

HB0167S01 compared with HB0167

~~text~~ shows text that was in HB0167 but was deleted in HB0167S01.

text shows text that was not in HB0167 but was inserted into HB0167S01.

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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: _____

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:

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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

36-29-302, Utah Code Annotated 1953

36-29-303, Utah Code Annotated 1953

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

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

Part 3. Mental Illness Psychotherapy Drug Task Force.

36-29-301. Definitions.

As used in this part:

(1) "Department" means the Department of Health and Human Services created in Section 26B-1-201.

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

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

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

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

(4) "Task force" means the Mental Illness Psychotherapy Drug Task Force created in this part.

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

36-29-302. Creation and membership.

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

(2) The task force shall be chaired by:

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

(b) the chief executive officer of the Huntsman Mental Health Institute at the University of Utah.

(3) In addition to the individuals described in Subsection (2), the task force shall consist of the following members jointly appointed by the individuals described in Subsection

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(2):

(a) a licensed psychiatrist;

(b) a licensed psychologist;

(c) a licensed pharmacist;

~~(c)~~ (d) a representative from the Utah Medical Association;

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

~~(e) a representative from a civil liberties group;~~

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

(g) a patient who is knowledgeable about the use of a psychotherapy drug, nominated by a patient advocacy group;

(h) a trauma focused therapist;

~~(i) a representative from a mental health association;~~

~~(j)~~ (j) a licensed attorney with knowledge of the law regarding controlled substances and other drugs;

~~(k)~~ (k) a medical or psychiatric ethicist with knowledge of the ethical and legal issues pertaining to psychotherapy drugs; and

~~(l)~~ (l) a clinician who is board certified in addiction medicine.

(4) (a) If a vacancy occurs in the membership of the task force the member shall be replaced in the same manner as the original appointment was made.

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

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

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

(6) A task force member may not receive compensation or benefits for the member's service on the task force but may receive per diem and reimbursement for travel expenses incurred as a task force member in accordance with:

(a) Sections 63A-3-106 and 63A-3-107; and

(b) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(7) The department shall provide staff support for the task force and assist the task force in conducting task force meetings.

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

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36-29-303. Duties.

(1) (a) The task force shall provide evidence-based recommendations on any psychotherapy drug that the task force determines may enhance psychotherapy when treating a mental illness.

(b) For a psychotherapy drug described in Subsection (1)(a), the task force shall provide recommendations on:

(i) types or symptoms of mental illness for which the psychotherapy drug could be used as a treatment option;

(ii) the appropriate administration and dosage;

(iii) any license or credential required for an individual recommending or administering the psychotherapy drug;

(iv) training that may be helpful or should be required for an individual to recommend or administer the psychotherapy drug;

(v) if an additional license or credential is recommended for prescribing or administering the psychotherapy drug, the administration of the license or credential;

(vi) the frequency at which the psychotherapy drug may be used;

(vii) any procedures to appropriately obtain, store, and monitor the use of the psychotherapy drug;

(viii) potential psychotherapeutic modalities with which a psychotherapy drug may be used;

(ix) any organizations that may be able to provide a perspective on ethical considerations regarding the psychotherapy drug;

(x) any safety requirements regarding the psychotherapy drug;

(xi) any necessary follow up procedures that should be followed after an individual takes the psychotherapy drug;

(xii) any procedures for data tracking;

(xiii) any additional investigation or research needed for the psychotherapy drug;

(xiv) any long term societal impacts on the administration of the psychotherapy drug;

and

(xv) proposed regulations the Legislature should consider if the psychotherapy drug is made legal for treating mental illness.

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

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

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

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

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

(a) Section 36-29-201;

(b) Section 36-29-202; and

(c) Section 36-29-203.

(3) Title 36, Chapter 29, Part 3, Mental Illness Psychotherapy Drug Task Force, is repealed December 31, 2023.