

Representative Marsha Judkins proposes the following substitute bill:

MENTAL HEALTH TREATMENT STUDY

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: John D. Johnson

LONG TITLE

General Description:

This bill requires a study of mental health treatment and supports.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Office of Substance Use and Mental Health (office) to conduct a study on the delivery and accessibility of mental health treatment and supports in the state;
- ▶ describes the requirements of the study; and
- ▶ requires the office to present a report on the results of the study to the Health and Human Services Interim Committee by December 31, 2024.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

62A-15-125, Utah Code Annotated 1953



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

Section 1. Section **62A-15-125** is enacted to read:

62A-15-125. Mental health treatment study.

(1) As used in this section:

(a) "Aggregate data" means data that:

(i) are totaled and reported at the group, cohort, class, course, institution, region, or state level, with at least 10 individuals in the level; and

(ii) do not reveal particular individuals.

(b) "Deidentified data" means data that:

(i) cannot reasonably be linked to an identifiable individual; and

(ii) are possessed by an entity that:

(A) takes administrative and technical measures to ensure that the data cannot be associated with a particular individual;

(B) makes a public commitment to maintain and use data in deidentified form and not attempt to reidentify data; and

(C) enters into legally enforceable contractual obligation that prohibits a recipient of the data from attempting to reidentify the data.

(c) "Office" means the Office of Substance Use and Mental Health.

(2) (a) Before July 1, 2024, the office shall conduct a study on the delivery and accessibility of mental health treatment and supports in the state.

(b) In conducting the study, the office shall, while observing privacy best practices and applicable state and federal laws and rules:

(i) collect aggregate data or otherwise deidentified data regarding:

(A) the number of individuals with a mental illness, and the number of individuals with a serious and persistent mental illness, who receive mental health treatment or supports in the state;

(B) the number of individuals with a mental illness, and the number of individuals with a serious and persistent mental illness, who are civilly committed; and

(C) the number of individuals with a mental illness, and the number of individuals with a serious and persistent mental illness, who are not receiving, but would benefit from, mental

57 health treatment or supports;

58 (ii) determine the projected growth for each of the populations described in Subsection
59 (2)(b)(i) over the next three, five, and 10 years, and the likely impact of that projected growth
60 on the mental health treatment and supports available in the state;

61 (iii) identify:

62 (A) resources and funding available for mental health treatment and supports in the
63 state, including federal funding provided after January 1, 2020, to the state or a state agency;

64 (B) delivery models for mental health treatment and supports that prevent or delay
65 crisis intervention, hospitalization, or incarceration;

66 (C) barriers to access to mental health treatment and supports for the populations
67 described in Subsection (2)(b)(i);

68 (D) any impact of the federal funding described in Subsection (2)(b)(iii)(A) on the
69 availability of mental health treatment or supports in the state; and

70 (E) funding or service delivery gaps related to mental health treatment and supports in
71 the state;

72 (iv) examine models, policies, or legislation enacted throughout the United States
73 related to mental health treatment and supports and the effectiveness of the models, policies, or
74 legislation in improving access to, delivery, and outcomes of mental health treatment and
75 supports; and

76 (v) seek input from and actively engage with the public and community partners,
77 including stakeholders representing the populations described in Subsection (2)(b)(i), health
78 care providers, and other professionals.

79 (c) For data that is not or cannot feasibly be converted to aggregate data or deidentified
80 data, the office shall seek express consent from each affected individual prior to including that
81 data in the study or the report under Subsection (4).

82 (3) The department may, subject to Title 63G, Chapter 6a, Utah Procurement Code,
83 contract with another state agency, a private entity, or a research institution to assist the
84 department with the study described in Subsection (2).

85 (4) Before December 31, 2024, the office shall submit to the Health and Human
86 Services Interim Committee a final written report regarding the study described in Subsection
87 (2) that includes:

88 (a) a comprehensive, multi-year plan with goals, objectives, and measurable outcomes
89 to address any gaps identified in the study under Subsection (2)(b)(iii)(E) and the current and
90 future mental health treatment and supports needs in the state;

91 (b) references to all sources of information and data used in the final written report and
92 in the study; and

93 (c) recommendations to improve the delivery and accessibility of mental health
94 treatment and supports to the populations described in Subsection (2)(b)(i).