

Senator Evan J. Vickers proposes the following substitute bill:

BEHAVIORAL HEALTH CRISIS RESPONSE MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill addresses behavioral health crisis response services.

Highlighted Provisions:

This bill:

- ▶ allows the Department of Health and Human Services (department) to reimburse nonemergency secured behavioral health transport providers;
- ▶ requires the department to apply for a Medicaid waiver or state plan amendment to allow the department to assess nonemergency secured behavioral health transport providers certain amounts;
- ▶ if a Medicaid waiver or state plan amendment is approved, requires the department to reimburse nonemergency secured behavioral health transport providers and authorizes the department to make rules to implement the waiver or state plan amendment; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



26 Utah Code Sections Affected:

27 AMENDS:

28 **26B-3-135 (Superseded 07/01/24)**, as renumbered and amended by Laws of Utah
29 2023, Chapter 306

30 **26B-3-135 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 310
31 and renumbered and amended by Laws of Utah 2023, Chapter 306



32
33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **26B-3-135 (Superseded 07/01/24)** is amended to read:

35 **26B-3-135 (Superseded 07/01/24). Reimbursement for nonemergency secured**
36 **behavioral health transport providers.**

37 (1) The department may [not] reimburse a nonemergency secured behavioral health
38 transport provider that is designated under Section [26B-4-117](#).

39 (2) Before July 1, 2024, the department shall apply for a Medicaid waiver or state plan
40 amendment to allow the department to assess nonemergency secured behavioral health
41 transport providers an amount up to the non-federal share the department needs to seed
42 amounts that will support fee-for-service nonemergency secured behavioral health transport
43 rates adopted by the department.

44 (3) If a waiver or state plan amendment described in Subsection (2) is approved, the
45 department:

46 (a) shall reimburse a nonemergency secured behavioral health transport provider that is
47 designated under Section [26B-4-117](#) in an amount up to the nonemergency secured behavioral
48 health transport rates adopted annually by the department; and

49 (b) may make rules in accordance with Title 63G, Chapter 3, Utah Administrative
50 Rulemaking Act, to integrate assessments and payments to nonemergency secured behavioral
51 health transport providers designated under Section [26B-4-117](#).

52 Section 2. Section **26B-3-135 (Effective 07/01/24)** is amended to read:

53 **26B-3-135 (Effective 07/01/24). Reimbursement for nonemergency secured**
54 **behavioral health transport providers.**

55 (1) As used in this section, "nonemergency secured behavioral health transport" means
56 the same as that term is defined in Section [53-2d-101](#).

57 (2) The department may [~~not~~] reimburse a nonemergency secured behavioral health
58 transport provider that is designated under Section [53-2d-403](#).

59 (3) Before July 1, 2024, the department shall apply for a Medicaid waiver or state plan
60 amendment to allow the department to assess nonemergency secured behavioral health
61 transport providers an amount up to the non-federal share the department needs to seed
62 amounts that will support fee-for-service nonemergency secured behavioral health transport
63 rates adopted by the department.

64 (4) If a waiver or state plan amendment described in Subsection (3) is approved, the
65 department:

66 (a) shall reimburse a nonemergency secured behavioral health transport provider that is
67 designated under Section [26B-4-117](#) in an amount up to the nonemergency secured behavioral
68 health transport rates adopted annually by the department; and

69 (b) may make rules in accordance with Title 63G, Chapter 3, Utah Administrative
70 Rulemaking Act, to integrate assessments and payments to nonemergency secured behavioral
71 health transport providers designated under Section [26B-4-117](#).

72 Section 3. **Effective date.**

73 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.

74 (2) The actions affecting Section [26B-3-135](#) (Effective 07/01/24) take effect on July 1,
75 2024.