

HB0059S01 compared with HB0059

~~{deleted text}~~ shows text that was in HB0059 but was deleted in HB0059S01.

inserted text shows text that was not in HB0059 but was inserted into HB0059S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ryan D. Wilcox proposes the following substitute bill:

FIRST RESPONDER MENTAL HEALTH AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: _____

LONG TITLE

~~{Committee Note:~~

~~_____ The Law Enforcement and Criminal Justice Interim Committee recommended this bill.~~

~~_____ Legislative Vote: 13 voting for 0 voting against _____ 4 absent~~

~~{General Description:~~

This bill ~~{adds provisions relating to spouses of retired}~~ concerns mental health services for first responders and ~~{addresses access to mental health services}~~ spouses of first responders.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ broadens the scope of individuals who are considered to be eligible for mental health services;

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- ▶ modifies the entities that are included as first responder agencies;
- ▶ modifies provisions regarding mental health services for retired first responders;
- ▶ adds spouses of retired first responders and certain other first responders to the list of those who qualify for mental health services; and
- ▶ provides that mental health services shall be provided on a regular and continuing basis.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-21-101, as enacted by Laws of Utah 2022, Chapter 114

53-21-102, as enacted by Laws of Utah 2022, Chapter 114

53-21-103, as enacted by Laws of Utah 2022, Chapter 114

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

Section 1. Section 53-21-101 is amended to read:

53-21-101. Definitions.

As used in this chapter:

- (1) "Crime scene investigator technician" means an individual employed by a law enforcement agency to collect and analyze evidence from crime scenes and crime-related incidents.
- (2) "Department" means the Department of Public Safety.
- (3) "First responder" means:
 - (a) a law enforcement officer, as defined in Section 53-13-103;
 - (b) an emergency medical technician, as defined in Section 26-8c-102;
 - (c) an advanced emergency medical technician, as defined in Section 26-8c-102;
 - (d) a paramedic, as defined in Section 26-8c-102;
 - (e) a firefighter, as defined in Section 34A-3-113;
 - (f) a dispatcher, as defined in Section 53-6-102;

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(g) a correctional officer, as defined in Section 53-13-104;

(h) a special function officer, as defined in Section 53-13-105, employed by a local sheriff;

(i) a search and rescue worker under the supervision of a local sheriff;

(j) a forensic interviewer employed by a children's justice center established in accordance with Section 67-5b-102;

~~(j)~~ (k) a credentialed criminal justice system victim advocate as defined in Section 77-38-403 who responds to incidents with a law enforcement officer;

~~(k)~~ (l) a crime scene investigator technician; ~~(or)~~

~~(j)~~ (m) a wildland firefighter; or

(n) an investigator or prosecutor of cases involving sexual crimes against children.

(4) "First responder agency" means:

(a) a local district, municipality, interlocal entity, or other political subdivision that employs a first responder to provide fire protection, paramedic, law enforcement, or emergency services ~~(j)~~; or

(b) a certified private law enforcement agency as defined in Section 53-19-102.

(5) "Mental health resources" means:

(a) an assessment to determine appropriate mental health treatment that is performed by a mental health therapist;

(b) outpatient mental health treatment provided by a mental health therapist; or

(c) peer support services provided by a peer support specialist who is qualified to provide peer support services under Subsection 62A-15-103(2)(h).

(6) "Mental health therapist" means the same as that term is defined in Section 58-60-102.

(7) "Plan" means a plan to implement or expand a program that provides mental health resources to first responders for which the division awards a grant under this chapter.

(8) "Retired" means the status of an individual who has become eligible, applies for, and may receive an allowance under Title 49, Utah State Retirement and Insurance Benefit Act.

(9) "Separated" means the status of an individual who has separated from employment as a first responder from a first responder agency as a result of a critical incident involving the first responder.

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Section ~~{1}~~2. Section **53-21-102** is amended to read:

53-21-102. Mental health services -- Requirement to provide --- Confidentiality.

(1) Every first responder agency within the state shall provide or make available mental health resources to:

- (a) all first responders;
- (b) the spouse and children of first responders;
- (c) surviving spouses of first responders whose death is classified as a line-of-duty death under Title 49, Utah State Retirement and Insurance Benefit Act; ~~[and]~~

(d) retired or separated first responders ~~[who have retired from the agency {1}]~~ for at least three years from the date that the retired or separated first responder requests mental health resources; and

(e) spouses of retired or separated first responders for a least three years from the date that the spouse of the retired or separated first responder requests mental health resources.

(2) All access by first responders and their families to mental health resources shall be kept confidential.

Section ~~{2}~~3. Section **53-21-103** is amended to read:

53-21-103. Grants to first responder agencies -- Rulemaking.

(1) The department may award grants to first responder agencies to provide mental health resources in response to a:

- (a) request for proposal;
- (b) request for qualifications; or
- (c) program description that meets the criteria in Subsection (2).

(2) The request for proposal, request for qualifications, or program description received by the department shall require mental health providers contracted or employed by the first responder agency to have training and experience in working with first responders and provide, at a minimum, the following services:

- (a) regular periodic screenings for all employees within the first responder agency;
- (b) assessments and availability to mental health services for personnel directly

involved in a critical incident within 12 hours of the incident; and

- (c) regular and continuing access to the mental health program for:
 - (i) spouses and children of first responders; ~~[and]~~

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(ii) first responders who have retired or separated from the agency ~~{ and their spouses.~~
}; and

(iii) spouses of first responders who have retired or separated from the agency.

(3) An application from a first responder agency for a grant under this chapter shall provide the following details:

(a) a proposed plan to provide mental health resources to first responders in the first responder agency;

(b) the number of first responders to be served by the proposed plan;

(c) how the proposed plan will ensure timely and effective provision of mental health resources to first responders in the first responder agency;

(d) the cost of the proposed plan; and

(e) the sustainability of the proposed plan.

(4) In evaluating a project proposal for a grant under this section, the department shall consider:

(a) the extent to which the first responders that will be served by the proposed plan are likely to benefit from the proposed plan;

(b) the cost of the proposed plan; and

(c) the viability of the proposed plan.

(5) A first responder agency may not apply for a grant to fund a program already in place. However, a request for proposal to fund an expansion of an already existing program shall, in addition to the requirements of Subsection (4), provide:

(a) the scope and cost of the agency's current program;

(b) the number of additional first responders the expansion will serve; and

(c) whether the expansion will provide services under Subsection (2) that the current program does not provide.

(6) The department shall prioritize grant funding for:

(a) counties of the 3rd, 4th, 5th, and 6th class;

(b) cities of the 3rd, 4th, and 5th class; and

(c) towns.

(7) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to~~[:]~~

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~~[(a) set parameters for services for retirees [{ and their spouses }](#); and]~~

~~[(b)]~~ administer this chapter.