

S.B. 239

CONGREGATE CARE PROGRAM AMENDMENTS

Senator Michael K. McKell proposes the following amendments:

1. Page 11, Lines 311 through 317:

311 (50) (a) "Youth transportation company" means any person that transports a child for
 312 payment to or from a congregate care program in Utah.
 313 (b) "Youth transportation company" does not include:
 314 (i) a relative of the child;
 315 (ii) a state agency; or
 316 (iii) {a person that transports the child from a congregate care program and returns the
 317 child to the same congregate care program within 48 hours.} a congregate care program's employee
who transports the child from the congregate care program that employs the employee and returns the
child to the same congregate care program.

2. Page 29, Line 891 through Page 30, Line 903:

891 (6) (a) A congregate care program:
 892 [(a)] (i) [when not otherwise prohibited by law] subject to Subsection (6)(b), shall
 893 facilitate weekly confidential [communication] voice-to-voice communication between a child
 894 and the child's parents, guardian, foster parents, and siblings, as applicable;
 895 [(b)] (ii) shall ensure that the communication described in Subsection (6)(a)(i)
 896 complies with the child's treatment plan, if any; and
 897 [(c)] (iii) may not use family contact as an incentive for proper behavior or withhold
 898 family contact as a punishment.
 899 (b) {A congregate care program may deny the communication, or modify the frequency
 900 or the form of the communication described in Subsection (6)(a)(i) if:
 901 — (i) the office approves the denial or modification; or
 902 — (ii) state law or a court order prohibits the communication, the frequency, or the form
 903 of the communication.}
For the communication described in Subsection (6)(a)(i), a congregate care program may not:
(i) deny the communication unless state law or a court order prohibits the communication; or
(ii) modify the frequency or form of the communication unless:
(A) the office approves the modification; or
(B) state law or a court order prohibits the frequency or the form of the communication.