

1 **MENTAL HEALTH SERVICES AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Daniel W. Thatcher**

5 House Sponsor: Patrice M. Arent

6

7 **LONG TITLE**

8 **General Description:**

9 This bill creates the Mental Health Services Donation Fund.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ creates the Mental Health Services Donation Fund;
- 14 ▶ requires the Division of Substance Abuse and Mental Health to administer the

15 Mental Health Services Donation Fund;

16 ▶ describes the purposes for which the Mental Health Services Donation Fund may be
17 used;

18 ▶ requires the Division of Substance Abuse and Mental Health to report to the Mental
19 Health Crisis Line Commission regarding the administration of the Mental Health

20 Services Donation Fund; and

- 21 ▶ makes technical changes.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 This bill provides a coordination clause.

26 **Utah Code Sections Affected:**

27 AMENDS:

28 **63I-1-262**, as last amended by Laws of Utah 2019, Chapters 246, 257, 440 and last

29 amended by Coordination Clause, Laws of Utah 2019, Chapter 246

30 ENACTS:

31 [62A-15-1701](#), Utah Code Annotated 1953

32 [62A-15-1702](#), Utah Code Annotated 1953

33 **Utah Code Sections Affected by Coordination Clause:**

34 [62A-15-1702](#), Utah Code Annotated 1953

35

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

37 Section 1. Section **62A-15-1701** is enacted to read:

38 **Part 17. Mental Health Services Donation Fund**

39 **62A-15-1701. Definitions.**

40 As used in this part:

41 (1) "Fund" means the Mental Health Services Donation Fund created in Section

42 [62A-15-1702](#).

43 (2) "Local mental health crisis line" means the same as that term is defined in Section

44 [62A-15-1301](#).

45 (3) "Mental health therapist" means the same as that term is defined in Section

46 [58-60-102](#).

47 (4) "Mental health therapy" means treatment or prevention of a mental illness,

48 including:

49 (a) conducting a professional evaluation of an individual's condition of mental health,
50 mental illness, or emotional disorder consistent with standards generally recognized by mental
51 health therapists;

52 (b) establishing a diagnosis in accordance with established written standards generally
53 recognized by mental health therapists;

54 (c) prescribing a plan or medication for the prevention or treatment of a condition of a
55 mental illness or an emotional disorder; and

56 (d) engaging in the conduct of professional intervention, including psychotherapy by
57 the application of established methods and procedures generally recognized by mental health
58 therapists.

59 (5) "Qualified individual" means an individual who:

60 (a) is experiencing a mental health crisis; and

61 (b) calls a local mental health crisis line or the statewide mental health crisis line.

62 (6) "Statewide mental health crisis line" means the same as that term is defined in

63 Section [62A-15-1301](#).

64 Section 2. Section **62A-15-1702** is enacted to read:

65 **62A-15-1702. Mental Health Services Donation Fund.**

66 (1) There is created an expendable special revenue fund known as the "Mental Health
67 Services Donation Fund."

68 (2) The fund shall consist of:

69 (a) gifts, grants, donations, or any other conveyance of money that may be made to the
70 fund from public or private individuals or entities; and

71 (b) interest earned on money in the fund.

72 (3) The division shall administer the fund in accordance with this section.

73 (4) The division shall award fund money to an entity in the state that provides mental
74 health and substance abuse treatment for the purpose of:

75 (a) providing through telehealth or in-person services, mental health therapy to
76 qualified individuals;

77 (b) providing access to evaluations and coordination of short-term care to assist a
78 qualified individual in identifying services or support needs, resources, or benefits for which
79 the qualified individual may be eligible; and

80 (c) developing a system for a qualified individual and a qualified individual's family to
81 access information and referrals for mental health therapy.

82 (5) Fund money may only be used for the purposes described in Subsection (4).

83 (6) The division shall provide an annual report to the Mental Health Crisis Line
84 Commission, created in Section 63C-18-202, regarding:

- 85 (a) the entity that is awarded a grant under Subsection (4);
- 86 (b) the number of qualified individuals served by the entity with fund money; and
- 87 (c) any costs or benefits as a result of the award of the grant.

88 Section 3. Section **63I-1-262** is amended to read:

89 **63I-1-262. Repeal dates, Title 62A.**

- 90 (1) Subsections **62A-1-120**(8)(g), (h), and (i) are repealed July 1, 2023.
- 91 (2) Section **62A-3-209** is repealed July 1, 2023.
- 92 (3) Section **62A-4a-202.9** is repealed December 31, 2021.
- 93 (4) Section **62A-4a-213** is repealed July 1, 2024.
- 94 (5) Section **62A-15-114** is repealed December 31, 2021.
- 95 (6) Subsections **62A-15-116**(1) and (4), the language that states "In consultation with
96 the SafeUT and School Safety Commission, established in Section **53B-17-1203**," is repealed
97 January 1, 2023.
- 98 (7) Subsections **62A-15-1100**(1) and **62A-15-1101**~~(8)~~(9), in relation to the Utah
99 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.
- 100 (8) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:
 - 101 (a) Subsections **62A-15-1301**(1) and **62A-15-1401**(1) are repealed;
 - 102 (b) Subsection **62A-15-1302**(1)(b), the language that states "and in consultation with
103 the commission" is repealed;
 - 104 (c) Section **62A-15-1303**, the language that states "In consultation with the
105 commission," is repealed; [~~and~~]
 - 106 (d) Subsection **62A-15-1402**(2)(a), the language that states "With recommendations
107 from the commission," is repealed~~[-]; and~~
 - 108 (e) Subsection **62A-15-1702**(6) is repealed.

109 Section 4. **Coordinating S.B. 89 with H.B. 32 -- Changing terminology.**

110 If this S.B. 89 and H.B. 32, Crisis Services Amendments, both pass and become law, it
111 is the intent of the Legislature that the Office of Legislative Research and General Counsel, in
112 preparing the Utah Code database for publication, change the terminology in Subsection
113 [62A-15-1702](#)(6) of S.B. 89 from "Mental Health Crisis Line Commission" to "Behavioral
114 Health Crisis Response Commission."