

28 **disabled adults.**

29 (1) As used in this section:

30 (a) "Brain injury" means the same as that term is defined in Section 62A-5-101.

31 (b) "Habilitative support services" means community-based services that assist an

32 individual to keep, learn, or improve skills and functioning necessary for daily living.

33 (c) "Habilitative support service provider" means an entity under contract with the

34 Division of Services for People with Disabilities, created in Section 62A-5-102, to provide

35 habilitative support services to a high risk disabled adult ~~§~~ → ~~[and all owners, operators, and~~

36 employees of the entity or persons who contract with the entity to provide habilitative support

37 services] ←~~§~~ .

38 (d) "High risk disabled adult" means an individual who:

39 (i) is 18 years old or older;

40 (ii) has:

41 (A) an intellectual disability or related condition; or

42 (B) a brain injury; and

43 (iii) is likely to engage in risk taking behaviors that may lead to harm or injury of

44 another, as further defined by the Division of Services for People with Disabilities, created in

45 Section 62A-5-102, by rule made in accordance with Title 63G, Chapter 3, Utah

46 Administrative Rulemaking Act.

47 (e) "Related condition" means the same as that term is defined in Section 78A-6-105.

48 (2) Except as provided in Subsection (3), ~~§~~ → ~~[an entity] a habilitative support service~~
 48a1 provider ←~~§~~ is ~~§~~ → ~~[immune from suit] not~~

48a vicariously liable ←~~§~~ for damages or

49 injury arising out of or related to the actions or inactions of ~~§~~ → ~~[a high risk disabled adult] an~~

49a employee or a person who contracts with the habilitative support service provider ←~~§~~ that

49b occur

50 while the ~~§~~ → ~~[entity] employee or person ←~~§~~ provides habilitative support services to ~~§~~ → ~~[the]~~~~

50a a ←~~§~~ high risk disabled adult.

51 (3) This section does not prohibit an action against a person for damages or injury

52 intentionally caused by the person or resulting from the person's gross negligence.