

**Representative Brad M. Daw** proposes the following substitute bill:

**SUBSTANCE USE AND HEALTH CARE AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brad M. Daw**

Senate Sponsor: Allen M. Christensen

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**LONG TITLE**

**General Description:**

This bill modifies and enacts provisions relating to substance use treatment, mental health treatment, and health care that is provided in a correctional facility and the Utah State Hospital.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ directs the Department of Health to apply for a waiver under the state Medicaid plan to offer a program to provide Medicaid coverage to certain inmates for up to 30 days before release from a correctional facility;
- ▶ requires a county to provide matching funds to the state for Medicaid coverage ~~§~~ **→ , and costs relating to the Medicaid coverage, ←§** that

is provided to certain inmates for up to 30 days before release from a correctional facility;

▶ creates a refundable tax credit for certain practitioners who provide substance use disorder treatment or mental health therapy in a correctional facility or the Utah State Hospital;

▶ creates a substance use and mental health telehealth pilot program to be conducted in one or more county jails; and

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57 (2) Before July 1, 2020, the division shall apply for a Medicaid waiver or a state plan  
 58 amendment with CMS to offer a program to provide Medicaid coverage to a qualified inmate  
 59 for up to 30 days immediately before the day on which the qualified inmate is released from a  
 60 correctional facility.

61 (3) If the waiver or state plan amendment described in Subsection (2) is approved, the  
 62 department shall report to the Health and Human Services Interim Committee each year before  
 63 November 30 while the waiver or state plan amendment is in effect regarding:

64 (a) the number of qualified inmates served under the program;

65 (b) the cost of the program; and

66 (c) the effectiveness of the program, including:

67 (i) any reduction in the number of emergency room visits or hospitalizations by  
 68 inmates after release from a correctional facility;

69 (ii) any reduction in the number of inmates undergoing inpatient treatment after release  
 70 from a correctional facility;

71 (iii) any reduction in overdose rates and deaths of inmates after release from a  
 72 correctional facility; and

73 (iv) any other costs or benefits as a result of the program.

74 (4) If the waiver or state plan amendment described in Subsection (2) is approved, a  
 75 county that is responsible for the cost of a qualified inmate's medical care shall provide the  
 76 required matching funds to the state for ~~§~~ :

76a (a) any costs to enroll the qualified inmate for the Medicaid coverage described in  
 76b Subsection (2); and

76c (b) ~~←~~§ the Medicaid coverage ~~§~~→ that is ~~←~~§ provided to the qualified inmate  
 77 under Subsection (2).

78 Section 2. Section 58-1-111 is amended to read:

79 **58-1-111. Tax credit certificate --Mental health practitioners and substance use**  
 80 **therapists -- Underserved populations.**

81 (1) As used in this section:

82 (a) "Average of 20 hours or more per week" means that the quotient calculated when  
 83 dividing the claimant's total hours providing licensed services, in-custody mental health  
 84 therapy, or in-custody substance use disorder treatment in the state during the taxable year by  
 85 the number of weeks in which the claimant is licensed in the state during the taxable year is  
 86 greater than or equal to 20.

87 ~~[(a)]~~ (b) "Average of 30 hours or more per week" means that the quotient calculated