

HB0248S01 compared with HB0248

~~deleted text~~ shows text that was in HB0248 but was deleted in HB0248S01.

inserted text shows text that was not in HB0248 but was inserted into HB0248S01.

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Representative Marsha Judkins proposes the following substitute bill:

MENTAL HEALTH SERVICES FOR ADULTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to the provision of mental health services for adults.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Health and Human Services (department) to create a long-term, statewide assertive community treatment (ACT) team plan;
- ▶ modifies a grant program for the development of ACT teams;
- ▶ requires the department to report to the Health and Human Services Interim Committee regarding the long-term, statewide ACT team plan and ACT team grant program; and
- ▶ creates a sunset date for provisions relating to the creation of the statewide ACT team plan.

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Money Appropriated in this Bill:

This bill appropriates:

- ▶ to the Department of Health and Human Services -- Integrated Health Care Services -- Non-Medicaid Behavioral Health Treatment & Crisis Response, as a one-time appropriation:
 - from the General Fund, One-time, \$5,000,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

62A-15-1802, as enacted by Laws of Utah 2020, Chapter 304

62A-15-1803, as enacted by Laws of Utah 2020, Chapter 304

63I-1-262, as last amended by Laws of Utah 2022, Chapters 34, 35, 149, 257, and 335

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

Section 1. Section **62A-15-1802** is amended to read:

62A-15-1802. Division duties -- ACT team license creation.

(1) To promote the availability of assertive community treatment, the division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that create a certificate for ACT team personnel and ACT teams, that includes:

- (a) the standards the division establishes under Subsection (2); and
- (b) guidelines for:
 - (i) required training and experience of ACT team personnel; and
 - (ii) the coordination of assertive community treatment and other community resources.

(2) (a) The division shall:

(i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that establish standards that an applicant is required to meet to qualify for the certifications described in Subsection (1); and

(ii) create a long-term, statewide ACT team plan that:

(A) identifies current and future statewide assertive community treatment needs, objectives, and priorities;

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(B) identifies barriers to establishing an ACT team in areas where an ACT team does not currently exist; and

~~[(B)]~~ (C) identifies the equipment, facilities, personnel training, and other resources necessary to provide assertive community treatment in areas where an ACT team does not currently exist.

(b) The division may delegate the ACT team plan requirement described in Subsection (2)(a)(ii) to a contractor with whom the division contracts to provide assertive community outreach treatment.

(c) The division shall report to the Health and Human Services Interim Committee before June 30, 2024, regarding:

- (i) the long-term, statewide ACT team plan described in Subsection (2)(a)(ii);
- (ii) the number of individuals in each local area who meet the criteria for serious mental illness and could benefit from ACT team services;
- (iii) knowledge gained relating to the provision of care through ACT teams;
- (iv) recommendations for further development of ACT teams; and
- (v) obstacles that exist for further development of ACT teams throughout the state.

Section 2. Section **62A-15-1803** is amended to read:

62A-15-1803. Grants for development of an ACT team.

(1) The division shall award grants for the development of one ~~[ACT team]~~ or more ACT teams to provide assertive community treatment to individuals in the state.

(2) The division shall prioritize the award of a grant described in Subsection (1) to entities, based on:

- (a) the number of individuals the proposed ACT team will serve;
- (b) the ability of the entity to provide evidence of probable future program sustainability; and

~~[(b)]~~ (c) the percentage of matching funds the entity will provide to develop the proposed ACT team.

(3) (a) An entity does not need to have resources already in place to be awarded a grant described in Subsection (1).

(b) An entity may submit an application for and be awarded more than one grant pursuant to the prioritization described in Subsection (2).

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(c) An ACT team developed using a grant awarded under this section shall coordinate with local homeless councils and criminal justice coordinating councils to align the ACT team's services with existing services and strategic plans.

(4) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the application and award of the grants described in Subsection (1).

(5) Before June 30, 2024, and before June 30 of each subsequent fiscal year in which a grant is awarded under Subsection (1), the division shall report to the Health and Human Services Interim Committee regarding:

(a) data gathered in relation to each awarded grant;

(b) knowledge gained relating to the provision of medical and mental health services by ACT teams;

(c) recommendations for the future use of ACT teams to provide medical and mental health services;

(d) Medicaid reimbursement for services provided by ACT teams; and

(e) aggregated data about the patients who have received services from an ACT team, including:

(i) the number of ACT team patients who have a severe mental illness;

(ii) the number of ACT team patients who have a co-occurring substance use disorder;

(iii) the number of ACT team patients who are experiencing homelessness or facing housing insecurity; and

(iv) the number of ACT team patients who, after the most recent report was made, have experienced:

(A) an acute psychiatric hospitalization;

(B) an arrest, incarceration, probation, or parole; or

(C) a transition from homelessness or housing insecurity to supported housing or housing.

Section 3. Section **63I-1-262** is amended to read:

63I-1-262. Repeal dates: Title 62A.

(1) Section 62A-3-209 is repealed July 1, 2023.

(2) Sections 62A-5a-101, 62A-5a-102, 62A-5a-103, and 62A-5a-104, which create the

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Coordinating Council for Persons with Disabilities, are repealed July 1, 2027.

(3) Subsections 62A-15-116(1) and (5), the language that states "In consultation with the Behavioral Health Crisis Response Commission, established in Section 63C-18-202," is repealed January 1, 2023.

(4) Section 62A-15-118 is repealed December 31, 2023.

(5) Section 62A-15-124 is repealed December 31, 2024.

(6) Section 62A-15-605, which creates the Forensic Mental Health Coordinating Council, is repealed July 1, 2023.

(7) Subsections 62A-15-1100(1) and 62A-15-1101(9), in relation to the Utah Substance Use and Mental Health Advisory Council, are repealed January 1, 2033.

(8) In relation to the Behavioral Health Crisis Response Commission, on July 1, 2023:

(a) Subsections 62A-15-1301(2) and 62A-15-1401(1) are repealed;

(b) Subsection 62A-15-1302(1)(b), the language that states "and in consultation with the commission" is repealed;

(c) Subsection 62A-15-1303(1), the language that states "In consultation with the commission," is repealed;

(d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations from the commission," is repealed; and

(e) Subsection 62A-15-1702(6) is repealed.

(9) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:

(a) Subsection 62A-15-1802(2)(a)(i), the language that states "and" is repealed;

(b) Subsections 62A-15-1802(2)(a)(ii), 62A-15-1802(2)(b), and 62A-15-1802(2)(c) are repealed.

Section 4. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

{ } To Department of Health and Human Services -- Integrated Health Care Services

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From General Fund, One-time	<u>5,000,000</u>
Schedule of Programs:	
Non-Medicaid Behavioral Health Treatment	
& Crisis Response	<u>5,000,000</u>

Under Section 63J-1-603, the Legislature intends that appropriations provided under this section not lapse at the close of fiscal year 2024. The use of funds described in Item 1 is limited to awarding grants under Section 62A-15-1803.