by the participating county jail shall:

(a) assess the individual's health to ensure the drug treatment is safe for the individual; and

(b) fully advise the individual of all potential side effects and risks associated with the drug treatment.

~~{ (10) (a) The participating individual shall agree to:~~

~~— (i) attend a monthly appointment at the designated federally qualified health center to receive a Naltrexone injection, for five consecutive months; and~~

~~— (i) attend counseling as ordered by the court.~~

~~— (b) Violation of the agreement described in Subsection (10)(a) may result in disqualification from participation in the pilot project.~~

~~‡ ~~{11}~~10) If practicable, the participating county shall provide a case worker to oversee and assist the individuals participating in the pilot program.~~

Section 2. Section 63I-2-263 is amended to read:

**63I-2-263. Repeal dates, Title 63A to Title 63N.**

(1) On July 1, 2020:

(a) Subsection 63A-3-403(5)(a)(i) is repealed; and

(b) in Subsection 63A-3-403(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.

(2) Section 63A-15-117, regarding the Drug Jail Treatment Program, is repealed December 31, 2025.

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~~[(2)]~~ (3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is repealed July 1, 2020.

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

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

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

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

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

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

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