

**UTAH HEALTH WORKFORCE ACT**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K. Thurston**

Senate Sponsor: Jacob L. Anderegg

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to Utah's health workforce.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates the Utah Health Workforce Advisory Council (council);
- ▶ requires the council to provide information and recommendations to government entities regarding policy decisions that affect Utah's health workforce;
- ▶ creates the Utah Health Workforce Information Center (information center);
- ▶ requires the information center to conduct research and analyze data regarding Utah's health workforce;
- ▶ moves oversight of the Utah Medical Education Council to the council;
- ▶ modifies the Utah Medical Education Council's duties, including removing data analysis duties;
- ▶ requires the Department of Commerce to work with the council and the information center to collect data regarding Utah's health workforce; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

30 AMENDS:

31 **53B-26-202**, as last amended by Laws of Utah 2020, Chapter 365

32 **63I-1-226**, as last amended by Laws of Utah 2021, Chapters 13, 50, 64, 163, 182, 234,  
33 and 417

34 **63I-1-253**, as last amended by Laws of Utah 2021, Chapters 14, 64, 106, 233, and 307

35 **63J-1-602.2**, as last amended by Laws of Utah 2021, Chapters 179, 344, 412, 421, and  
36 424

37 **63J-7-102**, as last amended by Laws of Utah 2018, Chapter 415

38 ENACTS:

39 **26-69-101**, Utah Code Annotated 1953

40 **26-69-201**, Utah Code Annotated 1953

41 **26-69-202**, Utah Code Annotated 1953

42 **26-69-203**, Utah Code Annotated 1953

43 **26-69-301**, Utah Code Annotated 1953

44 **58-1-112**, Utah Code Annotated 1953

45 RENUMBERS AND AMENDS:

46 **26-69-401**, (Renumbered from 53B-24-102, as last amended by Laws of Utah 2020,  
47 Chapter 335)

48 **26-69-402**, (Renumbered from 53B-24-302, as renumbered and amended by Laws of  
49 Utah 2013, Chapter 28)

50 **26-69-403**, (Renumbered from 53B-24-202, as last amended by Laws of Utah 2015,  
51 Chapter 258)

52 **26-69-404**, (Renumbered from 53B-24-303, as last amended by Laws of Utah 2018,  
53 Chapter 354)

54 **26-69-405**, (Renumbered from 53B-24-304, as renumbered and amended by Laws of  
55 Utah 2013, Chapter 28)

56 **26-69-406**, (Renumbered from 53B-24-402, as last amended by Laws of Utah 2020,  
57 Chapter 335)

58 REPEALS:

59 [53B-24-101](#), as enacted by Laws of Utah 2013, Chapter 28

60 [53B-24-201](#), as enacted by Laws of Utah 2013, Chapter 28

61 [53B-24-301](#), as enacted by Laws of Utah 2013, Chapter 28

62 [53B-24-401](#), as enacted by Laws of Utah 2013, Chapter 28



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

65 Section 1. Section **26-69-101** is enacted to read:

66 **CHAPTER 69. UTAH HEALTH WORKFORCE ACT**

67 **Part 1. General Provisions**

68 **26-69-101. Definitions.**

69 As used in this chapter:

70 (1) "Council" means the Utah Health Workforce Advisory Council created in Section  
71 [26-69-103](#).

72 (2) "Health sector" means any place of employment where the primary function is the  
73 delivery of health care services.

74 (3) (a) "Health workforce" means the individuals, collectively and by profession, who  
75 deliver health care services or assist in the delivery of health care services.

76 (b) "Health workforce" includes any health care professional who does not work in the  
77 health sector and any non-health care professional who works in the health sector.

78 Section 2. Section **26-69-201** is enacted to read:

79 **Part 2. Utah Health Workforce Advisory Council**

80 **26-69-201. Utah Health Workforce Advisory Council creation and membership.**

81 (1) There is created within the department the Utah Health Workforce Advisory  
82 Council.

83 (2) The council shall be comprised of at least 14 but not more than 19 members.

84 (3) The following are members of the council:

85 (a) the executive director or that individual's designee;

86 (b) the executive director of the Department of Workforce Services or that individual's  
87 designee;

88 (c) the commissioner of higher education of the Utah System of Higher Education or  
89 that individual's designee;

90 (d) the state superintendent of the State Board of Education or that individual's  
91 designee;

92 (e) the executive director of the Department of Commerce or that individual's designee;

93 (f) the director of the Division of Multicultural Affairs or that individual's designee;

94 (g) the director of the Utah Substance Use and Mental Advisory Council or that  
95 individual's designee;

96 (h) the chair of the Utah Indian Health Advisory Board; and

97 (i) the chair of the Utah Medical Education Council created in Section [26-69-402](#).

98 (4) The executive director shall appoint at least five but not more than ten additional  
99 members that represent diverse perspectives regarding Utah's health workforce.

100 (5) (a) A member appointed by the executive director under Subsection (4) shall serve  
101 a four-year term.

102 (b) Notwithstanding Subsection (5)(a) for the initial appointments of members  
103 described in Subsection (4) the executive director shall appoint at least three but not more than  
104 five members to a two-year appointment to ensure that approximately half of the members  
105 appointed by the executive director rotate every two years.

106 (6) The executive director or the executive director's designee shall chair the council.

107 Section 3. Section **26-69-202** is enacted to read:

108 **26-69-202. Council and executive director duties.**

109 (1) The council shall:

110 (a) meet at least once each quarter;

111 (b) study and provide recommendations to an entity described in Subsection (2)  
112 regarding:

113 (i) health workforce supply;

114 (ii) health workforce employment trends and demand;  
115 (iii) options for training and educating the health workforce;  
116 (iv) the implementation or improvement of strategies that entities in the state are using  
117 or may use to address health workforce needs including:

- 118 (A) shortages;
- 119 (B) recruitment; and
- 120 (C) retention; and

121 (v) other Utah health workforce priorities as determined by the council;

122 (c) provide guidance to an entity described in Subsection (2) regarding health  
123 workforce related matters;

124 (d) review and comment on legislation relevant to Utah's health workforce; and

125 (e) advise the Utah Board of Higher Education and the Legislature on the status and  
126 needs of the health workforce who are in training.

127 (2) The council shall provide information described in Subsections (1)(b) and (c) to:

- 128 (a) the Legislature;
- 129 (b) the department;
- 130 (c) the Department of Workforce Services;
- 131 (d) the Department of Commerce;
- 132 (e) the Utah Medical Education Council; and

133 (f) any other entity the council deems appropriate upon the entity's request.

134 (3) (a) The Utah Medical Education Council created in Section [26-69-402](#) is a  
135 subcommittee of the council.

136 (b) The council may establish subcommittees to support the work of the council.

137 (c) A member of the council shall chair a subcommittee created by the council.

138 (d) Except for the Utah Medical Education Council, the chair of the subcommittee may  
139 appoint any individual to the subcommittee.

140 (4) For any report created by the council that pertains to any duty described in  
141 Subsection (1), the council shall:

142 (a) provide the report to:

143 (i) the department; and

144 (ii) any appropriate legislative committee; and

145 (b) post the report on the council's website.

146 (5) The executive director shall:

147 (a) ensure the council has adequate staff to support the council and any subcommittee  
148 created by the council; and

149 (b) provide any available information upon the council's request if:

150 (i) that information is necessary for the council to fulfill a duty described in Subsection  
151 (1); and

152 (ii) the department has access to the information.

153 Section 4. Section **26-69-203** is enacted to read:

154 **26-69-203. Members serve without pay -- Reimbursement for expenses.**

155 A member of the council or a subcommittee created by the council may not receive  
156 compensation or benefits for the member's service but may receive per diem and travel  
157 expenses as allowed in:

158 (1) Section [63A-3-106](#);

159 (2) Section [63A-3-107](#); and

160 (3) rules made by the Division of Finance according to Sections [63A-3-106](#) and  
161 [63A-3-107](#).

162 Section 5. Section **26-69-301** is enacted to read:

163 **Part 3. Utah Health Workforce Information Center**

164 **26-69-301. Utah Health Workforce Information Center.**

165 (1) There is created within the department the Utah Health Workforce Information  
166 Center.

167 (2) The information center shall:

168 (a) under the guidance of the council, work with the Department of Commerce to  
169 collect data described in Section [58-1-112](#);

170 (b) analyze data from any available source regarding Utah's health workforce including  
171 data collected by the Department of Commerce under Section 58-1-112;

172 (c) send a report to the council regarding any analysis of health workforce data;

173 (d) conduct research on Utah's health workforce as directed by the council;

174 (e) notwithstanding the provisions of Subsection 35A-4-312(3), receive information  
175 obtained by the Department of Workforce Services under the provisions of Section 35A-4-312  
176 for purposes consistent with the information center's duties, including identifying changes in  
177 Utah's health workforce numbers, types, and geographic distribution;

178 (f) project the demand for individuals to enter health care professions, including the  
179 nursing profession in accordance with Section 53B-26-202;

180 (g) subject to Section 26-3-7, share data with any appropriate person as determined by  
181 the information center; and

182 (h) conduct research and provide analysis for any state agency as approved by the  
183 executive director or the executive director's designee.

184 (3) Notwithstanding any other provision of state law, the information center is  
185 authorized to obtain data from any state agency if:

186 (a) the council and the information center deem receiving the data necessary to perform  
187 a duty listed under Subsection (2) or 26-69-202(1); and

188 (b) the information center's access to the data will not:

189 (i) violate any federal statute or federal regulation; or

190 (ii) violate a condition a state agency must follow:

191 (A) to participate in a federal program; or

192 (B) to receive federal funds.

193 Section 6. Section **26-69-401**, which is renumbered from Section 53B-24-102 is  
194 renumbered and amended to read:

**Part 4. Utah Medical Education Council**

**[53B-24-102]. 26-69-401. Definitions.**

As used in this chapter:

198 (1) "Accredited clinical education program" means a clinical education program for a  
199 health care profession that is accredited by the Accreditation Council on Graduate Medical  
200 Education.

201 (2) "Accredited clinical training program" means a clinical training program that is  
202 accredited by an entity recognized within medical education circles as an accrediting body for  
203 medical education, advanced practice nursing education, physician assistance education, doctor  
204 of pharmacy education, dental education, or registered nursing education.

205 (3) "Centers for Medicare and Medicaid Services" means the Centers for Medicare and  
206 Medicaid Services within the United States Department of Health and Human Services.

207 [~~(4) "Council" means the Medical Education Council created under Section~~  
208 ~~53B-24-302.~~]

209 [(5)] (4) "Health care professionals in training" means medical students and residents,  
210 advance practice nursing students, physician assistant students, doctor of pharmacy students,  
211 dental students, and registered nursing students.

212 [(6)] (5) "Program" means the Medical Education Program created under Section  
213 [~~53B-24-202~~] 26-69-403.

214 (6) "UMEC" means the Utah Medical Education Council created in Section 26-69-402.  
215 Section 7. Section **26-69-402**, which is renumbered from Section 53B-24-302 is  
216 renumbered and amended to read:

217 ~~[53B-24-302]~~. **26-69-402. Utah Medical Education Council.**

218 [~~(1) There is created the Medical Education Council consisting of the following~~  
219 ~~members appointed by the governor:~~]

220 (1) (a) There is created the Utah Medical Education Council, which is a subcommittee  
221 of the Utah Health Workforce Advisory Council.

222 (b) The membership of UMEC shall consist of the following appointed by the  
223 governor:

224 [~~(a)~~] (i) the dean of the school of medicine at the University of Utah;

225 [~~(b) a person~~] (ii) an individual who represents graduate medical education at the



226 University of Utah;

227 ~~[(c) a person]~~ (iii) an individual from each institution, other than the University of

228 Utah, that sponsors an accredited clinical education program;

229 ~~[(d) a person]~~ (iv) an individual from the health care insurance industry; and

230 ~~[(e)]~~ (v) (A) three members of the general public who are not employed by or affiliated

231 with any institution that offers, sponsors, or finances health care or medical education;

232 ~~[however,]~~ and

233 (B) if the number of individuals appointed under Subsection (1)(b)(iii) is more than

234 two, the governor may appoint an additional member of the public under this Subsection

235 ~~[(1)(c)]~~ (1)(b)(v) for each ~~[person]~~ individual the governor appoints ~~[that increases the total~~

236 ~~number of persons appointed]~~ under Subsection ~~[(1)(c)]~~ (1)(b)(iii) beyond two.

237 (2) Except as provided in ~~[Subsection (1)(a) and (b)]~~ Subsections (1)(b)(i) and (ii), no

238 two council members may be employed by or affiliated with the same:

239 (a) institution of higher education;

240 (b) state agency outside of higher education; or

241 (c) private entity.

242 (3) The dean of the school of medicine at the University of Utah:

243 (a) shall chair ~~[the council]~~ UMEC;

244 (b) may not be counted in determining the existence of a quorum; and

245 (c) may only cast a vote on a matter before the council if the vote of the other council

246 members results in a tied vote.

247 (4) ~~[The council]~~ UMEC shall annually elect a vice chair from ~~[among the members of~~

248 ~~the council]~~ UMEC's members.

249 (5) (a) Consistent with Subsection (6)(b), a majority of the ~~[council]~~ members

250 constitute a quorum.

251 (b) The action of a majority of a quorum is the action of ~~[the council]~~ UMEC.

252 (6) (a) Except as provided in Subsection (6)(b), members are appointed to four-year

253 terms of office.

254 (b) Notwithstanding Subsection (6)(a), the governor shall, at the time of the initial  
255 appointment, adjust the length of terms to ensure that the terms of council members are  
256 staggered so that approximately half of the [~~council is~~] members are appointed every two years.

257 (c) If a vacancy occurs in the membership for any reason, the replacement shall be  
258 appointed by the governor for the unexpired term in the same manner as the original  
259 appointment was made.

260 (7) A member may not receive compensation or benefits for the member's service, but  
261 may receive per diem and travel expenses in accordance with:

262 (a) Section [63A-3-106](#);

263 (b) Section [63A-3-107](#); and

264 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and  
265 [63A-3-107](#).

266 (8) The council shall provide staff for UMEC.

267 Section 8. Section ~~26-69-403~~, which is renumbered from Section 53B-24-202 is  
268 renumbered and amended to read:

269 ~~[53B-24-202]~~. **26-69-403. Medical Education Program.**

270 (1) There is created a Medical Education Program to be administered by [~~the Medical~~  
271 ~~Education Council~~] UMEC in cooperation with the Division of Finance.

272 (2) The program shall be funded from money received for graduate medical education  
273 from:

274 (a) the federal Centers for Medicare and Medicaid Services or other federal agency;

275 (b) state appropriations; and

276 (c) donation or private contributions.

277 (3) All funding for this program shall be nonlapsing.

278 (4) Program money may only be expended if:

279 (a) approved by [~~the council~~] UMEC; and

280 (b) used for graduate medical education in accordance with Subsection

281 [~~53B-24-303(7)~~] 26-69-404(4).

282 Section 9. Section ~~26-69-404~~, which is renumbered from Section 53B-24-303 is  
283 renumbered and amended to read:

284 ~~[53B-24-303].~~ 26-69-404. Duties of UMEC.

285 [~~The council~~] UMEC shall:

286 [~~(1) submit an application in accordance with federal law for a demonstration project to~~  
287 ~~the Centers for Medicare and Medicaid Services before December 31, 1997, for the purpose of~~  
288 ~~receiving and disbursing federal funds for direct and indirect graduate medical education~~  
289 ~~expenses;]~~

290 [(2)] (1) seek private and public contributions for the program;

291 [(3)] ~~study and recommend options for financing graduate medical education to the~~  
292 ~~board and the Legislature;]~~

293 [(4)] ~~advise the board and the Legislature on the status and needs of health care~~  
294 ~~professionals in training;]~~

295 [(5)] (2) determine the method for reimbursing institutions that sponsor health care  
296 professionals in training;

297 [(6)] (3) determine the number and type of positions for health care professionals in  
298 training for which program money may be used;

299 [(7)] (4) distribute program money for graduate medical education in a manner that:

300 (a) prepares postgraduate medical residents, as defined by the accreditation council on  
301 graduate medical education, for inpatient, outpatient, hospital, community, and geographically  
302 diverse settings;

303 (b) encourages the coordination of interdisciplinary clinical training among health care  
304 professionals in training;

305 (c) promotes stable funding for the clinical training of health care professionals in  
306 training; and

307 (d) only funds accredited clinical training programs; and

308 [(8)] ~~project the demand for individuals to enter a nursing profession as described in~~  
309 ~~Section ~~53B-26-202~~.]~~

310 (5) advise on the implementation of the program.

311 Section 10. Section ~~26-69-405~~, which is renumbered from Section 53B-24-304 is  
312 renumbered and amended to read:

313 ~~[53B-24-304].~~ **26-69-405. Powers of UMEC.**

314 ~~[The council]~~ UMEC may:

315 ~~[(1) conduct surveys, with the assistance of the Division of Occupational and~~  
316 ~~Professional Licensing within the Department of Commerce, to assess and meet changing~~  
317 ~~market and education needs;]~~

318 ~~[(2) notwithstanding the provisions of Subsection 35A-4-312(3), receive information~~  
319 ~~obtained by the Division of Workforce Information and Payment Services under the provisions~~  
320 ~~of Section 35A-4-312 for purposes consistent with the council's duties as identified under~~  
321 ~~Section 53B-24-303, including identifying changes in the medical and health care workforce~~  
322 ~~numbers, types, and geographic distribution;]~~

323 ~~[(3)]~~ (1) appoint advisory committees of broad representation on interdisciplinary  
324 clinical education, workforce mix planning and projections, funding mechanisms, and other  
325 topics as is necessary;

326 ~~[(4)]~~ (2) use federal money for necessary administrative expenses to carry out its duties  
327 and powers as permitted by federal law;

328 ~~[(5)]~~ (3) distribute program money in accordance with Subsection ~~[53B-24-303(7)]~~  
329 26-69-404(4); and

330 ~~[(6)]~~ (4) as is necessary to carry out [its] UMEC's duties under Section ~~[53B-24-303:~~  
331 ~~(a) hire employees; and (b)]~~ 26-69-404, adopt rules in accordance with Title 63G, Chapter 3,  
332 Utah Administrative Rulemaking Act.

333 Section 11. Section ~~26-69-406~~, which is renumbered from Section 53B-24-402 is  
334 renumbered and amended to read:

335 ~~[53B-24-402].~~ **26-69-406. Rural residency training program.**

336 (1) As used in this section:

337 (a) "Physician" means:

338 (i) ~~[a person]~~ an individual licensed to practice medicine under Title 58, Chapter 67,  
339 Utah Medical Practice Act or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

340 (ii) ~~[a person]~~ an individual licensed to practice dentistry under Title 58, Chapter 69,  
341 Dentist and Dental Hygienist Practice Act.

342 (b) "Rural residency training program" means an accredited clinical training program  
343 ~~[which]~~ that places a physician into a rural county for a part or all of the physician's clinical  
344 training.

345 (2) ~~[(a)]~~ Subject to appropriations from the Legislature, ~~[the council]~~ UMEC shall  
346 establish a pilot program to place physicians into rural residency training programs.

347 ~~[(b) The program shall sunset in accordance with Section 631-1-253.]~~

348 Section 12. Section **53B-26-202** is amended to read:

349 **53B-26-202. Nursing initiative -- Reporting requirements -- Proposals -- Funding.**

350 (1) Every even-numbered year, ~~[the Medical Education Council created in Section~~  
351 53B-24-302] the Utah Health Workforce Information Center created in Section 26-69-301  
352 shall:

353 (a) project the demand, by license classification, for individuals to enter a nursing  
354 profession in each region;

355 (b) receive input from at least one medical association in developing the projections  
356 described in Subsection (1)(a); and

357 (c) report the projections described in Subsection (1)(a) to:

358 (i) the board; and

359 (ii) the Higher Education Appropriations Subcommittee.

360 (2) To receive funding under this section, on or before January 5, an eligible program  
361 shall submit to the Higher Education Appropriations Subcommittee, through the budget  
362 process for the board, as applicable, a proposal that describes:

363 (a) a program of instruction offered by the eligible program that is responsive to a  
364 projection described in Subsection (1)(a);

365 (b) the following information about the eligible program:

- 366 (i) expected student enrollment;
- 367 (ii) attainment rates;
- 368 (iii) job placement rates; and
- 369 (iv) passage rates for exams required for licensure for a nursing profession;
- 370 (c) the instructional cost per full-time equivalent student enrolled in the eligible
- 371 program;
- 372 (d) financial or in-kind contributions to the eligible program from:
- 373 (i) the health care industry; or
- 374 (ii) an institution; and
- 375 (e) a funding request, including justification for the request.
- 376 (3) The Higher Education Appropriations Subcommittee shall:
- 377 (a) review a proposal submitted under this section using the following criteria:
- 378 (i) the proposal:
- 379 (A) contains the elements described in Subsection (2);
- 380 (B) expands the capacity to meet the projected demand described in Subsection (1)(a);
- 381 and
- 382 (C) has health care industry or institution support; and
- 383 (ii) the program of instruction described in the proposal:
- 384 (A) is cost effective;
- 385 (B) has support from the health care industry or an institution; and
- 386 (C) has high passage rates on exams required for licensure for a nursing profession;
- 387 (b) determine the extent to which to fund the proposal; and
- 388 (c) make an appropriation recommendation to the Legislature on the amount of money
- 389 determined under Subsection (3)(b) to the eligible program's institution.
- 390 (4) An institution that receives funding under this section shall use the funding to
- 391 increase the number of students enrolled in the eligible program for which the institution
- 392 receives funding.
- 393 (5) [~~On or before November 1, 2020, and annually thereafter,~~] On or before November

394 1 of each year, the board shall report to the Higher Education Appropriations Subcommittee on  
395 the elements described in Subsection (2) for each eligible program funded under this section.

396 Section 13. Section **58-1-112** is enacted to read:

397 **58-1-112. Data collection.**

398 (1) As used in this section:

399 (a) "Council" means the Utah Health Workforce Advisory Council created in Section  
400 26-69-201.

401 (b) "Information center" means the Utah Health Workforce Information Center created  
402 in Section 26-69-301.

403 (2) (a) In accordance with Subsection 26-69-301(2)(a), the department shall work with  
404 the information center to identify relevant data pertaining to a profession described in  
405 Subsection (3).

406 (b) The data should focus on:

407 (i) identifying workforce shortages;

408 (ii) identifying labor market indicators;

409 (iii) determining the educational background of a licensee; and

410 (iv) determining whether Utah is retaining a stable health workforce.

411 (c) After the council approves data to be collected, the department shall request the  
412 data from a licensee when a licensee applies for a license or renews the licensee's license.

413 (d) The department shall send the obtained data to the information center.

414 (e) A licensee may not be denied a license for failing to provide the data described in  
415 Subsection (2)(c) to the department.

416 (3) (a) The department shall prioritize data collection for each profession licensed  
417 under:

418 (i) Chapter 31b, Nurse Practice Act;

419 (ii) Chapter 60, Mental Health Professional Practice Act;

420 (iii) Chapter 61, Psychologist Licensing Act;

421 (iv) Chapter 67, Utah Medical Practice Act;

422 (v) Chapter 68, Utah Osteopathic Medical Practice Act;  
423 (vi) Chapter 69, Dentist and Dental Hygienist Practice Act; or  
424 (vii) Chapter 70a, Utah Physician Assistant Act.  
425 (b) After the department has collected data for each profession described in Subsection  
426 (3)(a), the department shall collect data for each profession licensed under:  
427 (i) Chapter 5a, Podiatric Physician Licensing Act;  
428 (ii) Chapter 17b, Pharmacy Practice Act;  
429 (iii) Chapter 24b, Physical Therapy Practice Act;  
430 (iv) Chapter 40, Recreational Therapy Practice Act;  
431 (v) Chapter 41, Speech-Language Pathology and Audiology Licensing Act;  
432 (vi) Chapter 42a, Occupational Therapy Practice Act;  
433 (vii) Chapter 44a, Nurse Midwife Practice Act;  
434 (viii) Chapter 54, Radiologic Technologist, Radiologist Assistant, and Radiology  
435 Practical Technician Licensing Act; or  
436 (ix) Chapter 57, Respiratory Care Practices Act.  
437 (c) The department shall collect data in accordance with this section for any  
438 health-related occupation or profession that is regulated by the department and is not described  
439 in Subsection (3)(a) or (b) if:  
440 (i) funding is available;  
441 (ii) the council has identified a need for the data; and  
442 (iii) data has been collected for each profession described in Subsections (3)(a) and  
443 (3)(b).  
444 Section 14. Section **63I-1-226** is amended to read:  
445 **63I-1-226. Repeal dates, Title 26.**  
446 (1) Subsection **26-1-7(1)(f)**, related to the Residential Child Care Licensing Advisory  
447 Committee, is repealed July 1, 2024.  
448 (2) Subsection **26-1-7(1)(h)**, related to the Primary Care Grant Committee, is repealed  
449 July 1, 2025.



450 (3) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July  
451 1, 2025.

452 (4) Section 26-1-40 is repealed July 1, 2022.

453 (5) Section 26-1-41 is repealed July 1, 2026.

454 (6) Section 26-7-10 is repealed July 1, 2025.

455 (7) Subsection 26-7-11(5), regarding reports to the Legislature, is repealed July 1,  
456 2028.

457 (8) Section 26-7-14 is repealed December 31, 2027.

458 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July  
459 1, 2025.

460 (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,  
461 is repealed July 1, 2026.

462 (11) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed  
463 July 1, 2025.

464 (12) Subsection 26-15c-104(3), relating to a limitation on the number of  
465 microenterprise home kitchen permits that may be issued, is repealed on July 1, 2022.

466 (13) Subsection 26-18-2.6(9), which addresses reimbursement for dental hygienists, is  
467 repealed July 1, 2028.

468 (14) Section 26-18-27 is repealed July 1, 2025.

469 (15) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,  
470 2027.

471 (16) Subsection 26-18-418(2), the language that states "and the Behavioral Health  
472 Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.

473 (17) Section 26-33a-117 is repealed on December 31, 2023.

474 (18) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

475 (19) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,  
476 2024.

477 (20) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed

478 July 1, 2024.

479 (21) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.

480 (22) Section [26-39-201](#), which creates the Residential Child Care Licensing Advisory  
481 Committee, is repealed July 1, 2024.

482 (23) Section [26-40-104](#), which creates the Utah Children's Health Insurance Program  
483 Advisory Council, is repealed July 1, 2025.

484 (24) Section [26-50-202](#), which creates the Traumatic Brain Injury Advisory  
485 Committee, is repealed July 1, 2025.

486 (25) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and  
487 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

488 (26) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is repealed  
489 July 1, 2026.

490 (27) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1,  
491 2026.

492 (28) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July 1,  
493 2024.

494 (29) Section [26-69-406](#) is repealed July 1, 2025.

495 Section 15. Section **63I-1-253** is amended to read:

496 **63I-1-253. Repeal dates, Titles 53 through 53G.**

497 (1) Section [53-2a-105](#), which creates the Emergency Management Administration  
498 Council, is repealed July 1, 2022.

499 (2) Sections [53-2a-1103](#) and [53-2a-1104](#), which create the Search and Rescue Advisory  
500 Board, are repealed July 1, 2022.

501 (3) Section [53-5-703](#), which creates the Concealed Firearm Review Board, is repealed  
502 July 1, 2023.

503 (4) Subsection [53-6-203](#)(1)(b)(ii), regarding being 19 years old at certification, is  
504 repealed July 1, 2027.

505 (5) Subsection [53-13-104](#)(6)(a), regarding being 19 years old at certification, is

506 repealed July 1, 2027.

507 (6) Section [53B-6-105.5](#), which creates the Technology Initiative Advisory Board, is  
508 repealed July 1, 2024.

509 (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

510 (8) Section [53B-17-1203](#), which creates the SafeUT and School Safety Commission, is  
511 repealed January 1, 2025.

512 (9) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

513 [~~(10) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is repealed July~~  
514 ~~1, 2025.~~]

515 [~~(11)~~] (10) Subsection [53C-3-203](#)(4)(b)(vii), which provides for the distribution of  
516 money from the Land Exchange Distribution Account to the Geological Survey for test wells  
517 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

518 [~~(12)~~] (11) Section [53E-3-515](#) is repealed January 1, 2023.

519 [~~(13)~~] (12) In relation to a standards review committee, on January 1, 2023:

520 (a) in Subsection [53E-4-202](#)(8), the language "by a standards review committee and the  
521 recommendations of a standards review committee established under Section [53E-4-203](#)" is  
522 repealed; and

523 (b) Section [53E-4-203](#) is repealed.

524 [~~(14)~~] (13) Subsections [53E-3-503](#)(5) and (6), which create coordinating councils for  
525 youth in custody, are repealed July 1, 2027.

526 [~~(15)~~] (14) Section [53E-4-402](#), which creates the State Instructional Materials  
527 Commission, is repealed July 1, 2022.

528 [~~(16)~~] (15) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory  
529 Commission, is repealed July 1, 2023.

530 [~~(17) Subsection [53E-8-204](#)(4), which creates the advisory council for the Utah~~  
531 ~~Schools for the Deaf and the Blind, is repealed July 1, 2021.~~]

532 [~~(18)~~] (16) Section [53F-2-420](#), which creates the Intensive Services Special Education  
533 Pilot Program, is repealed July 1, 2024.

534 [~~(19)~~] (17) Section 53F-5-203 is repealed July 1, 2024.

535 [~~(20)~~] (18) Section 53F-5-212 is repealed July 1, 2024.

536 [~~(21)~~] (19) Section 53F-5-213 is repealed July 1, 2023.

537 [~~(22)~~] (20) Section 53F-5-214, in relation to a grant for professional learning, is  
538 repealed July 1, 2025.

539 [~~(23)~~] (21) Section 53F-5-215, in relation to an elementary teacher preparation grant, is  
540 repealed July 1, 2025.

541 [~~(24)~~] (22) Subsection 53F-9-203(7), which creates the Charter School Revolving  
542 Account Committee, is repealed July 1, 2024.

543 [~~(25)~~] (23) Section 53F-9-501 is repealed January 1, 2023.

544 [~~(26)~~] (24) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety  
545 Commission, are repealed January 1, 2025.

546 [~~(27)~~] (25) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class  
547 C misdemeanor, is repealed July 1, 2022.

548 Section 16. Section 63J-1-602.2 is amended to read:

549 **63J-1-602.2. List of nonlapsing appropriations to programs.**

550 Appropriations made to the following programs are nonlapsing:

551 (1) The Legislature and the Legislature's committees.

552 (2) The State Board of Education, including all appropriations to agencies, line items,  
553 and programs under the jurisdiction of the State Board of Education, in accordance with  
554 Section 53F-9-103.

555 (3) The Percent-for-Art Program created in Section 9-6-404.

556 (4) The LeRay McAllister Critical Land Conservation Program created in Section  
557 11-38-301.

558 (5) Dedicated credits accrued to the Utah Marriage Commission as provided under  
559 Subsection 17-16-21(2)(d)(ii).

560 (6) The Trip Reduction Program created in Section 19-2a-104.

561 (7) The Division of Wildlife Resources for the appraisal and purchase of lands under

- 562 the Pelican Management Act, as provided in Section [23-21a-6](#).
- 563 (8) The emergency medical services grant program in Section [26-8a-207](#).
- 564 (9) The primary care grant program created in Section [26-10b-102](#).
- 565 (10) Sanctions collected as dedicated credits from Medicaid provider under Subsection
- 566 [26-18-3\(7\)](#).
- 567 (11) The Utah Health Care Workforce Financial Assistance Program created in Section
- 568 [26-46-102](#).
- 569 (12) The Rural Physician Loan Repayment Program created in Section [26-46a-103](#).
- 570 (13) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).
- 571 (14) The Medical Education Program created in Section [26-69-403](#).
- 572 [~~14~~] (15) Funds that the Department of Alcoholic Beverage Control retains in
- 573 accordance with Subsection [32B-2-301](#) (9)(a) or (b).
- 574 [~~15~~] (16) The General Assistance program administered by the Department of
- 575 Workforce Services, as provided in Section [35A-3-401](#).
- 576 [~~16~~] (17) The Utah National Guard, created in Title 39, Militia and Armories.
- 577 [~~17~~] (18) The State Tax Commission under Section [41-1a-1201](#) for the:
- 578 (a) purchase and distribution of license plates and decals; and
- 579 (b) administration and enforcement of motor vehicle registration requirements.
- 580 [~~18~~] (19) The Search and Rescue Financial Assistance Program, as provided in
- 581 Section [53-2a-1102](#).
- 582 [~~19~~] (20) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).
- 583 [~~20~~] (21) The Utah Board of Higher Education for teacher preparation programs, as
- 584 provided in Section [53B-6-104](#).
- 585 [~~21) The Medical Education Program administered by the Medical Education Council,~~
- 586 ~~as provided in Section [53B-24-202](#).]~~
- 587 (22) The Division of Services for People with Disabilities, as provided in Section
- 588 [62A-5-102](#).
- 589 (23) The Division of Fleet Operations for the purpose of upgrading underground

590 storage tanks under Section [63A-9-401](#).

591 (24) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).

592 (25) Appropriations to the Division of Technology Services for technology innovation  
593 as provided under Section [63A-16-903](#).

594 (26) The Office of Administrative Rules for publishing, as provided in Section  
595 [63G-3-402](#).

596 (27) The Colorado River Authority of Utah, created in Title 63M, Chapter 14,  
597 Colorado River Authority of Utah Act.

598 (28) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act,  
599 as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.

600 (29) Appropriations to fund the Governor's Office of Economic Opportunity's Rural  
601 Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural  
602 Employment Expansion Program.

603 (30) Appropriations to fund programs for the Jordan River Recreation Area as  
604 described in Section [65A-2-8](#).

605 (31) The Division of Human Resource Management user training program, as provided  
606 in Section [63A-17-106](#).

607 (32) A public safety answering point's emergency telecommunications service fund, as  
608 provided in Section [69-2-301](#).

609 (33) The Traffic Noise Abatement Program created in Section [72-6-112](#).

610 (34) The money appropriated from the Navajo Water Rights Negotiation Account to  
611 the Division of Water Rights, created in Section [73-2-1.1](#), for purposes of participating in a  
612 settlement of federal reserved water right claims.

613 (35) The Judicial Council for compensation for special prosecutors, as provided in  
614 Section [77-10a-19](#).

615 (36) A state rehabilitative employment program, as provided in Section [78A-6-210](#).

616 (37) The Utah Geological Survey, as provided in Section [79-3-401](#).

617 (38) The Bonneville Shoreline Trail Program created under Section [79-5-503](#).

618 (39) Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and  
619 78B-6-144.5.

620 (40) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent  
621 Defense Commission.

622 (41) The program established by the Division of Facilities Construction and  
623 Management under Section 63A-5b-703 under which state agencies receive an appropriation  
624 and pay lease payments for the use and occupancy of buildings owned by the Division of  
625 Facilities Construction and Management.

626 Section 17. Section 63J-7-102 is amended to read:

627 **63J-7-102. Scope and applicability of chapter.**

628 (1) Except as provided in Subsection (2), and except as otherwise provided by a statute  
629 superseding provisions of this chapter by explicit reference to this chapter, the provisions of  
630 this chapter apply to each agency and govern each grant received on or after May 5, 2008.

631 (2) This chapter does not govern:

632 (a) a grant deposited into a General Fund restricted account;

633 (b) a grant deposited into a Trust and Agency Fund as defined in Section 51-5-4;

634 (c) a grant deposited into an Enterprise Fund as defined in Section 51-5-4;

635 (d) a grant made to the state without a restriction or other designated purpose that is  
636 deposited into the General Fund as free revenue;

637 (e) a grant made to the state that is restricted only to "education" and that is deposited  
638 into the Education Fund or Uniform School Fund as free revenue;

639 (f) in-kind donations;

640 (g) a tax, fees, penalty, fine, surcharge, money judgment, or other money due the state  
641 when required by state law or application of state law;

642 (h) a contribution made under Title 59, Chapter 10, Part 13, Individual Income Tax  
643 Contribution Act;

644 (i) a grant received by an agency from another agency or political subdivision;

645 (j) a grant to the Utah Dairy Commission created in Section 4-22-103;

- 646 (k) a grant to the Heber Valley Historic Railroad Authority created in Section
- 647 [63H-4-102](#);
- 648 (l) a grant to the Utah State Railroad Museum Authority created in Section [63H-5-102](#);
- 649 (m) a grant to the Utah Housing Corporation created in Section [63H-8-201](#);
- 650 (n) a grant to the Utah State Fair Corporation created in Section [63H-6-103](#);
- 651 (o) a grant to the Utah State Retirement Office created in Section [49-11-201](#);
- 652 (p) a grant to the School and Institutional Trust Lands Administration created in
- 653 Section [53C-1-201](#);
- 654 (q) a grant to the Utah Communications Authority created in Section [63H-7a-201](#);
- 655 (r) a grant to the Medical Education Program created in Section [[53B-24-202](#)]
- 656 [26-69-403](#);
- 657 (s) a grant to the Utah Capital Investment Corporation created in Section [63N-6-301](#);
- 658 (t) a grant to the Utah Charter School Finance Authority created in Section [53G-5-602](#);
- 659 (u) a grant to the State Building Ownership Authority created in Section [63B-1-304](#); or
- 660 (v) a grant to the Military Installation Development Authority created in Section
- 661 [63H-1-201](#).
- 662 (3) An agency need not seek legislative review or approval of grants under Part 2,
- 663 Grant Approval Requirements, if:
- 664 (a) the governor has declared a state of emergency; and
- 665 (b) the grant is donated to the agency to assist victims of the state of emergency under
- 666 Subsection [53-2a-204](#)(1).
- 667 Section 18. **Repealer.**
- 668 This bill repeals:
- 669 Section [53B-24-101](#), **Title.**
- 670 Section [53B-24-201](#), **Title.**
- 671 Section [53B-24-301](#), **Title.**
- 672 Section [53B-24-401](#), **Title.**
- 673 Section 19. **Effective date.**



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This bill takes effect on July 1, 2022.