

SB0267S01 compared with SB0267

~~{deleted text}~~ shows text that was in SB0267 but was deleted in SB0267S01.

inserted text shows text that was not in SB0267 but was inserted into SB0267S01.

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.

Senator Curtis S. Bramble proposes the following substitute bill:

TRAUMATIC BRAIN INJURY FUND AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: _____

LONG TITLE

General Description:

This bill renames the Traumatic Brain Injury Fund.

Highlighted Provisions:

This bill:

- ▶ renames the Traumatic Brain Injury Fund as the "Brain Injury Fund"; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

~~{None}~~ This bill provides revisor instructions.

Utah Code Sections Affected:

AMENDS:

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26-50-102, as enacted by Laws of Utah 2008, Chapter 325

26-50-201, as last amended by Laws of Utah 2013, Chapter 400

26-50-202, as last amended by Laws of Utah 2016, Chapter 168

63I-1-226, as last amended by Laws of Utah 2022, Chapters 194, 206, 224, 253, 255, 347, and 451

REPEALS:

26-50-101, as enacted by Laws of Utah 2008, Chapter 325

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

Section 1. Section **26-50-102** is amended to read:

26-50-102. Definitions.

As used in this chapter:

(1) "Committee" means the advisory committee created by the executive director pursuant to Section 26-50-202.

(2) "Fund" means the [~~Traumatic~~] Brain Injury Fund created in Section 26-50-201.

Section 2. Section **26-50-201** is amended to read:

26-50-201. Brain Injury Fund.

(1) There is created an expendable special revenue fund [~~entitled the Traumatic~~] known as the Brain Injury Fund.

(2) The fund shall consist of:

(a) gifts, grants, donations, or any other conveyance of money that may be made to the fund from private sources; and

(b) additional amounts as appropriated by the Legislature.

(3) The fund shall be administered by the executive director.

(4) Fund money may be used to:

(a) educate the general public and professionals regarding understanding, treatment, and prevention of [~~traumatic~~] brain injury;

(b) provide access to evaluations and coordinate short-term care to assist an individual in identifying services or support needs, resources, and benefits for which the individual may be eligible;

(c) develop and support an information and referral system for persons with a

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[traumatic] brain injury and their families; and

(d) provide grants to persons or organizations to provide the services described in Subsections (4)(a), (b), and (c).

(5) Not less than 50% of the fund shall be used each fiscal year to directly assist individuals who meet the qualifications described in Subsection (6).

(6) An individual who receives services either paid for from the fund, or through an organization under contract with the fund, shall:

(a) be a resident of Utah;

(b) have been diagnosed by a qualified professional as having a [traumatic] brain injury which results in impairment of cognitive or physical function; and

(c) have a need that can be met within the requirements of this chapter.

(7) The fund may not duplicate any services or support mechanisms being provided to an individual by any other government or private agency.

(8) All actual and necessary operating expenses for the committee and staff shall be paid by the fund.

(9) The fund may not be used for medical treatment, long-term care, or acute care.

Section 3. Section **26-50-202** is amended to read:

26-50-202. Brain Injury Advisory Committee -- Membership -- Time limit.

(1) On or after July 1 of each year, the executive director may create a [Traumatic] Brain Injury Advisory Committee of not more than nine members.

(2) The committee shall be composed of members of the community who are familiar with [traumatic] brain injury, its causes, diagnosis, treatment, rehabilitation, and support services, including:

(a) persons with a [traumatic] brain injury;

(b) family members of a person with a [traumatic] brain injury;

(c) representatives of an association which advocates for persons with [traumatic] brain injuries;

(d) specialists in a profession that works with brain injury patients; and

(e) department representatives.

(3) The department shall provide staff support to the committee.

(4) (a) If a vacancy occurs in the committee membership for any reason, a replacement

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may be appointed for the unexpired term.

(b) The committee shall elect a chairperson from the membership.

(c) A majority of the committee constitutes a quorum at any meeting, and, if a quorum exists, the action of the majority of members present shall be the action of the committee.

(d) The committee may adopt bylaws governing the committee's activities.

(e) A committee member may be removed by the executive director:

(i) if the member is unable or unwilling to carry out the member's assigned responsibilities; or

(ii) for good cause.

(5) The committee shall comply with the procedures and requirements of:

(a) Title 52, Chapter 4, Open and Public Meetings Act; and

(b) Title 63G, Chapter 2, Government Records Access and Management Act.

(6) A member may not receive compensation or benefits for the member's service, but, at the executive director's discretion, may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(7) Not later than November 30 of each year the committee shall provide a written report summarizing the activities of the committee to the executive director of the department.

(8) The committee shall cease to exist on December 31 of each year, unless the executive director determines it necessary to continue.

Section 4. Section **63I-1-226** is amended to read:

63I-1-226. Repeal dates: Titles 26 through 26B.

(1) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July 1, 2025.

~~[(2) Section 26-1-40 is repealed July 1, 2022.]~~

~~[(3)]~~ (2) Section 26-1-41 is repealed July 1, 2026.

~~[(4)]~~ (3) Section 26-1-43 is repealed December 31, 2025.

~~[(5)]~~ (4) Section 26-7-10 is repealed July 1, 2025.

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~~[(6)]~~ (5) Subsection 26-7-11(5), regarding reports to the Legislature, is repealed July 1, 2028.

~~[(7)]~~ (6) Section 26-7-14 is repealed December 31, 2027.

~~[(8)]~~ (7) Section 26-8a-603 is repealed July 1, 2027.

~~[(9)]~~ (8) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July 1, 2025.

~~[(10)]~~ (9) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee, is repealed July 1, 2026.

~~[(11)]~~ (10) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed July 1, 2025.

~~[(12)] Subsection 26-15c-104(3), relating to a limitation on the number of microenterprise home kitchen permits that may be issued, is repealed July 1, 2022.]~~

~~[(13)]~~ (11) Subsection 26-18-2.6(9), which addresses reimbursement for dental hygienists, is repealed July 1, 2028.

~~[(14)]~~ (12) Section 26-18-27 is repealed July 1, 2025.

~~[(15)]~~ (13) Section 26-18-28 is repealed June 30, 2027.

~~[(16)]~~ (14) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1, 2027.

~~[(17)]~~ (15) Subsection 26-18-418(2), the language that states "and the Behavioral Health Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.

~~[(18)]~~ (16) Section 26-33a-117 is repealed December 31, 2023.

~~[(19)]~~ (17) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

~~[(20)]~~ (18) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1, 2024.

~~[(21)]~~ (19) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed July 1, 2024.

~~[(22)]~~ (20) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.

~~[(23)]~~ (21) Section 26-39-201, which creates the Residential Child Care Licensing Advisory Committee, is repealed July 1, 2024.

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~~[(24)]~~ (22) Section 26-39-405, Drinking water quality in child care centers, is repealed July 1, 2027.

~~[(25)]~~ (23) Section 26-40-104, which creates the Utah Children's Health Insurance Program Advisory Council, is repealed July 1, 2025.

~~[(26)]~~ (24) Section 26-50-202, which creates the [~~Traumatic~~] Brain Injury Advisory Committee, is repealed July 1, 2025.

~~[(27)]~~ (25) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

~~[(28)]~~ (26) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1, 2026.

~~[(29)]~~ (27) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July 1, 2024.

~~[(30)]~~ (28) Section 26-69-406 is repealed July 1, 2025.

~~[(31)]~~ (29) Subsection 26B-1-204(2)(i), related to the Residential Child Care Licensing Advisory Committee, is repealed July 1, 2024.

~~[(32)]~~ (30) Subsection 26B-1-204(2)(k), related to the Primary Care Grant Committee, is repealed July 1, 2025.

Section 5. **Repealer.**

This bill repeals:

Section **26-50-101**, Title.

Section 6. Revisor instructions.

The Legislature intends the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, replace references added during the 2023 General Session as follows:

(1) replace "Traumatic Brain Injury Fund" with "Brain Injury Fund"; and

(2) replace "Traumatic Brain Injury Advisory Committee" with "Brain Injury Advisory Committee".