

Representative A. Cory Maloy proposes the following substitute bill:

PHYSICIAN WORKFORCE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: A. Cory Maloy

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill creates grant programs related to the physician workforce.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates a grant program to create new medical residency programs or expand current residency programs;
- ▶ creates a grant program to establish a new forensic psychiatrist fellowship program;
- ▶ creates a reporting requirement; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2023:

- ▶ To the Utah Board of Higher Education -- Medical Education Council, as a one-time appropriation:
 - from the Education Fund, \$3,000,000;
- ▶ To the Utah Board of Higher Education -- Medical Education Council, as an ongoing appropriation:
 - from the Education Fund, \$1,500,000; and



26 ▶ To the Utah Board of Higher Education -- Medical Education Council, as an
27 ongoing appropriation:

- 28 • from the Education Fund, \$550,000.

29 **Other Special Clauses:**

30 This bill provides a coordination clause.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **63J-1-602.2**, as last amended by Laws of Utah 2021, Chapters 179, 344, 412, 421, and
34 424

35 ENACTS:

36 **53B-24-501**, Utah Code Annotated 1953

37 **53B-24-502**, Utah Code Annotated 1953

38 **Utah Code Sections Affected by Coordination Clause:**

39 **63J-1-602.2**, as last amended by Laws of Utah 2021, Chapters 179, 344, 412, 421, and
40 424



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

43 Section 1. Section **53B-24-501** is enacted to read:

44 **Part 5. Medical Education Grant Programs**

45 **53B-24-501. Residency grant program.**

46 (1) The council shall develop a grant program where a sponsoring institution in Utah
47 may apply for a grant to establish a new residency program or expand a current residency
48 program.

49 (2) An applicant for a grant shall:

50 (a) provide the proposed specialty area for each grant funded residency position;

51 (b) identify where the grant funded residency position will provide care;

52 (c) (i) provide proof that the residency program is accredited by the Accreditation
53 Council for Graduate Medical Education; or

54 (ii) identify what actions need to occur for the proposed residency program to become
55 accredited by the Accreditation Council for Graduate Medical Education;

56 (d) identify how a grant funded residency position will be funded once the residency

57 program exhausts the grant money;

58 (e) agree to provide information identified by the council that relates to post-residency
59 employment outcomes for individuals who work in grant funded residency positions; and

60 (f) provide any other information related to the grant application the council deems
61 necessary.

62 (3) The council shall prioritize awarding grants to new or existing residency programs
63 that will:

64 (a) address a workforce shortage, occurring in Utah, for a specialty; or

65 (b) serve an underserved population, including a rural population.

66 (4) Before November 1, 2023, and each November 1 thereafter, the council shall
67 provide a written report to the Higher Education Appropriations Subcommittee describing:

68 (a) which sponsoring institutions received a grant;

69 (b) the number of residency positions created; and

70 (c) for each residency position created:

71 (i) the type of specialty;

72 (ii) where the residency position provides care; and

73 (iii) an estimated date of when a grant funded residency position will no longer need
74 grant funding.

75 Section 2. Section **53B-24-502** is enacted to read:

76 **53B-24-502. Forensic Psychiatrist Fellowship Grant Program.**

77 (1) As used in this section, "forensic psychiatry" means the provision of services by an
78 individual who:

79 (a) is a licensed physician;

80 (b) is board certified for a psychiatry specialization recognized by the American Board
81 of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic
82 Specialists; and

83 (c) uses scientific and clinical expertise in legal contexts involving the mental health of
84 individuals.

85 (2) The council shall establish a grant program that will facilitate the creation of a
86 single forensic psychiatrist fellowship program.

87 (3) An applicant for the grant shall:

88 (a) demonstrate how the applicant is best suited for developing a forensic psychiatry
89 fellowship program, including:

90 (i) a description of resources that would be available to the program; and

91 (ii) any resources or staff that need to be acquired for the program;

92 (b) identify what needs to occur for the proposed residency program to become
93 accredited by the Accreditation Council for Graduate Medical Education;

94 (c) provide an estimate of how many individuals would be trained in the program at
95 any one time;

96 (d) provide any information related to the grant application the council deems
97 necessary for awarding the grant; and

98 (e) if awarded the grant, agree to:

99 (i) enter into a contract with the Department of Corrections that the applicant will
100 provide for the provision of forensic psychiatry services to an individual:

101 (A) who needs psychiatric services; and

102 (B) is under the Department of Corrections' jurisdiction;

103 (ii) ensure that any individual hired to provide forensic psychiatry services will comply
104 with all relevant:

105 (A) national licensing requirements; and

106 (B) state licensing requirements under Title 58, Division of Occupational and
107 Professional Licensing.

108 Section 3. Section **63J-1-602.2** is amended to read:

109 **63J-1-602.2. List of nonlapsing appropriations to programs.**

110 Appropriations made to the following programs are nonlapsing:

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

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

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

116 (4) The LeRay McAllister Critical Land Conservation Program created in Section
117 **11-38-301**.

118 (5) Dedicated credits accrued to the Utah Marriage Commission as provided under

- 119 Subsection [17-16-21\(2\)\(d\)\(ii\)](#).
- 120 (6) The Trip Reduction Program created in Section [19-2a-104](#).
- 121 (7) The Division of Wildlife Resources for the appraisal and purchase of lands under
122 the Pelican Management Act, as provided in Section [23-21a-6](#).
- 123 (8) The emergency medical services grant program in Section [26-8a-207](#).
- 124 (9) The primary care grant program created in Section [26-10b-102](#).
- 125 (10) Sanctions collected as dedicated credits from Medicaid provider under Subsection
126 [26-18-3\(7\)](#).
- 127 (11) The Utah Health Care Workforce Financial Assistance Program created in Section
128 [26-46-102](#).
- 129 (12) The Rural Physician Loan Repayment Program created in Section [26-46a-103](#).
- 130 (13) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).
- 131 (14) Funds that the Department of Alcoholic Beverage Control retains in accordance
132 with Subsection [32B-2-301](#) (9)(a) or (b).
- 133 (15) The General Assistance program administered by the Department of Workforce
134 Services, as provided in Section [35A-3-401](#).
- 135 (16) The Utah National Guard, created in Title 39, Militia and Armories.
- 136 (17) The State Tax Commission under Section [41-1a-1201](#) for the:
- 137 (a) purchase and distribution of license plates and decals; and
- 138 (b) administration and enforcement of motor vehicle registration requirements.
- 139 (18) The Search and Rescue Financial Assistance Program, as provided in Section
140 [53-2a-1102](#).
- 141 (19) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).
- 142 (20) The Utah Board of Higher Education for teacher preparation programs, as
143 provided in Section [53B-6-104](#).
- 144 ~~[(21) The Medical Education Program administered by the Medical Education Council,~~
145 ~~as provided in Section [53B-24-202](#).]~~
- 146 (21) The Medical Education Council for the:
- 147 (a) administration of the Medical Education Program created in Section [53B-24-202](#);
- 148 (b) provision of medical residency grants described in Section [53B-24-501](#); and
- 149 (c) provision of the forensic psychiatric fellowship grant described in Section

150 [53B-24-502.](#)

151 (22) The Division of Services for People with Disabilities, as provided in Section
152 [62A-5-102.](#)

153 (23) The Division of Fleet Operations for the purpose of upgrading underground
154 storage tanks under Section [63A-9-401.](#)

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

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

158 (26) The Office of Administrative Rules for publishing, as provided in Section
159 [63G-3-402.](#)

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

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

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

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

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

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

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

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

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

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

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

181 (38) The Bonneville Shoreline Trail Program created under Section [79-5-503](#).
 182 (39) Adoption document access as provided in Sections [78B-6-141](#), [78B-6-144](#), and
 183 [78B-6-144.5](#).

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

186 (41) The program established by the Division of Facilities Construction and
 187 Management under Section [63A-5b-703](#) under which state agencies receive an appropriation
 188 and pay lease payments for the use and occupancy of buildings owned by the Division of
 189 Facilities Construction and Management.

190 Section 4. **Appropriation.**

191 The following sums of money are appropriated for the fiscal year beginning July 1,
 192 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for
 193 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
 194 Act, the Legislature appropriates the following sums of money from the funds or accounts
 195 indicated for the use and support of the government of the state of Utah.

196 ITEM 1

197 To Utah Board of Higher Education -- Medical Education Council

198 From Education Fund, One-time \$3,000,000

199 From Education Fund \$1,500,000

200 Schedule of Programs:

201 Medical Residency Grant Program \$4,500,000

202 The Legislature intends that the Medical Education Council expend appropriations
 203 provided under this item for providing grants for new residency positions under Section
 204 [53B-24-501](#).

205 ITEM 2

206 To Utah Board of Higher Education -- Medical Education Council

207 From Education Fund \$550,000

208 Schedule of Programs:

209 Forensic Psychiatry Grant Program \$550,000

210 The Legislature intends that the Medical Education Council expend appropriations
 211 provided under this item to award the grant for a forensic psychiatrist fellowship program

212 under Section [53B-24-502](#).

213 Section 5. **Coordinating H.B. 295 with H.B. 176 -- Technical amendments.**

214 If this H.B. 295 and H.B. 176, Utah Health Workforce Act, both pass and become law,

215 it is the intent of the Legislature that on July 1, 2022, the Office of Legislative Research and

216 General Counsel, in preparing the Utah Code database for publication:

217 (1) renumber Section [53B-24-501](#) enacted in H.B. 295 to Section [26-69-407](#);

218 (2) renumber Section [53B-24-502](#) enacted in H.B. 295 to Section [26-69-408](#);

219 (3) replace each use of the words "the council" in Section [53B-24-501](#) and [53B-24-502](#)

220 enacted in H.B. 295 with "UMEC"; and

221 (4) modify Section [63J-1-602.2](#) to read:

222 **63J-1-602.2. List of nonlapsing appropriations to programs.**

223 Appropriations made to the following programs are nonlapsing:

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

225 (2) The State Board of Education, including all appropriations to agencies, line items,

226 and programs under the jurisdiction of the State Board of Education, in accordance with

227 Section [53F-9-103](#).

228 (3) The Percent-for-Art Program created in Section [9-6-404](#).

229 (4) The LeRay McAllister Critical Land Conservation Program created in Section

230 [11-38-301](#).

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232 Subsection [17-16-21\(2\)\(d\)\(ii\)](#).

233 (6) The Trip Reduction Program created in Section [19-2a-104](#).

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

235 the Pelican Management Act, as provided in Section [23-21a-6](#).

236 (8) The emergency medical services grant program in Section [26-8a-207](#).

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238 (10) Sanctions collected as dedicated credits from Medicaid provider under Subsection

239 [26-18-3\(7\)](#).

240 (11) The Utah Health Care Workforce Financial Assistance Program created in Section

241 [26-46-102](#).

242 (12) The Rural Physician Loan Repayment Program created in Section [26-46a-103](#).

243 (13) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).

244 (14) The Utah Medical Education Council for the:

245 (a) administration of the Utah Medical Education Program created in Section
246 [26-69-403](#);

247 (b) provision of medical residency grants described in Section [26-69-407](#); and

248 (c) provision of the forensic psychiatric fellowship grant described in Section
249 [26-69-408](#).

250 [~~14~~] (15) Funds that the Department of Alcoholic Beverage Control retains in
251 accordance with Subsection [32B-2-301](#) (9)(a) or (b).

252 [~~15~~] (16) The General Assistance program administered by the Department of
253 Workforce Services, as provided in Section [35A-3-401](#).

254 [~~16~~] (17) The Utah National Guard, created in Title 39, Militia and Armories.

255 [~~17~~] (18) The State Tax Commission under Section [41-1a-1201](#) for the:

256 (a) purchase and distribution of license plates and decals; and

257 (b) administration and enforcement of motor vehicle registration requirements.

258 [~~18~~] (19) The Search and Rescue Financial Assistance Program, as provided in
259 Section [53-2a-1102](#).

260 [~~19~~] (20) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).

261 [~~20~~] (21) The Utah Board of Higher Education for teacher preparation programs, as
262 provided in Section [53B-6-104](#).

263 [~~21~~] ~~The Medical Education Program administered by the Medical Education Council,~~
264 ~~as provided in Section [53B-24-202](#).]~~

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266 [62A-5-102](#).

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

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271 as provided under Section [63A-16-903](#).

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273 [63G-3-402](#).

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275 Colorado River Authority of Utah Act.
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277 as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
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279 Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural
280 Employment Expansion Program.
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282 described in Section [65A-2-8](#).
- 283 (31) The Division of Human Resource Management user training program, as provided
284 in Section [63A-17-106](#).
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286 provided in Section [69-2-301](#).
- 287 (33) The Traffic Noise Abatement Program created in Section [72-6-112](#).
- 288 (34) The money appropriated from the Navajo Water Rights Negotiation Account to
289 the Division of Water Rights, created in Section [73-2-1.1](#), for purposes of participating in a
290 settlement of federal reserved water right claims.
- 291 (35) The Judicial Council for compensation for special prosecutors, as provided in
292 Section [77-10a-19](#).
- 293 (36) A state rehabilitative employment program, as provided in Section [78A-6-210](#).
- 294 (37) The Utah Geological Survey, as provided in Section [79-3-401](#).
- 295 (38) The Bonneville Shoreline Trail Program created under Section [79-5-503](#).
- 296 (39) Adoption document access as provided in Sections [78B-6-141](#), [78B-6-144](#), and
297 [78B-6-144.5](#).
- 298 (40) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
299 Defense Commission.
- 300 (41) The program established by the Division of Facilities Construction and
301 Management under Section [63A-5b-703](#) under which state agencies receive an appropriation
302 and pay lease payments for the use and occupancy of buildings owned by the Division of
303 Facilities Construction and Management."