

HEALTH INFORMATION SHARING ACT

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Department of Public Safety to create a database of voluntarily provided information on individuals with mental illnesses, behavioral disorders, and other neurological disorders for integration with the 911 emergency dispatch system.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Department of Public Safety to create a database;
- ▶ requires the department to create a form or portal on the department's website for individuals to provide certain information;
- ▶ provides that the information in the database is not available to the public;
- ▶ requires annual verification of the information;
- ▶ provides for removal of the information;
- ▶ requires the department to provide information to physicians; and
- ▶ requires physicians to provide information to patients regarding the database.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 ENACTS:

29 **53-20-101**, Utah Code Annotated 1953

30 **53-20-102**, Utah Code Annotated 1953

31 **53-20-103**, Utah Code Annotated 1953

32 **53-20-104**, Utah Code Annotated 1953

33 **53-20-105**, Utah Code Annotated 1953



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

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

37 **CHAPTER 20. PUBLIC SAFETY DATABASE**

38 **53-20-101. Public safety database -- Definitions.**

39 As used in this chapter:

40 (1) "Adult" means an individual 18 years old or older.

41 (2) "Child" means an individual under 18 years old.

42 (3) "Department" means the Department of Public Safety.

43 (4) "Disability" means a person:

44 (a) has a mental illness;

45 (b) is on the autism spectrum;

46 (c) has a substance abuse disorder; or

47 (d) has neurological and developmental disorders.

48 (5) "Physician" means the same as that term is defined in Section [26-2-2](#).

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

50 **53-20-102. Database creation.**

51 (1) The department shall create and maintain a database containing specific
52 information submitted to the department regarding individuals with a disability.

53 (2) The database shall have the ability to connect with the emergency dispatch system
54 to provide timely information to officers responding to emergency calls.

55 Section 3. Section **53-20-103** is enacted to read:

56 **53-20-103. Database information collection -- Who may provide -- Uses --**

57 **Prohibitions.**

58 (1) The following individuals may provide information to the department:

- 59 (a) a parent or guardian of a child with a disability;
- 60 (b) a guardian or conservator of an adult with a disability; or
- 61 (c) an individual residing with an adult with a disability.

62 (2) The department shall provide a form or portal on its website to facilitate gathering
 63 the required information.

64 (3) If an individual listed in Subsection (1) chooses to provide the following
 65 information regarding the person with a disability to the department, the individual shall
 66 provide the disabled person's:

- 67 (a) name;
- 68 (b) age;
- 69 (c) residence;
- 70 (d) physical description; and
- 71 (e) photo.

72 (4) The information shall be stored in a database with access to a 911 emergency
 73 service, as defined in Section [62-2-102](#), in order to provide a dispatcher pertinent and timely
 74 information.

75 (5) Information in the database may not be available to the public.

76 Section 4. Section **53-20-104** is enacted to read:

77 **53-20-104. Annual verification -- Removal.**

78 (1) All information provided to the department shall be verified annually in a manner
 79 determined by the department, but shall consist of at least a letter mailed to the address in the
 80 listing requesting verification of the information. The letter shall provide instructions for
 81 verifying an individual's information.

82 (2) If the department does not receive a response within 90 days, the address may either
 83 be removed from the system at the end of the 90 day period, or flagged for future removal.

84 Section 5. Section **53-20-105** is enacted to read:

85 **53-20-105. Department to provide information to physicians -- Physicians to**
 86 **provide information to patients.**

87 (1) The department shall provide information regarding the database created in Section
 88 [53-20-102](#) to all physicians within the state. The information shall be in written form and
 89 include:

- 90 (a) who is eligible for inclusion;
- 91 (b) what information is required to be provided;
- 92 (c) how to provide the information;
- 93 (d) an explanation of the database;
- 94 (e) how an individual may be removed from the database; and
- 95 (f) how the individual may receive further information.
- 96 (2) A physician shall provide the information provided by the department to all patients
- 97 who may be eligible for inclusion.