

245 dysfunctions, impairments, or chemical dependencies.

246 (10) "Department" means the Department of Human Services.

247 (11) "Department contractor" means an individual who:

248 (a) provides services under a contract with the department; and

249 (b) due to the contract with the department, has or will likely have direct access to a
250 child or vulnerable adult.

251 (12) "Direct access" means that an individual has, or likely will have:

252 (a) contact with or access to a child or vulnerable adult that provides the individual
253 with an opportunity for personal communication or touch; or

254 (b) an opportunity to view medical, financial, or other confidential personal identifying
255 information of the child, the child's parents or legal guardians, or the vulnerable adult.

256 (13) "Directly supervised" means that an individual is being supervised under the
257 uninterrupted visual and auditory surveillance of another individual who has a current
258 background screening approval issued by the office.

259 (14) "Director" means the director of the Office of Licensing.

260 (15) "Domestic violence" means the same as that term is defined in Section 77-36-1.

261 (16) "Domestic violence treatment program" means a nonresidential program designed
262 to provide psychological treatment and educational services to perpetrators and victims of
263 domestic violence.

264 (17) "Elder adult" means a person 65 years of age or older.

265 (18) "Executive director" means the executive director of the department.

266 (19) "Foster home" means a residence that is licensed or certified by the Office of
267 Licensing for the full-time substitute care of a child.

268 (20) ~~§~~ → ~~[(a)]~~ ← ~~§~~ "Health benefit plan" means the same as that term is defined in Section
269 ~~[31A-22-619.6]~~ 31A-1-301.

270 ~~§~~ → ~~[(b)]~~ ~~"Health benefit plan" includes:~~

271 ~~—— (i) a health maintenance organization;~~

272 ~~—— (ii) a third party administrator that offers, sells, manages, or administers a health
273 benefit plan; and~~

274 ~~—— (iii) the Public Employees' Benefit and Insurance Program created in Section~~

275 ~~49-20-103.~~ ~~Ⓢ~~

276 ~~●(c) "Health benefit plan" does not include a health benefit plan offered by an insurer~~
 277 ~~that has a market share in the state's fully insured market that is less than 2%, as determined in~~
 278 ~~the annual Market Share Report published by the Insurance Department.] ←§~~

279 (21) "Health care provider" means the same as that term is defined in Section
 280 78B-3-403.

281 (22) "Health insurer" means the same as that term is defined in Section 31A-22-615.5.

282 (23) (a) "Human services program" means a:

283 (i) foster home;

284 (ii) therapeutic school;

285 (iii) youth program;

286 (iv) resource family home;

287 (v) recovery residence; or

288 (vi) facility or program that provides:

289 (A) secure treatment;

290 (B) inpatient treatment;

291 (C) residential treatment;

292 (D) residential support;

293 (E) adult day care;

294 (F) day treatment;

295 (G) outpatient treatment;

296 (H) domestic violence treatment;

297 (I) child-placing services;

298 (J) social detoxification; [or]

299 (K) supervision to facilitate supervised parent-time, as described in Section 30-3-34.5;

300 or

301 ~~[(K)]~~ (L) any other human services that are required by contract with the department to
 302 be licensed with the department.

303 (b) "Human services program" does not include:

304 (i) a boarding school; or

305 (ii) a residential, vocational and life skills program, as defined in Section 13-53-102.

306 (24) "Indian child" means the same as that term is defined in 25 U.S.C. Sec. 1903.

679 represent a minor or incapacitated child if the child is a party.

680 Section 12. **Repealer.**

681 This bill repeals:

682 Section 78A-2-701, **Title.**

683 Section 78A-2-702, **Definitions.**

684 Section 78A-2-703, **Appointment of attorney guardian ad litem in district court**
685 **matters.**

686 Section 78A-2-704, **Public policy regarding attorney guardian ad litem -- Training.**

687 Section 78A-2-705, **Private attorney guardian ad litem -- Appointment -- Costs and**
688 **fees -- Duties -- Conflicts of interest -- Pro bono obligation -- Indemnification -- Minimum**
689 **qualifications.**

689a **§→ Section 13. Coordinating S.B. 148 with H.B. 249 -- Technical amendments.**

689b **If this S.B. 148 and H.B. 249, Revisor's Technical Corrections to Utah Code, both pass**
689c **and become law, it is the intent of the Legislature that the amendments to Section 62A-2-101 in**
689d **this bill supersede the amendments to Section 62A-2-101 in H.B. 249 when the Office of**
689e **Legislative Research and General Counsel prepares the Utah Code database for publication.**

689f **←§**