

## HB0023S01 compared with HB0023

~~{deleted text}~~ shows text that was in HB0023 but was deleted in HB0023S01.

inserted text shows text that was not in HB0023 but was inserted into HB0023S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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

~~{Committee Note:~~

~~—————The Law Enforcement and Criminal Justice Interim Committee recommended this bill.~~

~~—————Legislative Vote: 10 voting for 0 voting against 6 absent~~

~~{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;

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- ▶ provides for the ~~{Division}~~Department of ~~{Substance Abuse and Mental Health}~~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 ~~{Human Services -- Division of Substance Abuse and Mental Health, Community Mental Health Services}~~Public Safety -- Programs and Operations, as a one-time appropriation:
  - from the General Fund, One-time, \$5,000,000.

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

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

ENACTS:

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

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

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

~~{ **53-20-104**, Utah Code Annotated 1953 }~~

~~{~~REPEALS:

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

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

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

### CHAPTER 20. MENTAL HEALTH RESOURCES FOR FIRST RESPONDERS

~~{ **53-20-101. Title:**~~

~~— This chapter is known as Mental Health Resources for First Responders.~~

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

~~{ **53-20-102}****53-20-101. Definitions.**~~

(1) As used in this chapter:

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(a) "~~{Division}~~Department" means the ~~{Division}~~Department of ~~{Substance Abuse and Mental Health created in Section 62A-15-103}~~Public Safety.

(b) "First responder" means:

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

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

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

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

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

(vi) a dispatcher, as defined in Section 53-6-102;

(vii) a correctional officer, as defined in Section 53-13-104;~~{or}~~

(viii) a search and rescue worker under the supervision of a local sheriff~~{,};~~ or

(ix) a credentialed criminal justice system victim advocate as defined in Section 77-38-403 who responds to incidents with a law enforcement officer.

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

(d) "Mental health resources" means:

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

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

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

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

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

Section ~~{3}~~2. Section ~~{53-20-103}~~53-20-102 is enacted to read:

~~{53-20-103}~~53-20-102. **Mental health services -- Requirement to provide --- Confidentiality.**

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

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(a) all employees~~{,};~~

(b) the spouse and children of employees;

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

(d) persons who have retired from the agency.

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

Section ~~{4}~~3. Section ~~{53-20-104}~~53-20-103 is enacted to read:

~~{53-20-104}~~53-20-103. Grants to first responder agencies~~;~~

~~— (1) The division shall issue a request for proposal in accordance with this chapter to} -- Rulemaking .~~

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

(a) request for proposal;

(b) request for qualifications; or

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

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

(a) regular periodic screenings for all employees within the first responder agency;

(b) assessments or debriefings for personnel involved in a critical incident within 12

hours of the incident; and

(c) access to the mental health program for:

(i) spouses and children of first responders; and

(ii) first responders who have retired from the agency.

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

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

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

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

(d) the cost of the proposed plan; and

(e) the sustainability of the proposed plan.

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

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

(b) the cost of the proposed plan; and

(c) the viability of the proposed plan.

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

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

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

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

(6) The department shall prioritize grant funding for:

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

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

(c) towns.

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

Section ~~5~~4. Section **63I-2-262** is amended to read:

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

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

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

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

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

Section ~~6~~5. Repealer.

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This bill repeals:

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

Section ~~7~~6. Appropriation.

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

### ITEM 1

To Department of ~~Human Services~~Public Safety -- ~~Division of Substance Abuse~~Programs and ~~Mental Health~~Operations

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

Schedule of Programs:

~~Communit~~Highway ~~Mental Health~~Patrol - Special Services

\$5,000,000

The Legislature intends that:

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

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