

1                                   **MENTAL HEALTH AMENDMENTS**

2   2020 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: James A. Dunnigan**

5                                   Senate Sponsor: Allen M. Christensen

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7   **LONG TITLE**

8   **General Description:**

9           This bill addresses reimbursement for certain inpatient mental health services under  
10 Medicaid.

11 **Highlighted Provisions:**

12           This bill:

13           ▶ directs the Department of Health to apply for a waiver or a state plan amendment  
14 with Medicaid to offer a program to provide reimbursement for certain inpatient  
15 mental health services.

16 **Money Appropriated in this Bill:**

17           None

18 **Other Special Clauses:**

19           None

20 **Utah Code Sections Affected:**

21 ENACTS:

22           **26-18-420**, Utah Code Annotated 1953

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

25           Section 1. Section **26-18-420** is enacted to read:

26           **26-18-420. Medicaid waiver for inpatient care in an institution for mental**  
27 **diseases.**

28           (1) As used in this section, "institution for mental diseases" means the same as that  
29 term is defined in 42 C.F.R. Sec. 435.1010.

30           (2) Before August 1, 2020, the division shall apply for a Medicaid waiver or a state  
31 plan amendment with CMS to offer a program that provides reimbursement for mental health  
32 services that are provided:

33           (a) in an institution for mental diseases that includes more than 16 beds; and

34           (b) to an individual who receives mental health services in an institution for mental  
35 diseases for a period of more than 15 days in a calendar month.

36           (3) If the waiver or state plan amendment described in Subsection (2) is approved, the  
37 department shall:

38           (a) coordinate with the Department of Human Services to develop and offer the  
39 program described in Subsection (2); and

40           (b) submit to the Health and Human Services Interim Committee and the Social  
41 Services Appropriations Subcommittee any report that the department submits to CMS that  
42 relates to the budget neutrality, independent waiver evaluation, or performance metrics of the  
43 program described in Subsection (2), within 15 days after the day on which the report is  
44 submitted to CMS.

45           (4) Notwithstanding Sections [17-43-201](#) and [17-43-301](#), if the waiver or state plan  
46 amendment described in Subsection (2) is approved, a county does not have to provide  
47 matching funds to the state for the mental health services described in Subsection (2) that are  
48 provided to an individual who qualifies for Medicaid coverage under Section [26-18-3.9](#) or  
49 Section [26-18-411](#).