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TELEHEALTH MENTAL HEALTH PROGRAM

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Evan J. Vickers

LONG TITLE

Committee Note:

The Health and Human Services Interim Committee recommended this bill.

Legislative Vote: 15 voting for 0 voting against 2 absent

General Description:

This bill modifies provisions relating to a program for providing telehealth mental health services.

Highlighted Provisions:

This bill:

- ▶ removes the sunset date from provisions requiring the Division of Substance Abuse and Mental Health within the Department of Human Services to award a grant for a telehealth mental health pilot program and provisions describing the program as a pilot program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

62A-15-114, as enacted by Laws of Utah 2018, Chapter 74



28 **63I-1-262**, as last amended by Laws of Utah 2020, Chapters 154, 303, 304, and 358



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

31 Section 1. Section **62A-15-114** is amended to read:

32 **62A-15-114. Telehealth Mental Health Grant Program.**

33 (1) As used in this section:

34 (a) "Grant" means a grant awarded by the division under this section to a person to
35 develop and implement a project.

36 (b) "Project" means a telehealth mental health [~~pilot~~] project for which the division
37 awards a grant under this section.

38 (c) "Public school" means:

- 39 (i) a school district;
- 40 (ii) a school under the control of a school district;
- 41 (iii) a charter school; or
- 42 (iv) the Utah Schools for the Deaf and the Blind.

43 (d) "Telehealth mental health services" means mental health services provided
44 remotely through the use of telecommunications technology.

45 (e) "Utah State Hospital" means the Utah State Hospital established in Section
46 **62A-15-601**.

47 (2) (a) [~~On or before July 1, 2018, the~~] The division shall issue a project proposal
48 request in accordance with this section to award a grant to:

- 49 (i) one or more local authorities to develop and implement one or more projects in one
50 or more public schools in the state; or
- 51 (ii) the Utah State Hospital to develop and implement one or more projects in the state.

52 (b) An application for a project described in Subsection (2)(a) shall be submitted
53 jointly by:

- 54 (i) a public school or the Utah State Hospital; and
- 55 (ii) a provider of telehealth mental health services.

56 [~~(c) The division shall award all grants under this section before December 31, 2018.;~~]

57 [~~(d) A project shall run for two years.;~~]

58 [~~(3) The purpose of the telehealth mental health pilot program is to:;~~]

- 59 ~~[(a) determine how telehealth mental health services can best be used in the state to:]~~
60 ~~[(i) increase access to mental health services by public school students;]~~
61 ~~[(ii) increase the timeliness and effectiveness of mental health crisis intervention~~
62 ~~services for public school students;]~~
63 ~~[(iii) reduce the cost associated with providing mental health services to public school~~
64 ~~students; and]~~
65 ~~[(iv) increase access to mental health services by public school students in underserved~~
66 ~~areas of the state;]~~
67 ~~[(b) identify best practices for providing telehealth mental health services to public~~
68 ~~school students in the state; and]~~
69 ~~[(c) identify the best methods of using telecommunications technology to provide~~
70 ~~mental health services to public school students remotely.]~~
71 ~~[(4)]~~ (3) Persons who apply for a grant under this section shall:
72 (a) identify the population to which the proposed project will provide telehealth mental
73 health services;
74 (b) explain how the population described in Subsection ~~[(4)]~~ (3)(a):
75 (i) is currently underserved; and
76 (ii) will benefit from the provision of telehealth mental health services;
77 (c) provide details regarding:
78 (i) how the proposed project will provide the telehealth mental health services;
79 (ii) the projected costs of providing the telehealth mental health services;
80 (iii) the sustainability of the proposed project; and
81 (iv) the methods that the proposed project will use to:
82 (A) protect the privacy of students and patients;
83 (B) collect nonidentifying data relating to the proposed project; and
84 (C) provide transparency on the costs and operation of the proposed project; and
85 (d) provide other information requested by the division to ensure that the proposed
86 project satisfies the criteria described in Subsection ~~[(5)]~~ (4).
87 ~~[(5)]~~ (4) In evaluating a proposal for a grant, the division shall consider:
88 ~~[(a) the extent to which the proposed project will fulfill the purposes described in~~
89 ~~Subsection (3);]~~

90 ~~[(b)]~~ (a) the extent to which the population that will be served by the proposed project
91 is:

- 92 (i) currently underserved; and
- 93 (ii) likely to benefit from the proposed project;

94 ~~[(c)]~~ (b) the cost of the proposed project;

95 ~~[(d)]~~ (c) the viability and innovation of the proposed project; and

96 ~~[(e)]~~ (d) the extent to which the proposed project will yield useful data to evaluate the
97 effectiveness of the proposed project.

98 ~~[(6)]~~ (5) (a) Within six months after the day on which the division awards a grant, the
99 division shall report to the Health and Human Services Interim Committee regarding:

- 100 (i) each person who received a grant; and
- 101 (ii) the details of each project.

102 (b) Within six months after the day on which a project concludes, the division shall
103 report to the Health and Human Services Interim Committee regarding:

- 104 (i) the success of each project;
- 105 (ii) data gathered in relation to each project;
- 106 (iii) knowledge gained from each project relating to the provision of telehealth mental
107 health services;
- 108 (iv) proposals for the future use of telehealth mental health services in the state;
- 109 (v) obstacles encountered in the provision of telehealth mental health services; and
- 110 (vi) changes needed in the law to overcome obstacles to providing telehealth mental
111 health services.

112 Section 2. Section **63I-1-262** is amended to read:

113 **63I-1-262. Repeal dates, Title 62A.**

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

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

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

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

119 (5) Sections [62A-5a-101](#), [62A-5a-102](#), [62A-5a-103](#), and [62A-5a-104](#), which create the
120 Coordinating Council for Persons with Disabilities, are repealed July 1, 2022.

121 [~~(6)~~] Section ~~62A-15-114~~ is repealed December 31, 2021.]

122 [~~(7)~~] (6) Subsections ~~62A-15-116~~(1) and [~~(4)~~] (5), the language that states "In
123 consultation with the Behavioral Health Crisis Response Commission, established in Section
124 ~~63C-18-202~~," is repealed January 1, 2023.

125 [~~(8)~~] (7) Section ~~62A-15-118~~ is repealed December 31, 2023.

126 [~~(9)~~] (8) Subsections ~~62A-15-605~~(3)(h) and (4) relating to the study of long-term needs
127 for adult beds in the state hospital are repealed July 1, 2022.

128 [~~(10)~~] (9) Section ~~62A-15-605~~, which creates the Forensic Mental Health Coordinating
129 Council, is repealed July 1, 2023.

130 [~~(11)~~] (10) Subsections ~~62A-15-1100~~(1) and ~~62A-15-1101~~(9), in relation to the Utah
131 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.

132 [~~(12)~~] (11) In relation to the Behavioral Health Crisis Response Commission, on July
133 1, 2023:

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

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

137 (c) [~~Section~~] Subsection ~~62A-15-1303~~(1), the language that states "In consultation with
138 the commission," is repealed;

139 (d) Subsection ~~62A-15-1402~~(2)(a), the language that states "With recommendations
140 from the commission," is repealed; and

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