

## HB0032S03 compared with HB0032S02

~~{deleted text}~~ shows text that was in HB0032S02 but was deleted in HB0032S03.

inserted text shows text that was not in HB0032S02 but was inserted into HB0032S03.

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~~{Representative Steve Eliason}~~Senator Daniel W. Thatcher proposes the following substitute bill:

### CRISIS SERVICES AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Daniel W. Thatcher

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#### LONG TITLE

##### General Description:

This bill relates to crisis response treatment and resources.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ changes the name of the "Mental Health Crisis Line Commission" to the "Behavioral Health Crisis Response Commission";
- ▶ modifies the membership of the Behavioral Health Crisis Response Commission;
- ▶ expands the mobile crisis outreach team grant program to fund additional mobile crisis outreach teams in certain counties;
- ▶ requires the Division of Substance Abuse and Mental Health to administer a grant

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program for the development of a behavioral health receiving center;

- ▶ directs the Department of Health to:
  - apply for a waiver or a state plan amendment with Medicaid to offer a program to provide reimbursement for certain services that are provided in a behavioral health receiving center at a bundled daily rate;
  - if the waiver or state plan amendment is approved, require a managed care organization that contracts with Medicaid to provide reimbursement for certain services that are provided in a behavioral health receiving center; and
  - consult with accountable care organizations and counties when determining whether to integrate payment for certain services that are provided in a behavioral health receiving center;
- ▶ requires the Department of Human Services to establish a statewide stabilization services plan and standards for providing stabilization services to a child;
- ▶ requires the Division of Substance Abuse and Mental Health to implement a statewide warm line;
- ▶ requires the Behavioral Health Crisis Response Commission to study and make recommendations regarding implementation of the statewide warm line; and
- ▶ makes technical changes.

### Money Appropriated in this Bill:

This bill appropriates in fiscal year 2021:

- ▶ to Department of Human Services -- Division of Substance Abuse and Mental Health -- Community Mental Health Services, as an ongoing appropriation:
  - From General Fund, ~~{One-time, \$12}~~ \$10, ~~{325}~~ 460,000.
- ▶ to Department of Human Services -- Division of Substance Abuse and Mental Health -- Community Mental Health Services, as a one-time appropriation:
  - From General Fund, One-time, ~~(\$12,550)~~ \$5,652,000.
- ▶ to Governor's Office -- Suicide Prevention -- Suicide Prevention, as an ongoing appropriation:
  - from General Fund, ~~{One-time, \$150}~~ \$100,000.
- ▶ to University of Utah -- SafeUT Crisis Text and Tip Line -- SafeUT Operations, as an ongoing appropriation:

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- from ~~{Education}~~General Fund, \$250,000.

### Other Special Clauses:

None

### Utah Code Sections Affected:

#### AMENDS:

- 17-43-301**, as last amended by Laws of Utah 2019, Chapter 256
- 26-18-418**, as last amended by Laws of Utah 2019, Chapter 393
- 62A-1-104**, as last amended by Laws of Utah 2018, Chapter 147
- 62A-1-111**, as last amended by Laws of Utah 2018, Chapter 200
- 62A-15-102**, as last amended by Laws of Utah 2018, Chapter 414
- 62A-15-116**, as last amended by Laws of Utah 2019, Chapter 446
- 62A-15-1301**, as enacted by Laws of Utah 2018, Chapter 407
- 62A-15-1302**, as enacted by Laws of Utah 2018, Chapter 407
- 62A-15-1303**, as enacted by Laws of Utah 2018, Chapter 407
- 62A-15-1401**, as enacted by Laws of Utah 2018, Chapter 84
- 63C-18-101**, as enacted by Laws of Utah 2017, Chapter 23
- 63C-18-102**, as enacted by Laws of Utah 2017, Chapter 23
- 63C-18-202**, as enacted by Laws of Utah 2017, Chapter 23
- 63C-18-203**, as last amended by Laws of Utah 2018, Chapters 84 and 407
- 63I-1-226**, as last amended by Laws of Utah 2019, Chapters 67, 136, 246, 289, 455 and last amended by Coordination Clause, Laws of Utah 2019, Chapter 246
- 63I-1-262**, as last amended by Laws of Utah 2019, Chapters 246, 257, 440 and last amended by Coordination Clause, Laws of Utah 2019, Chapter 246
- 63I-1-263**, as last amended by Laws of Utah 2019, Chapters 89, 246, 311, 414, 468, 469, 482 and last amended by Coordination Clause, Laws of Utah 2019, Chapter 246

#### ENACTS:

- 62A-15-118**, Utah Code Annotated 1953
- 26-18-420**, Utah Code Annotated 1953

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

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Section 1. Section 17-43-301 is amended to read:

### **17-43-301. Local mental health authorities -- Responsibilities.**

(1) As used in this section:

(a) "Assisted outpatient treatment" means the same as that term is defined in Section 62A-15-602.

(b) "Crisis worker" means the same as that term is defined in Section 62A-15-1301.

(c) "Local mental health crisis line" means the same as that term is defined in Section ~~[63C-18-102]~~ 62A-15-1301.

(d) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

(e) "Public funds" means the same as that term is defined in Section 17-43-303.

(f) "Statewide mental health crisis line" means the same as that term is defined in Section ~~[63C-18-102]~~ 62A-15-1301.

(2) (a) (i) In each county operating under a county executive-council form of government under Section 17-52a-203, the county legislative body is the local mental health authority, provided however that any contract for plan services shall be administered by the county executive.

(ii) In each county operating under a council-manager form of government under Section 17-52a-204, the county manager is the local mental health authority.

(iii) In each county other than a county described in Subsection (2)(a)(i) or (ii), the county legislative body is the local mental health authority.

(b) Within legislative appropriations and county matching funds required by this section, under the direction of the division, each local mental health authority shall:

(i) provide mental health services to individuals within the county; and

(ii) cooperate with efforts of the Division of Substance Abuse and Mental Health to promote integrated programs that address an individual's substance abuse, mental health, and physical healthcare needs, as described in Section 62A-15-103.

(c) Within legislative appropriations and county matching funds required by this section, each local mental health authority shall cooperate with the efforts of the Department of Human Services to promote a system of care, as defined in Section 62A-1-104, for minors with or at risk for complex emotional and behavioral needs, as described in Section 62A-1-111.

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(3) (a) By executing an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, two or more counties may join to:

(i) provide mental health prevention and treatment services; or

(ii) create a united local health department that combines substance abuse treatment services, mental health services, and local health department services in accordance with Subsection (4).

(b) The legislative bodies of counties joining to provide services may establish acceptable ways of apportioning the cost of mental health services.

(c) Each agreement for joint mental health services shall:

(i) (A) designate the treasurer of one of the participating counties or another person as the treasurer for the combined mental health authorities and as the custodian of money available for the joint services; and

(B) provide that the designated treasurer, or other disbursing officer authorized by the treasurer, may make payments from the money available for the joint services upon audit of the appropriate auditing officer or officers representing the participating counties;

(ii) provide for the appointment of an independent auditor or a county auditor of one of the participating counties as the designated auditing officer for the combined mental health authorities;

(iii) (A) provide for the appointment of the county or district attorney of one of the participating counties as the designated legal officer for the combined mental health authorities; and

(B) authorize the designated legal officer to request and receive the assistance of the county or district attorneys of the other participating counties in defending or prosecuting actions within their counties relating to the combined mental health authorities; and

(iv) provide for the adoption of management, clinical, financial, procurement, personnel, and administrative policies as already established by one of the participating counties or as approved by the legislative body of each participating county or interlocal board.

(d) An agreement for joint mental health services may provide for:

(i) joint operation of services and facilities or for operation of services and facilities under contract by one participating local mental health authority for other participating local mental health authorities; and

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(ii) allocation of appointments of members of the mental health advisory council between or among participating counties.

(4) A county governing body may elect to combine the local mental health authority with the local substance abuse authority created in Part 2, Local Substance Abuse Authorities, and the local health department created in Title 26A, Chapter 1, Part 1, Local Health Department Act, to create a united local health department under Section 26A-1-105.5. A local mental health authority that joins with a united local health department shall comply with this part.

(5) (a) Each local mental health authority is accountable to the department, the Department of Health, and the state with regard to the use of state and federal funds received from those departments for mental health services, regardless of whether the services are provided by a private contract provider.

(b) Each local mental health authority shall comply, and require compliance by its contract provider, with all directives issued by the department and the Department of Health regarding the use and expenditure of state and federal funds received from those departments for the purpose of providing mental health programs and services. The department and Department of Health shall ensure that those directives are not duplicative or conflicting, and shall consult and coordinate with local mental health authorities with regard to programs and services.

(6) (a) Each local mental health authority shall:

(i) review and evaluate mental health needs and services, including mental health needs and services for:

(A) an individual incarcerated in a county jail or other county correctional facility; and

(B) an individual who is a resident of the county and who is court ordered to receive assisted outpatient treatment under Section 62A-15-630.5;

(ii) in accordance with Subsection (6)(b), annually prepare and submit to the division a plan approved by the county legislative body for mental health funding and service delivery, either directly by the local mental health authority or by contract;

(iii) establish and maintain, either directly or by contract, programs licensed under Title 62A, Chapter 2, Licensure of Programs and Facilities;

(iv) appoint, directly or by contract, a full-time or part-time director for mental health

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programs and prescribe the director's duties;

(v) provide input and comment on new and revised rules established by the division;

(vi) establish and require contract providers to establish administrative, clinical, personnel, financial, procurement, and management policies regarding mental health services and facilities, in accordance with the rules of the division, and state and federal law;

(vii) establish mechanisms allowing for direct citizen input;

(viii) annually contract with the division to provide mental health programs and services in accordance with the provisions of Title 62A, Chapter 15, Substance Abuse and Mental Health Act;

(ix) comply with all applicable state and federal statutes, policies, audit requirements, contract requirements, and any directives resulting from those audits and contract requirements;

(x) provide funding equal to at least 20% of the state funds that it receives to fund services described in the plan;

(xi) comply with the requirements and procedures of Title 11, Chapter 13, Interlocal Cooperation Act, Title 17B, Chapter 1, Part 6, Fiscal Procedures for Local Districts, and Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act; and

(xii) take and retain physical custody of minors committed to the physical custody of local mental health authorities by a judicial proceeding under Title 62A, Chapter 15, Part 7, Commitment of Persons Under Age 18 to Division of Substance Abuse and Mental Health.

(b) Each plan under Subsection (6)(a)(ii) shall include services for adults, youth, and children, which shall include:

(i) inpatient care and services;

(ii) residential care and services;

(iii) outpatient care and services;

(iv) 24-hour crisis care and services;

(v) psychotropic medication management;

(vi) psychosocial rehabilitation, including vocational training and skills development;

(vii) case management;

(viii) community supports, including in-home services, housing, family support services, and respite services;

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(ix) consultation and education services, including case consultation, collaboration with other county service agencies, public education, and public information; and

(x) services to persons incarcerated in a county jail or other county correctional facility.

(7) (a) If a local mental health authority provides for a local mental health crisis line under the plan for 24-hour crisis care and services described in Subsection (6)(b)(iv), the local mental health authority shall:

(i) collaborate with the statewide mental health crisis line described in Section 62A-15-1302;

(ii) ensure that each individual who answers calls to the local mental health crisis line:

(A) is a mental health therapist or a crisis worker; and

(B) meets the standards of care and practice established by the Division of Substance Abuse and Mental Health, in accordance with Section 62A-15-1302; and

(iii) ensure that when necessary, based on the local mental health crisis line's capacity, calls are immediately routed to the statewide mental health crisis line to ensure that when an individual calls the local mental health crisis line, regardless of the time, date, or number of individuals trying to simultaneously access the local mental health crisis line, a mental health therapist or a crisis worker answers the call without the caller first:

(A) waiting on hold; or

(B) being screened by an individual other than a mental health therapist or crisis worker.

(b) If a local mental health authority does not provide for a local mental health crisis line under the plan for 24-hour crisis care and services described in Subsection (6)(b)(iv), the local mental health authority shall use the statewide mental health crisis line as a local crisis line resource.

(8) Before disbursing any public funds, each local mental health authority shall require that each entity that receives any public funds from a local mental health authority agrees in writing that:

(a) the entity's financial records and other records relevant to the entity's performance of the services provided to the mental health authority shall be subject to examination by:

(i) the division;

(ii) the local mental health authority director;

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- (iii) (A) the county treasurer and county or district attorney; or
  - (B) if two or more counties jointly provide mental health services under an agreement under Subsection (3), the designated treasurer and the designated legal officer;
  - (iv) the county legislative body; and
  - (v) in a county with a county executive that is separate from the county legislative body, the county executive;
- (b) the county auditor may examine and audit the entity's financial and other records relevant to the entity's performance of the services provided to the local mental health authority; and

(c) the entity will comply with the provisions of Subsection (5)(b).

(9) A local mental health authority may receive property, grants, gifts, supplies, materials, contributions, and any benefit derived therefrom, for mental health services. If those gifts are conditioned upon their use for a specified service or program, they shall be so used.

(10) Public funds received for the provision of services pursuant to the local mental health plan may not be used for any other purpose except those authorized in the contract between the local mental health authority and the provider for the provision of plan services.

(11) A local mental health authority shall provide assisted outpatient treatment services, as described in Section 62A-15-630.4, to a resident of the county who has been ordered under Section 62A-15-630.5 to receive assisted outpatient treatment.

Section 2. Section **26-18-418** is amended to read:

**26-18-418. Medicaid waiver for mental health crisis lines and mobile crisis outreach teams.**

(1) As used in this section:

(a) "Local mental health crisis line" means the same as that term is defined in Section ~~[63C-18-102]~~ 62A-15-1301.

(b) "Mental health crisis" means:

(i) a mental health condition that manifests itself in an individual by symptoms of sufficient severity that a prudent layperson who possesses an average knowledge of mental health issues could reasonably expect the absence of immediate attention or intervention to result in:

(A) serious danger to the individual's health or well-being; or

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(B) a danger to the health or well-being of others; or

(ii) a mental health condition that, in the opinion of a mental health therapist or the therapist's designee, requires direct professional observation or the intervention of a mental health therapist.

(c) (i) "Mental health crisis services" means direct mental health services and on-site intervention that a mobile crisis outreach team provides to an individual suffering from a mental health crisis, including the provision of safety and care plans, prolonged mental health services for up to 90 days, and referrals to other community resources.

(ii) "Mental health crisis services" includes:

(A) local mental health crisis lines; and

(B) the statewide mental health crisis line.

(d) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

(e) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and mental health professionals that, in coordination with local law enforcement and emergency medical service personnel, provides mental health crisis services.

(f) "Statewide mental health crisis line" means the same as that term is defined in Section ~~[63C-18-102]~~ 62A-15-1301.

(2) In consultation with the Department of Human Services and the ~~[Mental]~~ Behavioral Health Crisis [Line] Response Commission created in Section 63C-18-202, the department shall develop a proposal to amend the state Medicaid plan to include mental health crisis services, including the statewide mental health crisis line, local mental health crisis lines, and mobile crisis outreach teams.

(3) By January 1, 2019, the department shall apply for a Medicaid waiver with CMS, if necessary to implement, within the state Medicaid program, the mental health crisis services described in Subsection (2).

Section 3. Section **26-18-420** is enacted to read:

**26-18-420. Reimbursement for crisis management services provided in a behavioral health receiving center -- Integration of payment for physical health services.**

(1) As used in this section:

(a) "Accountable care organization" means the same as that term is defined in Section

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26-18-408.

(b) "Behavioral health receiving center" means the same as that term is defined in Section 62A-15-118.

(c) "Crisis management services" means behavioral health services provided to an individual who is experiencing a mental health crisis.

(d) "Managed care organization" means the same as that term is defined in ~~Section 31A-27a-403~~ 42 C.F.R. Sec. 438.2.

(2) Before July 1, 2020, the division shall apply for a Medicaid waiver or state plan amendment with CMS to offer a program that provides reimbursement through a bundled daily rate for crisis management services that are delivered to an individual during the individual's stay at a behavioral health receiving center.

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

(a) implement the program described in Subsection (2); and

(b) require a managed care organization that contracts with the state's Medicaid program for behavioral health services or integrated health services to provide coverage for crisis management services that are delivered to an individual during the individual's stay at a behavioral health receiving center.

(4) (a) The department may elect to integrate payment for physical health services provided in a behavioral health receiving center.

(b) In determining whether to integrate payment under Subsection (4)(a), the department shall consult with accountable care organizations and counties in the state.

Section 4. Section **62A-1-104** is amended to read:

### **62A-1-104. Definitions.**

(1) As used in this title:

(a) "Competency evaluation" means the same as that term is defined in Section 77-15-2.

(b) "Concurrence of the board" means agreement by a majority of the members of a board.

(c) "Department" means the Department of Human Services established in Section 62A-1-102.

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(d) "Executive director" means the executive director of the department, appointed under Section 62A-1-108.

(e) "Forensic evaluator" means the same as that term is defined in Section 77-15-2.

(f) "Stabilization services" means in-home services provided to a child with, or who is at risk for, complex emotional and behavioral needs, including teaching the child's parent or guardian skills to improve family functioning.

~~(f)~~ (g) "System of care" means a broad, flexible array of services and supports that:

(i) serves a child with or who is at risk for complex emotional and behavioral needs;

(ii) is community based;

(iii) is informed about trauma;

(iv) builds meaningful partnerships with families and children;

(v) integrates service planning, service coordination, and management across state and local entities;

(vi) includes individualized case planning;

(vii) provides management and policy infrastructure that supports a coordinated network of interdepartmental service providers, contractors, and service providers who are outside of the department; and

(viii) is guided by the type and variety of services needed by a child with or who is at risk for complex emotional and behavioral needs and by the child's family.

(2) The definitions provided in Subsection (1) are to be applied in addition to definitions contained throughout this title that are applicable to specified chapters or parts.

Section 5. Section **62A-1-111** is amended to read:

### **62A-1-111. Department authority.**

The department may, in addition to all other authority and responsibility granted to the department by law:

(1) adopt rules, not inconsistent with law, as the department may consider necessary or desirable for providing social services to the people of this state;

(2) establish and manage client trust accounts in the department's institutions and community programs, at the request of the client or the client's legal guardian or representative, or in accordance with federal law;

(3) purchase, as authorized or required by law, services that the department is

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responsible to provide for legally eligible persons;

(4) conduct adjudicative proceedings for clients and providers in accordance with the procedures of Title 63G, Chapter 4, Administrative Procedures Act;

(5) establish eligibility standards for its programs, not inconsistent with state or federal law or regulations;

(6) take necessary steps, including legal action, to recover money or the monetary value of services provided to a recipient who was not eligible;

(7) set and collect fees for [~~its~~] the department's services;

(8) license agencies, facilities, and programs, except as otherwise allowed, prohibited, or limited by law;

(9) acquire, manage, and dispose of any real or personal property needed or owned by the department, not inconsistent with state law;

(10) receive gifts, grants, devises, and donations; gifts, grants, devises, donations, or the proceeds thereof, may be credited to the program designated by the donor, and may be used for the purposes requested by the donor, as long as the request conforms to state and federal policy; all donated funds shall be considered private, nonlapsing funds and may be invested under guidelines established by the state treasurer;

(11) accept and employ volunteer labor or services; the department is authorized to reimburse volunteers for necessary expenses, when the department considers that reimbursement to be appropriate;

(12) carry out the responsibility assigned in the workforce services plan by the State Workforce Development Board;

(13) carry out the responsibility assigned by Section 35A-8-602 with respect to coordination of services for the homeless;

(14) carry out the responsibility assigned by Section 62A-5a-105 with respect to coordination of services for students with a disability;

(15) provide training and educational opportunities for [~~its~~] the department's staff;

(16) collect child support payments and any other money due to the department;

(17) apply the provisions of Title 78B, Chapter 12, Utah Child Support Act, to parents whose child lives out of the home in a department licensed or certified setting;

(18) establish policy and procedures, within appropriations authorized by the

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Legislature, in cases where the department is given custody of a minor by the juvenile court under Section 78A-6-117 or ordered to prepare an attainment plan for a minor found not competent to proceed under Section 78A-6-1301; any policy and procedures shall include:

(a) designation of interagency teams for each juvenile court district in the state;

(b) delineation of assessment criteria and procedures;

(c) minimum requirements, and timeframes, for the development and implementation of a collaborative service plan for each minor placed in department custody; and

(d) provisions for submittal of the plan and periodic progress reports to the court;

(19) carry out the responsibilities assigned to [it] the department by statute;

(20) examine and audit the expenditures of any public funds provided to local substance abuse authorities, local mental health authorities, local area agencies on aging, and any person, agency, or organization that contracts with or receives funds from those authorities or agencies. Those local authorities, area agencies, and any person or entity that contracts with or receives funds from those authorities or area agencies, shall provide the department with any information the department considers necessary. The department is further authorized to issue directives resulting from any examination or audit to local authorities, area agencies, and persons or entities that contract with or receive funds from those authorities with regard to any public funds. If the department determines that it is necessary to withhold funds from a local mental health authority or local substance abuse authority based on failure to comply with state or federal law, policy, or contract provisions, it may take steps necessary to ensure continuity of services. For purposes of this Subsection (20) "public funds" means the same as that term is defined in Section 62A-15-102;

(21) pursuant to Subsection 62A-2-106(1)(d), accredit one or more agencies and persons to provide intercountry adoption services;

(22) within appropriations authorized by the Legislature, promote and develop a system of care~~[, as defined in Section 62A-1-104]~~ and stabilization services:

(a) in compliance with Title 63G, Chapter 6a, Utah Procurement Code; and

(b) that encompasses the department, department contractors, and the divisions, offices, or institutions within the department, to:

(i) navigate services, funding resources, and relationships to the benefit of the children and families whom the department serves;

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- (ii) centralize department operations, including procurement and contracting;
  - (iii) develop policies that govern business operations and that facilitate a system of care approach to service delivery;
  - (iv) allocate resources that may be used for the children and families served by the department or the divisions, offices, or institutions within the department, subject to the restrictions in Section 63J-1-206;
  - (v) create performance-based measures for the provision of services; and
  - (vi) centralize other business operations, including data matching and sharing among the department's divisions, offices, and institutions; and
- (23) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:
- (a) under this title;
  - (b) by the department; or
  - (c) by an agency or division within the department.

Section 6. Section **62A-15-102** is amended to read:

### **62A-15-102. Definitions.**

As used in this chapter:

- (1) "Criminal risk factors" means a person's characteristics and behaviors that:
  - (a) affect the person's risk of engaging in criminal behavior; and
  - (b) are diminished when addressed by effective treatment, supervision, and other support resources, resulting in reduced risk of criminal behavior.
- (2) "Director" means the director of the Division of Substance Abuse and Mental Health.
- (3) "Division" means the Division of Substance Abuse and Mental Health established in Section 62A-15-103.
- (4) "Local mental health authority" means a county legislative body.
- (5) "Local substance abuse authority" means a county legislative body.
- (6) "Mental health crisis" means:
  - (a) a mental health condition that manifests in an individual by symptoms of sufficient severity that a prudent layperson who possesses an average knowledge of mental health issues

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could reasonably expect the absence of immediate attention or intervention to result in:

- (i) serious danger to the individual's health or well-being; or
- (ii) a danger to the health or well-being of others; or
- (b) a mental health condition that, in the opinion of a mental health therapist or the therapist's designee, requires direct professional observation or intervention.

(7) "Mental health crisis response training" means community-based training that educates laypersons and professionals on the warning signs of a mental health crisis and how to respond.

(8) "Mental health crisis services" means an array of services provided to an individual who experiences a mental health crisis, which may include:

- (a) direct mental health services;
- (b) on-site intervention provided by a mobile crisis outreach team;
- (c) the provision of safety and care plans;
- (d) prolonged mental health services for up to 90 days after the day on which an

individual experiences a mental health crisis;

- (e) referrals to other community resources;
- (f) local mental health crisis lines; and
- (g) the statewide mental health crisis line.

(9) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

(10) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and mental health professionals that, in coordination with local law enforcement and emergency medical service personnel, provides mental health crisis services.

(11) (a) "Public funds" means federal money received from the Department of Human Services or the Department of Health, and state money appropriated by the Legislature to the Department of Human Services, the Department of Health, a county governing body, or a local substance abuse authority, or a local mental health authority for the purposes of providing substance abuse or mental health programs or services.

(b) "Public funds" include federal and state money that has been transferred by a local substance abuse authority or a local mental health authority to a private provider under an annual or otherwise ongoing contract to provide comprehensive substance abuse or mental

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health programs or services for the local substance abuse authority or local mental health authority. The money maintains the nature of "public funds" while in the possession of the private entity that has an annual or otherwise ongoing contract with a local substance abuse authority or a local mental health authority to provide comprehensive substance abuse or mental health programs or services for the local substance abuse authority or local mental health authority.

(c) Public funds received for the provision of services pursuant to substance abuse or mental health service plans may not be used for any other purpose except those authorized in the contract between the local mental health or substance abuse authority and provider for the provision of plan services.

(12) "Severe mental disorder" means schizophrenia, major depression, bipolar disorders, delusional disorders, psychotic disorders, and other mental disorders as defined by the division.

(13) "Statewide mental health crisis line" means the same as that term is defined in Section ~~[63C-18-102]~~ 62A-15-1301.

Section 7. Section **62A-15-116** is amended to read:

### **62A-15-116. Mobile crisis outreach team expansion.**

(1) In consultation with the ~~[Mental]~~ Behavioral Health Crisis ~~[Line]~~ Response Commission, established in Section 63C-18-202, the division shall award grants for the development of:

(a) five mobile crisis outreach teams:

~~[(a)]~~ (i) in counties of the second, third, fourth, fifth, or sixth class; or

(ii) in counties of the first class, if no more than two mobile crisis outreach teams are operating or have been awarded a grant to operate in the county; and

(b) at least three mobile crisis outreach teams in counties of the third, fourth, fifth, or sixth class.

~~[(b) to]~~ (2) A mobile crisis outreach team awarded a grant under Subsection (1) shall provide mental health crisis services 24 hours per day, 7 days per week, and every day of the year.

~~[(2)]~~ (3) The division shall prioritize the award of a grant described in Subsection (1) to entities, based on:

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- (a) the number of individuals the proposed mobile crisis outreach team will serve; and
- (b) the percentage of matching funds the entity will provide to develop the proposed mobile crisis outreach team.

~~[(3)]~~ (4) An entity does not need to have resources already in place to be awarded a grant described in Subsection (1).

~~[(4)]~~ (5) In consultation with the ~~[Mental]~~ Behavioral Health Crisis ~~[Line]~~ Response Commission, established in Section 63C-18-202, the division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the application and award of the grants described in Subsection (1).

Section 8. Section **62A-15-118** is enacted to read:

### **62A-15-118. Behavioral Health Receiving Center Grant Program.**

(1) As used in this section:

(a) "Behavioral health receiving center" means a 23-hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a mental health crisis.

(b) "Project" means a behavioral health receiving center project described in Subsection (2)(a).

(2) (a) (i) Before July 1, 2020, the division shall issue a request for proposals in accordance with this section to award a grant to one or more counties of the first or second class, as classified in Section 17-50-501, to, except as provided in Subsection (2)(a)(ii), develop and implement a behavioral health receiving center.

(ii) A grant awarded under Subsection (2)(a)(i) may not be used to purchase land for the behavioral health receiving center.

(b) The division shall award all grants under this section before December 31, 2020.

(3) The purpose of a project is to:

(a) increase access to mental health crisis services for individuals in the state who are experiencing a mental health crisis; and

(b) reduce the number of individuals in the state who are incarcerated or in a hospital emergency room while experiencing a mental health crisis.

(4) An application for a grant under this section shall:

(a) identify the population to which the behavioral health receiving center will provide

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mental health crisis services;

(b) identify the type of mental health crisis services the behavioral health receiving center will provide;

(c) explain how the population described in Subsection (4)(a) will benefit from the provision of mental health crisis services;

(d) provide details regarding:

(i) how the proposed project plans to provide mental health crisis services;

(ii) how the proposed project will ensure that consideration is given to the capacity of the behavioral health receiving center;

(iii) how the proposed project will ensure timely and effective provision of mental health crisis services;

(iv) the cost of the proposed project;

(v) any existing or planned contracts or partnerships between the applicant and other individuals or entities to develop and implement the proposed project;

(vi) any plan to use funding sources in addition to a grant under this section for the proposed project;

(vii) the sustainability of the proposed project; and

(viii) the methods the proposed project will use to:

(A) protect the privacy of each individual who receives mental health crisis services from the behavioral health receiving center;

(B) collect nonidentifying data relating to the proposed project; and

(C) provide transparency on the costs and operation of the proposed project; and

(e) provide other information requested by the division to ensure that the proposed project satisfies the criteria described in Subsection (5).

(5) In evaluating an application for the grant, the division shall consider:

(a) the extent to which the proposed project will fulfill the purposes described in Subsection (3);

(b) the extent to which the population described in Subsection (4)(a) is likely to benefit from the proposed project;

(c) the cost of the proposed project;

(d) the extent to which any existing or planned contracts or partnerships between the

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applicant and other individuals or entities to develop and implement the project, or additional funding sources available to the applicant for the proposed project, are likely to benefit the proposed project; and

(e) the viability and innovation of the proposed project.

(6) Before June 30, 2021, the division shall report to the Health and Human Services Interim Committee regarding:

(a) each county awarded a grant under this section; and

(b) the details of each project.

(7) Before June 30, 2023, the division shall report to the Health and Human Services

Interim Committee regarding:

(a) data gathered in relation to each project;

(b) knowledge gained relating to the provision of mental health crisis services in a behavioral health receiving center;

(c) recommendations for the future use of mental health crisis services in behavioral health receiving centers; and

(d) obstacles encountered in the provision of mental health crisis services in a behavioral health receiving center.

Section 9. Section **62A-15-1301** is amended to read:

### **Part 13. Statewide Mental Health Crisis Line and Statewide Warm Line** **62A-15-1301. Definitions.**

As used in this part:

(1) "Certified peer support specialist" means an individual who:

(a) meets the standards of qualification or certification that the division sets, in accordance with Section 62A-15-1302; and

(b) staffs the statewide warm line under the supervision of at least one mental health therapist.

[~~(1)~~](2) "Commission" means the [Mental] Behavioral Health Crisis [Line] Response Commission created in Section 63C-18-202.

[~~(2)~~](3) "Crisis worker" means an individual who:

(a) meets the standards of qualification or certification that the division sets, in accordance with Section 62A-15-1302; and

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(b) staffs the statewide mental health crisis line, the statewide warm line, or a local mental health crisis line under the supervision of at least one mental health therapist.

~~[(3)]~~ (4) "Local mental health crisis line" means ~~[the same as that term is defined in Section 63C-18-102.]~~ a phone number or other response system that is:

(a) accessible within a particular geographic area of the state; and

(b) intended to allow an individual to contact and interact with a qualified mental or behavioral health professional.

~~[(4)]~~ (5) "Mental health crisis" means the same as that term is defined in Section 62A-15-1401.

~~[(4)]~~ ~~[(5)]~~ (6) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

~~{~~ ~~——~~ ~~(6)~~ ~~"Peer counselor" means an individual who:~~

~~——~~ ~~(a)~~ ~~meets the standards of qualification or certification that the division sets, in accordance with Section 62A-15-1302; and~~

~~——~~ ~~(b)~~ ~~staffs the statewide warm line under the supervision of at least one mental health therapist.~~

~~‡~~ ~~[(5)]~~ (7) "Statewide mental health crisis line" means ~~[the same as that term is defined in Section 63C-18-102.]~~ a statewide phone number or other response system that allows an individual to contact and interact with a qualified mental or behavioral health professional 24 hours per day, 365 days per year.

(8) "Statewide warm line" means a statewide phone number or other response system that allows an individual to contact and interact with a qualified mental or behavioral health professional or a certified peer counselor support specialist.

Section 10. Section **62A-15-1302** is amended to read:

**62A-15-1302. Contracts for statewide mental health crisis line and statewide warm line -- Crisis worker and certified peer counselor support specialist qualification or certification.**

(1) (a) The division shall enter into a new contract or modify an existing contract to manage and operate ~~[the statewide mental health crisis line],~~ in accordance with this part, ~~[and to encourage collaboration with local mental health crisis lines]~~ the statewide mental health crisis line and the statewide warm line.

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(b) Through the ~~[contract]~~ contracts described in Subsection (1)(a) and in consultation with the commission, the division shall set standards of care and practice for:

(i) the mental health therapists and crisis workers who staff the statewide mental health crisis line~~[-]~~; and

(ii) the mental health therapists, crisis workers, and certified peer ~~{counselors}~~ support specialists who staff the statewide warm line.

(2) (a) The division shall establish training and minimum standards for the qualification or certification of:

(i) crisis workers who staff the statewide mental health crisis line, the statewide warm line, and local mental health crisis lines~~[-]~~; and

(ii) certified peer ~~{counselors}~~ support specialists who staff the statewide warm line.

(b) The division may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, necessary to establish the training and minimum standards described in Subsection (2)(a).

Section 11. Section **62A-15-1303** is amended to read:

**62A-15-1303. Statewide mental health crisis line and statewide warm line operational standards.**

(1) In consultation with the commission, the division shall ensure that:

~~[(+)]~~ (a) the following individuals are available to staff and answer calls to the statewide mental health crisis line 24 hours per day, 365 days per calendar year:

~~[(a)]~~ (i) mental health therapists; or

~~[(b)]~~ (ii) crisis workers;

~~[(2)]~~ (b) a sufficient amount of staff is available to ensure that when an individual calls the statewide mental health crisis line, regardless of the time, date, or number of individuals trying to simultaneously access the statewide mental health crisis line, an individual described in Subsection (1)(a) answers the call without the caller first:

~~[(a)]~~ (i) waiting on hold; or

~~[(b)]~~ (ii) being screened by an individual other than a mental health therapist or crisis worker; ~~[and]~~

~~[(3)]~~ (c) the statewide mental health crisis line has capacity to accept all calls that local mental health crisis lines route to the statewide mental health crisis line~~[-]~~;

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(d) the following individuals are available to staff and answer calls to the statewide warm line during the hours and days of operation set by the division under Subsection (2):

(i) mental health therapists;

(ii) crisis workers; or

(iii) certified peer ~~counselors~~ support specialists;

(e) when an individual calls the statewide mental health crisis line, the individual's call may be transferred to the statewide warm line if the individual is not experiencing a mental health crisis; and

(f) when an individual calls the statewide warm line, the individual's call may be transferred to the statewide mental health crisis line if the individual is experiencing a mental health crisis.

(2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish the hours and days of operation for the statewide warm line.

Section 12. Section **62A-15-1401** is amended to read:

### **62A-15-1401. Definitions.**

As used in this part:

(1) "Commission" means the [~~Mental~~] Behavioral Health Crisis [~~Line~~] Response Commission created in Section 63C-18-202.

(2) "Emergency medical service personnel" means the same as that term is defined in Section 26-8a-102.

(3) "Emergency medical services" means the same as that term is defined in Section 26-8a-102.

(4) "MCOT certification" means the certification created in this part for MCOT personnel and mental health crisis outreach services.

(5) "MCOT personnel" means a licensed mental health therapist or other mental health professional, as determined by the division, who is a part of a mobile crisis outreach team.

(6) "Mental health crisis" means a mental health condition that manifests itself by symptoms of sufficient severity that a prudent layperson who possesses an average knowledge of mental health issues could reasonably expect the absence of immediate attention or intervention to result in:

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- (a) serious jeopardy to the individual's health or well-being; or
- (b) a danger to others.

(7) (a) "Mental health crisis services" means mental health services and on-site intervention that a person renders to an individual suffering from a mental health crisis.

(b) "Mental health crisis services" includes the provision of safety and care plans, stabilization services offered for a minimum of 60 days, and referrals to other community resources.

(8) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

(9) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and mental health professionals that provides mental health crisis services and, based on the individual circumstances of each case, coordinates with local law enforcement, emergency medical service personnel, and other appropriate state or local resources.

Section 13. Section **63C-18-101** is amended to read:

### CHAPTER 18. BEHAVIORAL HEALTH CRISIS RESPONSE COMMISSION

#### **63C-18-101. Title.**

(1) This chapter is known as the "[~~Mental~~] Behavioral Health Crisis [~~Line~~] Response Commission."

(2) This part is known as "General Provisions."

Section 14. Section **63C-18-102** is amended to read:

#### **63C-18-102. Definitions.**

As used in this chapter:

(1) "Commission" means the [~~Mental~~] Behavioral Health Crisis [~~Line~~] Response Commission created in Section 63C-18-202.

(2) "Local mental health crisis line" means [~~a phone number or other response system that is:~~] the same as that term is defined in Section 62A-15-1301.

~~[(a) accessible within a particular geographic area of the state; and]~~

~~[(b) intended to allow an individual to contact and interact with a qualified mental or behavioral health professional.]~~

(3) "Statewide mental health crisis line" means [~~a statewide phone number or other response system that allows an individual to contact and interact with a qualified mental or~~

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~~behavioral health professional 24 hours per day, 365 days per year]~~ the same as that term is defined in Section 62A-15-1301.

(4) "Statewide warm line" means the same as that term is defined in Section 62A-15-1301.

Section 15. Section **63C-18-202** is amended to read:

### **63C-18-202. Commission established -- Members.**

(1) There is created the [~~Mental~~] Behavioral Health Crisis [~~Line~~] Response Commission, composed of the following [~~H~~] 16 members:

- (a) the executive director of the University Neuropsychiatric Institute;
- (b) the governor or the governor's designee;
- (c) the director of the Division of Substance Abuse and Mental Health;
- (d) one representative of the Office of the Attorney General, appointed by the attorney general;

(e) one member of the public, appointed by the chair of the commission and approved by the commission;

(f) two individuals who are mental or behavioral health clinicians licensed to practice in the state, appointed by the chair of the commission and approved by the commission, at least one of whom is an individual who:

- (i) is licensed as a physician under:
  - (A) Title 58, Chapter 67, Utah Medical Practice Act;
  - (B) Title 58, Chapter 67b, Interstate Medical Licensure Compact; or
  - (C) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and
- (ii) is board eligible for a psychiatry specialization recognized by the American Board of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic Specialists;

(g) one individual who represents a county of the first or second class, appointed by the Utah Association of Counties;

(h) one individual who represents a county of the third, fourth, or fifth class, appointed by the Utah Association of Counties;

(i) one individual who represents the Utah Hospital Association, appointed by the chair of the commission;

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(j) one individual who represents law enforcement, appointed by the chair of the commission;

(k) one individual who has lived with a mental health disorder, appointed by the chair of the commission;

(l) one individual who represents an integrated health care system that:

(i) is not affiliated with the chair of the commission; and

(ii) provides inpatient behavioral health services and emergency room services to individuals in the state;

(m) one individual who represents an accountable care organization, as defined in Section 26-18-420, with a statewide membership base;

[†] (n) one member of the House of Representatives, appointed by the speaker of the House of Representatives; and

[†] (o) one member of the Senate, appointed by the president of the Senate.

(2) (a) The executive director of the University Neuropsychiatric Institute is the chair of the commission.

(b) The chair of the commission shall appoint a member of the commission to serve as the vice chair of the commission, with the approval of the commission.

(c) The chair of the commission shall set the agenda for each commission meeting.

(3) (a) A majority of the members of the commission constitutes a quorum.

(b) The action of a majority of a quorum constitutes the action of the commission.

(4) (a) Except as provided in Subsection (4)(b), a member may not receive compensation, benefits, per diem, or travel expenses for the member's service on the commission.

(b) Compensation and expenses of a member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

(5) The Office of the Attorney General shall provide staff support to the commission.

Section 16. Section **63C-18-203** is amended to read:

### **63C-18-203. Commission duties -- Reporting requirements.**

(1) The commission shall:

(a) identify a method to integrate existing local mental health crisis lines to ensure each individual who accesses a local mental health crisis line is connected to a qualified mental or

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behavioral health professional, regardless of the time, date, or number of individuals trying to simultaneously access the local mental health crisis line;

(b) study how to establish and implement a statewide mental health crisis line and a statewide warm line, including identifying:

(i) a statewide phone number or other means for an individual to easily access the statewide mental health crisis line, including a short code for text messaging and ~~[an N11]~~ a three-digit number for calls;

~~(ii) a statewide phone number or other means for an individual to easily access the statewide warm line, including a short code for text messaging and {an N11}~~ a three-digit number for calls;

~~[(iii)]~~ (iii) a supply of:

~~(A)~~ (A) qualified mental or behavioral health professionals to staff the statewide mental health crisis line; and

~~(B)~~ (B) qualified mental or behavioral health professionals or certified peer ~~{counselors}~~ support specialists to staff the statewide warm line; and

~~[(iii)]~~ (iv) a funding mechanism to operate and maintain the statewide mental health crisis line and the statewide warm line;

(c) coordinate with local mental health authorities in fulfilling the commission's duties described in Subsections (1)(a) and (b); and

(d) recommend standards for ~~[mobile crisis outreach team certification as]~~ the certifications described in Section 62A-15-1302.

(2) The commission may conduct other business related to the commission's duties described in Subsection (1).

(3) The commission shall consult with the Division of Substance Abuse and Mental Health regarding the standards and operation of the statewide mental health crisis line and the statewide warm line, in accordance with Title 62A, Chapter 15, Part 13, Statewide Mental Health Crisis Line and Statewide Warm Line.

Section 17. Section **63I-1-226** is amended to read:

### **63I-1-226. Repeal dates, Title 26.**

(1) Section 26-1-40 is repealed July 1, 2022.

(2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July

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1, 2025.

(3) Section 26-10-11 is repealed July 1, 2020.

(4) Subsection 26-18-417(3) relating to a report to the Health and Human Services Interim Committee is repealed July 1, 2020.

(5) Subsection 26-18-418(2), the language that states "and the [~~Mental~~] Behavioral Health Crisis [Line] Response Commission created in Section 63C-18-202" is repealed July 1, 2023.

(6) Section 26-18-419.1 is repealed December 31, 2019.

(7) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

(8) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1, 2024.

(9) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed July 1, 2024.

(10) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.

(11) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2023.

(12) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative Liaison Committee, is repealed July 1, 2022.

(13) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is repealed July 1, 2026.

Section 18. Section **63I-1-262** is amended to read:

**63I-1-262. Repeal dates, Title 62A.**

(1) Subsections 62A-1-120(8)(g), (h), and (i) relating to completion of premarital counseling or education under Section 30-1-34 are repealed July 1, 2023.

(2) Section 62A-3-209 is repealed July 1, 2023.

(3) Section 62A-4a-202.9 is repealed December 31, 2021.

(4) Section 62A-4a-213 is repealed July 1, 2024.

(5) Section 62A-15-114 is repealed December 31, 2021.

(6) Subsections 62A-15-116(1) and (4), the language that states "In consultation with the [~~SafeUT and School Safety~~] Behavioral Health Crisis Response Commission, established in Section [~~53B-17-1203~~] 63C-18-202," is repealed January 1, 2023.

(7) Section 62A-15-118 is repealed December 31, 2023.

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~~[(7)]~~ (8) Subsections 62A-15-1100(1) and 62A-15-1101~~[(8)]~~(9), in relation to the Utah Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.

~~[(8)]~~ (9) In relation to the ~~[Mental]~~ Behavioral Health Crisis ~~[Line]~~ Response Commission, on July 1, 2023:

(a) Subsections 62A-15-1301~~[(1)]~~(2) and 62A-15-1401(1) are repealed;

(b) Subsection 62A-15-1302(1)(b), the language that states "and in consultation with the commission" is repealed;

(c) Section 62A-15-1303, the language that states "In consultation with the commission," is repealed; and

(d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations from the commission," is repealed.

Section 19. Section **63I-1-263** is amended to read:

### **63I-1-263. Repeal dates, Titles 63A to 63N.**

(1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

(a) Subsection 63A-1-201(1) is repealed;

(b) Subsection 63A-1-202(2)(c), the language that states "using criteria established by the board" is repealed;

(c) Section 63A-1-203 is repealed;

(d) Subsections 63A-1-204(1) and (2), the language that states "After consultation with the board, and" is repealed; and

(e) Subsection 63A-1-204(1)(b), the language that states "using the standards provided in Subsection 63A-1-203(3)(c)" is repealed.

(2) Subsection 63A-5-228(2)(h), relating to prioritizing and allocating capital improvement funding, is repealed on July 1, 2024.

(3) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

(4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2028.

(5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1, 2025.

~~[(6) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1, 2020.]~~

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~~[(7)]~~ (6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is repealed July 1, 2021.

~~[(8)]~~ (7) Title 63C, Chapter 18, ~~[Mental]~~ Behavioral Health Crisis ~~[Line]~~ Response Commission, is repealed July 1, 2023.

~~[(9)]~~ (8) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1, 2025.

~~[(10)]~~ (9) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2020.

~~[(11)]~~ (10) In relation to the State Fair Corporation Board of Directors, on January 1, 2025:

(a) Subsection 63H-6-104(2)(c), related to a Senate appointment, is repealed;  
(b) Subsection 63H-6-104(2)(d), related to a House appointment, is repealed;  
(c) in Subsection 63H-6-104(2)(e), the language that states ", of whom only one may be a legislator, in accordance with Subsection (3)(e)," is repealed;

(d) Subsection 63H-6-104(3)(a)(i) is amended to read:

"(3)(a)(i) Except as provided in Subsection (3)(a)(ii), a board member appointed under Subsection (2)(e) or (f) shall serve a term that expires on the December 1 four years after the year that the board member was appointed.";

(e) in Subsections 63H-6-104(3)(a)(ii), (c)(ii), and (d), the language that states "the president of the Senate, the speaker of the House, the governor," is repealed and replaced with "the governor"; and

(f) Subsection 63H-6-104(3)(e), related to limits on the number of legislators, is repealed.

~~[(12)]~~ (11) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

~~[(13)]~~ (12) Section 63M-7-212 is repealed on December 31, 2019.

~~[(14)]~~ (13) On July 1, 2025:

(a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource Development Coordinating Committee," is repealed;

(b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed sites for the transplant of species to local government officials having jurisdiction over areas

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that may be affected by a transplant.";

(c) in Subsection 23-14-21(3), the language that states "and the Resource Development Coordinating Committee" is repealed;

(d) in Subsection 23-21-2.3(1), the language that states "the Resource Development Coordinating Committee created in Section 63J-4-501 and" is repealed;

(e) in Subsection 23-21-2.3(2), the language that states "the Resource Development Coordinating Committee and" is repealed;

(f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered accordingly;

(g) Subsections 63J-4-401(5)(a) and (c) are repealed;

(h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the word "and" is inserted immediately after the semicolon;

(i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);

(j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;  
and

(k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are renumbered accordingly.

~~[(15)]~~ (14) Subsection 63J-1-602.1(13), Nurse Home Visiting Restricted Account is repealed July 1, 2026.

~~[(16)]~~ (15) Subsection 63J-1-602.2(4), referring to dedicated credits to the Utah Marriage Commission, is repealed July 1, 2023.

~~[(17)]~~ (16) Subsection 63J-1-602.2(5), referring to the Trip Reduction Program, is repealed July 1, 2022.

~~[(18)]~~ (17) (a) Subsection 63J-1-602.1(53), relating to the Utah Statewide Radio System Restricted Account, is repealed July 1, 2022.

(b) When repealing Subsection 63J-1-602.1(53), the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

~~[(19)]~~ (18) Subsection 63J-1-602.2(23), related to the Utah Seismic Safety Commission, is repealed January 1, 2025.

~~[(20)]~~ (19) Subsection 63J-4-708(1), in relation to the Talent Ready Utah Board, on

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January 1, 2023, is amended to read:

"(1) On or before October 1, the board shall provide an annual written report to the Social Services Appropriations Subcommittee and the Economic Development and Workforce Services Interim Committee."[:]

~~[(21)]~~ (20) In relation to the Utah Substance Use and Mental Health Advisory Council, on January 1, 2023:

(a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are repealed;

(b) Section 63M-7-305, the language that states "council" is replaced with "commission";

(c) Subsection 63M-7-305(1) is repealed and replaced with:

"(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

(d) Subsection 63M-7-305(2) is repealed and replaced with:

"(2) The commission shall:

(a) provide ongoing oversight of the implementation, functions, and evaluation of the Drug-Related Offenses Reform Act; and

(b) coordinate the implementation of Section 77-18-1.1 and related provisions in Subsections 77-18-1(5)(b)(iii) and (iv)."

~~[(22)]~~ (21) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2027.

~~[(23)]~~ (22) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2021.

~~[(24)]~~ (23) Subsection 63N-1-301(4)(c), related to the Talent Ready Utah Board, is repealed on January 1, 2023.

~~[(25)]~~ (24) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

~~[(26)]~~ (25) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act, is repealed January 1, 2021.

(b) Subject to Subsection ~~[(26)]~~ (25)(c), Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in recycling market development zones, are repealed for taxable years beginning on or after January 1, 2021.

(c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

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(i) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

(ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if the expenditure is made on or after January 1, 2021.

(d) Notwithstanding Subsections [~~(26)~~] (25)(b) and (c), a person may carry forward a tax credit in accordance with Section 59-7-610 or 59-10-1007 if:

(i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

(ii) (A) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31, 2020; or

(B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the expenditure is made on or before December 31, 2020.

[~~(27)~~] (26) Section 63N-2-512 is repealed on July 1, 2021.

[~~(28)~~] (27) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed January 1, 2021.

(b) Section 59-9-107 regarding tax credits against premium taxes is repealed for calendar years beginning on or after January 1, 2021.

(c) Notwithstanding Subsection [~~(28)~~] (27)(b), an entity may carry forward a tax credit in accordance with Section 59-9-107 if:

(i) the person is entitled to a tax credit under Section 59-9-107 on or before December 31, 2020; and

(ii) the qualified equity investment that is the basis of the tax credit is certified under Section 63N-2-603 on or before December 31, 2023.

[~~(29)~~] (28) Subsections 63N-3-109(2)(e) and 63N-3-109(2)(f)(i) are repealed July 1, 2023.

[~~(30)~~] (29) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed July 1, 2023.

[~~(31)~~] (30) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program, is repealed January 1, 2023.

[~~(32)~~] (31) In relation to the Pete Suazo Utah Athletic Commission, on January 1, 2021:

## HB0032S03 compared with HB0032S02

(a) Subsection 63N-10-201(2)(a) is amended to read:

"(2) (a) The governor shall appoint five commission members with the advice and consent of the Senate.";

(b) Subsection 63N-10-201(2)(b), related to legislative appointments, is repealed;

(c) in Subsection 63N-10-201(3)(a), the language that states ", president, or speaker, respectively," is repealed; and

(d) Subsection 63N-10-201(3)(d) is amended to read:

"(d) The governor may remove a commission member for any reason and replace the commission member in accordance with this section."

~~[(33)]~~ (32) In relation to the Talent Ready Utah Board, on January 1, 2023:

(a) Subsection 9-22-102(16) is repealed;

(b) in Subsection 9-22-114(2), the language that states "Talent Ready Utah," is repealed; and

(c) in Subsection 9-22-114(5), the language that states "representatives of Talent Ready Utah," is repealed.

~~[(34)]~~ (33) Title 63N, Chapter 12, Part 5, Talent Ready Utah Center, is repealed January 1, 2023.

### Section 20. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

#### ITEM 1

To Department of Human Services -- Division of Substance Abuse and Mental Health

From General Fund \$2,400,000

Schedule of Programs:

Community Mental Health Services \$2,400,000

The Legislature intends that the appropriations under this item be used to award grants under Section 62A-15-116.

#### ITEM 2

## HB0032S03 compared with HB0032S02

To Department of Human Services -- Division of Substance Abuse and Mental Health

From General Fund \$25,000

From General Fund, One-time \$250,000

Schedule of Programs:

Community Mental Health Services \$275,000

The Legislature intends that:

(1) the one-time appropriations under this item be used to ~~provide~~ purchase, maintain, and replace vehicles to be used by mobile crisis outreach teams described in Section 62A-15-116;

(2) the ongoing appropriations under this item be used to provide for maintenance or replacement of the vehicles described in Subsection (1) of this item; and

(3) under Section 63J-1-603, the one-time appropriations provided under this section not lapse at the close of fiscal year 2021 and the use of any non-lapsing funds is limited to the purposes described in ~~Subsections (1) and~~ Subsection (2) of this item.

### ITEM 3

To Department of Human Services -- Division of Substance Abuse and Mental Health

From General Fund ~~(\$9)~~ \$8,700 ~~035~~,000

From General Fund, One-time ~~(\$11)~~ \$5,500 ~~652~~,000

Schedule of Programs:

~~{~~ Community Mental Health Services ~~\_\_\_\_\_~~ \$21,200,000

~~\_\_\_\_\_~~ The Legislature intends that the appropriations under this item be used to award grants under Section 62A-15-118:

### ITEM 4

~~\_\_\_\_\_~~ To Department of Human Services -- Division of Substance Abuse and Mental Health

~~\_\_\_\_\_~~ From General Fund ~~\_\_\_\_\_~~ \$200,000

~~\_\_\_\_\_~~ From General Fund, One-time ~~\_\_\_\_\_~~ \$800,000

~~\_\_\_\_\_~~ Schedule of Programs:

~~{~~ Community Mental Health Services ~~\_\_\_\_\_~~ (\$1,000,000)

The Legislature intends that:

(1) the ~~ongoing~~ appropriations under this item be used to award grants under Section 62A-15-118 and for operation of the mental health crisis line and statewide warm line

## HB0032S03 compared with HB0032S02

described in Sections 62A-15-1302 and 1303;

(2) the one-time appropriation under this item be used to ~~implement the statewide warm~~ award grants under Section 62A-15-118 and for software to operate the mental health crisis line described in Sections 62A-15-1302 and 1303; and

(3) under Section 63J-1-603, the one-time appropriations under this item not lapse at the close of fiscal year 2021 and the use of any nonlapsing funds is limited to the purpose described in Subsection (2) of this item.

### ITEM ~~5~~4

To Governor's Office -- Suicide Prevention

From General Fund ~~(\$150)~~ \$100,000

Schedule of Programs:

Suicide Prevention ~~(\$150)~~ \$100,000

The Legislature intends that the appropriations under this item be used to award grants under Section 62A-15-1103.

### ITEM ~~6~~5

To University of Utah -- SafeUT Crisis Text and Tip Line

From ~~Education~~ General Fund \$250,000

Schedule of Programs:

SafeUT Operations \$250,000

The Legislature intends that the appropriations under this item be used to create and operate a crisis intervention application for first responders and emergency medical services personnel in the state.

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