

**Representative Ryan D. Wilcox** proposes the following substitute bill:

**FIRST RESPONDER MENTAL HEALTH SERVICES**

**AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**

Senate Sponsor: Don L. Ipson

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**LONG TITLE**

**General Description:**

This bill creates a grant program for mental health resources for first responders.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires all first responder agencies to provide mental health resources for employees, spouses, children, and retirees;
- ▶ provides for the Department of Public Safety to administer a grant program to provide mental health resources; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2023:

- ▶ to Department of Public Safety -- Programs and Operations, as a one-time appropriation:
  - from the General Fund, One-time, \$5,000,000.

**Other Special Clauses:**

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **63I-2-262**, as last amended by Laws of Utah 2021, Chapters 156, 204, and 278

29 ENACTS:

30 **53-20-101**, Utah Code Annotated 1953

31 **53-20-102**, Utah Code Annotated 1953

32 **53-20-103**, Utah Code Annotated 1953

33 REPEALS:

34 **62A-15-120**, as enacted by Laws of Utah 2021, Chapter 156



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

37 Section 1. Section **53-20-101** is enacted to read:

38 **CHAPTER 20. MENTAL HEALTH RESOURCES FOR FIRST RESPONDERS**

39 **53-20-101. Definitions.**

40 (1) As used in this chapter:

41 (a) "Department" means the Department of Public Safety.

42 (b) "First responder" means:

43 (i) a law enforcement officer, as defined in Section [53-13-103](#);

44 (ii) an emergency medical technician, as defined in Section [26-8c-102](#);

45 (iii) an advanced emergency medical technician, as defined in Section [26-8c-102](#);

46 (iv) a paramedic, as defined in Section [26-8c-102](#);

47 (v) a firefighter, as defined in Section [34A-3-113](#);

48 (vi) a dispatcher, as defined in Section [53-6-102](#);

49 (vii) a correctional officer, as defined in Section [53-13-104](#);

49a **Ĥ→ (viii) a special function officer, as defined in Section 53-13-105, employed by a local**  
49b **sheriff; ←Ĥ**

50 **Ĥ→ [~~viii~~] (ix) ←Ĥ a search and rescue worker under the supervision of a local sheriff; or**

51 **Ĥ→ [~~ix~~] (x) ←Ĥ a credentialed criminal justice system victim advocate as defined in**

51a **Section**

52 **[77-38-403](#) who responds to incidents with a law enforcement officer .**

53 **(c) "First responder agency" means a local district, municipality, interlocal entity, or**  
54 **other political subdivision that employs a first responder to provide fire protection, paramedic,**  
55 **law enforcement, or emergency services.**

56 **(d) "Mental health resources" means:**

57 (i) an assessment to determine appropriate mental health treatment that is performed by  
58 a mental health therapist;

59 (ii) outpatient mental health treatment provided by a mental health therapist; or

60 (iii) peer support services provided by a peer support specialist who is qualified to  
61 provide peer support services under Subsection [62A-15-103\(2\)\(h\)](#).

62 (e) "Mental health therapist" means the same as that term is defined in Section  
63 [58-60-102](#).

64 (f) "Plan" means a plan to implement or expand a program that provides mental health  
65 resources to first responders for which the division awards a grant under this chapter.

66 Section 2. Section **53-20-102** is enacted to read:

67 **53-20-102. Mental health services -- Requirement to provide --- Confidentiality.**

68 (1) Every first responder agency within the state shall provide or make available mental  
69 health resources to:

70 (a) all employees;

71 (b) the spouse and children of employees;

72 (c) surviving spouses of members whose death is classified as a line-of-duty death  
73 under Title 49, Utah State Retirement and Insurance Benefit Act; and

74 (d) persons who have retired from the agency.

75 (2) All access by first responders and their families to mental health resources shall be  
76 kept confidential.

77 Section 3. Section **53-20-103** is enacted to read:

78 **53-20-103. Grants to first responder agencies -- Rulemaking .**

79 (1) The department may award grants to first responder agencies to provide mental  
80 health resources in response to a:

81 (a) request for proposal;

82 (b) request for qualifications; or

83 (c) program description that meets the criteria in Subsection (2) .

84 (2) The request for proposal, request for qualifications, or program description received  
85 by the department shall require mental health providers contracted or employed by the first  
86 responder agency to have training and experience in working with first responders and provide,  
87 at a minimum, the following services:

88 (a) regular periodic screenings for all employees within the first responder agency;  
89 (b) assessments or debriefings for personnel involved in a critical incident within 12  
90 hours of the incident; and

91 (c) access to the mental health program for:  
92 (i) spouses and children of first responders; and  
93 (ii) first responders who have retired from the agency.

94 (3) An application from a first responder agency for a grant under this chapter shall  
95 provide the following details:

96 (a) a proposed plan to provide mental health resources to first responders in the first  
97 responder agency;

98 (b) the number of first responders to be served by the proposed plan;

99 (c) how the proposed plan will ensure timely and effective provision of mental health  
100 resources to first responders in the first responder agency;

101 (d) the cost of the proposed plan; and

102 (e) the sustainability of the proposed plan.

103 (4) In evaluating a project proposal for a grant under this section, the department shall  
104 consider:

105 (a) the extent to which the first responders that will be served by the proposed plan are  
106 likely to benefit from the proposed plan;

107 (b) the cost of the proposed plan; and

108 (c) the viability of the proposed plan.

109 (5) A first responder agency may not apply for a grant to fund a program already in  
110 place. However, a request for proposal to fund an expansion of an already existing program  
111 shall, in addition to the requirements of Subsection (4), provide:

112 (a) the scope and cost of the agency's current program;

113 (b) the number of additional first responders the expansion will serve; and

114 (c) whether the expansion will provide services under Subsection (2) that the current  
115 program does not provide.

116 (6) The department shall prioritize grant funding for:

117 (a) counties of the 3rd, 4th, 5th, and 6th class;

118 (b) cities of the 3rd, 4th, and 5th class; and

119 (c) towns.  
120 (7) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah  
121 Administrative Rulemaking Act, to administer this chapter.

122 Section 4. Section **63I-2-262** is amended to read:

123 **63I-2-262. Repeal dates -- Title 62A.**

124 (1) Subsection 62A-5-103.1(6) is repealed January 1, 2023.

125 [~~2~~] Section ~~62A-15-120~~ is repealed January 1, 2025.]

126 [~~3~~] (2) Section 62A-15-122 is repealed January 2, 2025.

127 [~~4~~] (3) Title 62A, Chapter 15, Part 19, Mental Health Crisis Intervention Council, is  
128 repealed January 1, 2023.

129 Section 5. **Repealer.**

130 This bill repeals:

131 Section 62A-15-120, **Mental health resources for first responders grant program.**

132 Section 6. **Appropriation.**

133 The following sums of money are appropriated for the fiscal year beginning July 1,  
134 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for  
135 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
136 Act, the Legislature appropriates the following sums of money from the funds or accounts  
137 indicated for the use and support of the government of the state of Utah.

138 ITEM 1

139 To Department of Public Safety -- Programs and Operations

140 From General Fund, One-time \$5,000,000

141 Schedule of Programs:

142 Highway Patrol - Special Services \$5,000,000

143 The Legislature intends that:

144 (1) the appropriation under this item be used to award grants under Title 53, Chapter  
145 20, Mental Health Resources for First Responders; and

146 (2) under Section 63J-1-603, the one-time appropriation provided under this item not  
147 lapse at the close of fiscal year 2023 and the use of any nonlapsing funds is limited to the  
148 purposes described in Subsection (1) of this item.