

**Representative Brady Brammer** proposes the following substitute bill:

**MENTAL ILLNESS PSYCHOTHERAPY DRUG TASK FORCE**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brady Brammer**

Senate Sponsor: Evan J. Vickers

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**LONG TITLE**

**General Description:**

This bill creates the Mental Illness Psychotherapy Drug Task Force.

**Highlighted Provisions:**

This bill:

- ▶ creates the Mental Illness Psychotherapy Drug Task Force;
- ▶ requires the task force to study and make recommendations on drugs that may assist in treating mental illness;
- ▶ sets a repeal date for the task force; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63I-2-236**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 8

ENACTS:

**36-29-301**, Utah Code Annotated 1953



26 [36-29-302](#), Utah Code Annotated 1953

27 [36-29-303](#), Utah Code Annotated 1953



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

30 Section 1. Section **36-29-301** is enacted to read:

31 **Part 3. Mental Illness Psychotherapy Drug Task Force**

32 **36-29-301. Definitions.**

33 As used in this part:

34 (1) "Department" means the Department of Health and Human Services created in

35 Section [26B-1-201](#).

36 (2) "Executive director" means the executive director of the department.

37 (3) "Psychotherapy drug" means a controlled substance that:

38 (a) is not currently available for legal use; and

39 (b) may be able to treat, manage, or alleviate symptoms from mental illness.

40 (4) "Task force" means the Mental Illness Psychotherapy Drug Task Force created in

41 this part.

42 Section 2. Section **36-29-302** is enacted to read:

43 **36-29-302. Creation and membership.**

44 (1) There is created the Mental Illness Psychotherapy Drug Task Force.

45 (2) The task force shall be chaired by:

46 (a) the executive director or the executive director's designee; and

47 (b) the chief executive officer of the Huntsman Mental Health Institute at the

48 University of Utah.

49 (3) In addition to the individuals described in Subsection (2), the task force shall

50 consist of the following members jointly appointed by the individuals described in Subsection

51 (2):

52 (a) a licensed psychiatrist;

53 (b) a licensed psychologist;

54 (c) a licensed pharmacist;

55 (d) a representative from the Utah Medical Association;

56 (e) an individual who researches and studies neuroscience and mental health;

57 (f) a representative from a Utah hospital or a major healthcare system;

58 (g) a patient who is knowledgeable about the use of a psychotherapy drug, nominated

59 by a patient advocacy group;

60 (h) a trauma focused therapist;

61 (i) a licensed attorney with knowledge of the law regarding controlled substances and

62 other drugs;

63 (j) a medical or psychiatric ethicist with knowledge of the ethical and legal issues

64 pertaining to psychotherapy drugs; and

65 (k) a clinician who is board certified in addiction medicine.

66 (4) (a) If a vacancy occurs in the membership of the task force the member shall be

67 replaced in the same manner as the original appointment was made.

68 (b) A member of the task force serves until the member's successor is appointed.

69 (5) (a) A majority of the task force members constitutes a quorum.

70 (b) The action of a majority of a quorum constitutes an action of the task force.

71 (6) A task force member may not receive compensation or benefits for the member's

72 service on the task force but may receive per diem and reimbursement for travel expenses

73 incurred as a task force member in accordance with:

74 (a) Sections [63A-3-106](#) and [63A-3-107](#); and

75 (b) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and

76 [63A-3-107](#).

77 (7) The department shall provide staff support for the task force and assist the task

78 force in conducting task force meetings.

79 Section 3. Section **36-29-303** is enacted to read:

80 **36-29-303. Duties.**

81 (1) (a) The task force shall provide evidence-based recommendations on any

82 psychotherapy drug that the task force determines may enhance psychotherapy when treating a

83 mental illness.

84 (b) For a psychotherapy drug described in Subsection (1)(a), the task force shall

85 provide recommendations on:

86 (i) types or symptoms of mental illness for which the psychotherapy drug could be used

87 as a treatment option;

- 88 (ii) the appropriate administration and dosage;
- 89 (iii) any license or credential required for an individual recommending or administering
- 90 the psychotherapy drug;
- 91 (iv) training that may be helpful or should be required for an individual to recommend
- 92 or administer the psychotherapy drug;
- 93 (v) if an additional license or credential is recommended for prescribing or
- 94 administering the psychotherapy drug, the administration of the license or credential;
- 95 (vi) the frequency at which the psychotherapy drug may be used;
- 96 (vii) any procedures to appropriately obtain, store, and monitor the use of the
- 97 psychotherapy drug;
- 98 (viii) potential psychotherapeutic modalities with which a psychotherapy drug may be
- 99 used;
- 100 (ix) any organizations that may be able to provide a perspective on ethical
- 101 considerations regarding the psychotherapy drug;
- 102 (x) any safety requirements regarding the psychotherapy drug;
- 103 (xi) any necessary follow up procedures that should be followed after an individual
- 104 takes the psychotherapy drug;
- 105 (xii) any procedures for data tracking;
- 106 (xiii) any additional investigation or research needed for the psychotherapy drug;
- 107 (xiv) any long term societal impacts on the administration of the psychotherapy drug;
- 108 and
- 109 (xv) proposed regulations the Legislature should consider if the psychotherapy drug is
- 110 made legal for treating mental illness.

111 (2) The task force shall provide a written report to the Health and Human Services  
112 Interim Committee before October 31, 2022.

113 Section 4. Section **63I-2-236** is amended to read:

114 **63I-2-236. Repeal dates -- Title 36.**

115 (1) Section **36-29-107.5** is repealed on November 30, 2023.

116 (2) The following sections regarding the State Flag Task Force are repealed on January  
117 1, 2024:

118 (a) Section **36-29-201**;

119 (b) Section 36-29-202; and

120 (c) Section 36-29-203.

121 (3) Title 36, Chapter 29, Part 3, Mental Illness Psychotherapy Drug Task Force, is

122 repealed December 31, 2023.