

HB0477S01 compared with HB0477

~~deleted text~~ shows text that was in HB0477 but was deleted in HB0477S01.

inserted text shows text that was not in HB0477 but was inserted into HB0477S01.

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 PILOT PROGRAM

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carol Spackman Moss

Senate Sponsor: _____

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 Naltrexone treatment to certain individuals who suffer from alcohol or opiate addiction;
- ▶ provides that the ~~Commission on Criminal~~Utah Division of Substance Abuse and ~~Juvenile Justice~~Mental Health shall administer the program; and
- ▶ provides minimum qualifications for a county or an individual seeking to participate in the program.

HB0477S01 compared with HB0477

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

~~{63I-2-263}~~63I-2-262, as last amended by Laws of Utah 2019, Chapters ~~{182, 240, 246, 325, 370,}~~136 and ~~{483}~~440

ENACTS:

~~{63M-7-213}~~62A-15-118, Utah Code Annotated 1953

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

~~{~~ ~~63I-2-262. Repeal dates -- Title 62A.~~

~~Subsection 62A-5-103.1(6) is repealed January 1, 2023.~~

~~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~~(a) Subsection 63A-1-203(5)(a)(i) is repealed; and~~

~~(b) in Subsection 63A-1-203(5)(a)(ii), the language that states "appointed on or after May 8, 2018," is repealed.~~

~~(2) Sections 63C-4a-307 and 63C-4a-309 are repealed January 1, 2020.~~

~~(3) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is repealed July 1, 2020.~~

~~(4) The following sections regarding the World War II Memorial Commission are repealed on July 1, 2020:~~

~~(a) Section 63G-1-801;~~

~~(b) Section 63G-1-802;~~

~~(c) Section 63G-1-803; and~~

~~(d) Section 63G-1-804.~~

~~(5) In relation to the State Fair Park Committee, on January 1, 2021:~~

~~(a) Section 63H-6-104.5 is repealed; and~~

HB0477S01 compared with HB0477

- ~~———— (b) Subsections 63H-6-104(8) and (9) are repealed.~~
- ~~———— (6) Section 63H-7a-303 is repealed on July 1, 2022.~~
- ~~———— (7) In relation to the Employability to Careers Program Board, on July 1, 2022:~~
- ~~———— (a) Subsection 63J-1-602.1(52) is repealed;~~
- ~~———— (b) Subsection 63J-4-301(1)(h), related to the review of data and metrics, is repealed;~~
- ~~and~~
- ~~———— (c) Title 63J, Chapter 4, Part 7, Employability to Careers Program, is repealed.~~
- ~~———— (8) Section 63J-4-708 is repealed January 1, 2023.~~
- ~~———— (9) Section 63M-7-211 is repealed December 31, 2026.~~

+ Section ~~{2}~~1. Section ~~{63M-7-213}~~62A-15-118 is enacted to read:

~~{63M-7-213}~~62A-15-118. **County Jail Drug Treatment Pilot Program.**

(1) As used in this section:

(a) "Federally qualified health center" means the same as that term is defined in 42 U.S.C. Sec. 1395x.

(b) "~~{Commission}~~Division" means the ~~{Commission on Criminal}~~Division of Substance Abuse and ~~{Juvenile Justice created in Section 63M-7-203}~~Mental Health.

(c) "Program" means the County Jail Drug Treatment Pilot Program created in this section.

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

(3) (a) The ~~{commission}~~division shall administer the program in accordance with this section.

(b) The ~~{commission}~~division may, upon application by a county in accordance with Subsection (4), approve the county to participate in the program if:

- (i) the county has a population of 150,000 or less;
- (ii) a federally qualified health center is located within the county;
- (iii) one or more federally qualified health centers located in the county agree to participate in the program in conjunction with the county; and
- (iv) 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.

HB0477S01 compared with HB0477

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the ~~{commission}~~division shall establish a process by which the ~~{commission}~~division:

(i) reviews and approves an application for participation in the program;

(ii) coordinates with one or more Naltrexone providers to assist participating counties in obtaining Naltrexone;

(iii) applies for grants that provide funding to support the administration of Naltrexone to current or former qualifying inmates; and

(iv) oversees the administration of the program.

(4) To participate in the program, a county shall submit an application to the ~~{commission}~~division no later than April 1, 2021, that includes:

(a) contact information for the individuals who will oversee and implement the program at:

(i) the county;

(ii) the county jail; and

(iii) the federally qualified health facility; and

(b) the application materials required by the ~~{commission}~~division.

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

(a) suffers an alcohol or opiate addiction;

(b) is of sufficient health to receive Naltrexone treatment, as determined by a qualified health professional; and

(c) is currently incarcerated at the county jail and the county jail will have adequate time to screen and advise the individual, in accordance with Subsection (7), before the county jail releases the individual from incarceration.

(6) The Naltrexone treatment described in Subsection (5)(b) shall, to the extent medically advisable, consist of:

(a) one injection administered at the county jail by a health professional, licensed as described in Subsection (3)(b)(iv), within seven days before the day on which the county jail releases the individual from incarceration; and

(b) five additional injections administered by a health professional, licensed as described in Subsection (3)(b)(iv) and employed by a federally qualified health center, on a

HB0477S01 compared with HB0477

monthly basis following the individual's release from incarceration.

(7) Before the first injection described in Subsection (6)(a), a health professional who is licensed as described in Subsection (3)(b)(iv), shall:

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

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

(8) (a) Before an individual receives the Naltrexone treatment under the program, the individual shall agree to:

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

(ii) attend counseling as ordered by the court.

(b) A violation of the agreement described in Subsection (8)(a) may disqualify the individual from participation in the program.

(9) If practicable, the participating county shall provide a case worker to oversee and assist the individuals participating in the program.

(10) Naltrexone treatment administered under this program shall be funded or provided by:

(a) available federal funding or grants;

(b) grants of Naltrexone provided by a non-governmental organization;

(c) an individual receiving Naltrexone treatment, through the individual's independent financing or the individual's health benefit plan, as defined in Section 31A-1-301; or

(d) any other governmental or non-governmental organization that provides funding for:

(i) treatment to an individual participating in the program; or

(ii) the program generally.

(11) The program begins on July 1, 2021, and ends on December 30, 2026.

Section 2. Section 63I-2-262 is amended to read:

63I-2-262. Repeal dates -- Title 62A.

(1) Subsection 62A-5-103.1(6) is repealed January 1, 2023.

(2) Section 63A-15-118 is repealed December 31, 2026.

HB0477S01 compared with HB0477