

S.B. 53

BEHAVIORAL EMERGENCY SERVICES AMENDMENTS

Representative **Jefferson S. Burton** proposes the following amendments:

1. Page 11, Line 321 through Page 12, Line 345:

321 78B-5-904. Exclusions for certain communications.

322 ~~{(1)}~~ In accordance with the Utah Rules of Evidence, a behavioral emergency services
323 technician may refuse to disclose communications made by an individual during the delivery of
324 behavioral emergency services as defined in Section 26-8a-102.

325 ~~{(2) Subsection (1) applies only to communications made during individual interactions~~
326 ~~conducted by a behavioral emergency services technician who is:~~

327 ~~—— (a) acting in the behavioral emergency services technician's capacity as an emergency~~
328 ~~medical service provider; and~~

329 ~~—— (b) functioning within the guidelines that are in effect for the behavioral emergency~~
330 ~~services technician's emergency medical service agency or rescue unit.~~

331 ~~—— (3) This section does not apply if:~~

332 ~~—— (a) a behavioral emergency services technician was a witness or a party to the incident~~
333 ~~that prompted the delivery of behavioral emergency services;~~

334 ~~—— (b) information received by a behavioral emergency services technician is indicative of~~
335 ~~actual or suspected child abuse, or actual or suspected child neglect;~~

336 ~~—— (c) the individual receiving behavioral emergency services is a clear and immediate~~
337 ~~danger to the individual's self or others; or~~

338 ~~—— (d) communication to the behavioral emergency services technician evidence that the~~
339 ~~individual who is receiving behavioral emergency services has committed a crime, plans to~~
340 ~~commit a crime, or intends to conceal a crime.}~~

341 Section 9. Effective date.

342 ~~{If approved by two-thirds of all the members elected to each house, this bill takes effect~~
343 ~~upon approval by the governor, or the day following the constitutional time limit of Utah~~
344 ~~Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,~~
345 ~~the date of veto override.}~~ **This bill takes effect on July 1, 2021.**