

SB0089S02 compared with SB0089S01

~~text~~ shows text that was in SB0089S01 but was deleted in SB0089S02.

text shows text that was not in SB0089S01 but was inserted into SB0089S02.

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Senator Daniel W. Thatcher proposes the following substitute bill:

MENTAL HEALTH SERVICES AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Mental Health Services Donation Fund.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Mental Health Services Donation Fund;
- ▶ requires the ~~University Neuropsychiatric Institute~~ Division of Substance Abuse and Mental Health to administer the Mental Health Services Donation Fund;
- ▶ describes the purposes for which the Mental Health Services Donation Fund may be used;
- ▶ requires the Division of Substance Abuse and Mental Health to report to the Mental Health Crisis Line Commission regarding the administration of the Mental Health

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Services Donation Fund; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

~~{ None }~~ This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

~~{53B-17-1301}~~62A-15-1701, Utah Code Annotated 1953

~~{53B-17-1302}~~62A-15-1702, Utah Code Annotated 1953

Utah Code Sections Affected by Coordination Clause:

62A-15-1702, Utah Code Annotated 1953

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

Section 1. Section ~~{53B-17-13}~~62A-15-1701 is enacted to read:

Part ~~{13}~~17. Mental Health Services Donation Fund

~~{53B-17-1301}~~62A-15-1701. **Definitions.**

As used in this part:

~~{ (1) "Crisis worker" means the same as that term is defined in Section 62A-15-1301.~~

~~{ (2)1~~ (1) "Fund" means the Mental Health Services Donation Fund created in Section ~~{53B-17-1302}~~62A-15-1702.

~~{ (3)2~~ (2) "Local mental health crisis line" means the same as that term is defined in Section 62A-15-1301.

~~{ (4)3~~ (3) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

~~{ (5)4~~ (4) "Mental health therapy" means treatment or prevention of a mental illness, including:

- (a) conducting a professional evaluation of an individual's condition of mental health,

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mental illness, or emotional disorder consistent with standards generally recognized by mental health therapists;

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

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

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

~~(6)5~~ "Qualified individual" means an individual who is referred for mental health therapy to the University Neuropsychiatric Institute by:

(a) is experiencing a mental health therapist crisis; for and

(b) a crisis worker, based on the individual's call to calls a local mental health crisis line or the statewide mental health crisis line.

~~(7)6~~ "Statewide mental health crisis line" means the same as that term is defined in Section 62A-15-1301.

~~(8) "University Neuropsychiatric Institute" means the same as that term is defined in Section 53B-17-1201.~~

‡ Section 2. Section ~~53B-17-13~~62A-15-1702 is enacted to read:

~~53B-17-1302~~62A-15-1702. **Mental Health Services Donation Fund.**

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

(2) The fund shall consist of:

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

(b) interest earned on money in the fund.

(3) The ~~University Neuropsychiatric Institute~~ division shall administer the fund in accordance with this section.

(4) Fund money may be used:

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

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

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

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

(~~d~~5). Fund money may only be used for ~~administrative or operational costs related to~~ the ~~services~~ purposes described in ~~Subsections (4)(a) through (c)~~.
~~Subsection (4)~~.

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

(a) the entity that is awarded a grant under Subsection (4);

(b) the number of qualified individuals served by the entity with fund money; and

(c) any costs or benefits as a result of the award of the grant.

Section 3. 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) 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 Commission, established in Section 53B-17-1203," is repealed January 1, 2023.

(7) 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) In relation to the Mental Health Crisis Line Commission, on July 1, 2023:

(a) Subsections 62A-15-1301(1) 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;

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(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[-]; and

(e) Subsection 62A-15-1702(6) is repealed.

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

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