FIRST RESPONDER MENTAL HEALTH SERVICES	
AMENDMENTS	
2024 GENERAL SESSION	
STATE OF UTAH	
Chief Sponsor: Ryan D. Wilcox	
Senate Sponsor:	
LONG TITLE	
General Description:	
This bill concerns mental health services for first responders.	
Highlighted Provisions:	
This bill:	
 creates and modifies definitions; 	
 requires the Department of Public Safety (department) to take certain actions 	
regarding critical incident stress management services for employees or volunteers	
of a first responder agency, including providing an annual training for volunteers;	
 broadens the scope of individuals who are considered to be eligible for certain 	
mental health resources;	
 clarifies that certain individuals remain eligible for mental health resources despite 	
subsequent employment as a non-first responder;	
requires first responder agencies to:	
 provide certain information concerning mental health resources to employed 	
first responders; and	
• designate a mental health resources liaison and inform the department of the	
identity of the liaison;	
 allows the department to assist a first responder entity in drafting a grant application 	
seeking mental health resources;	



28	requires the department to:	
29	 annually inform first responder agencies of certain mental health resources 	
30	information;	
31	 post on the department's website certain information concerning mental health 	
32	resources for first responders;	
33	 receive complaints and investigate a denial of mental health resources to an 	
34	individual by a first responder agency; and	
35	 report an uncured denial of denial of mental health resources to an eligible 	
36	individual to specified individuals;	
37	 requires the State Commission on Criminal and Juvenile Justice (commission) to 	
38	receive and investigate a referral from the department involving a denial of mental	
39	health resources to an eligible individual;	
40	 allows the commission to, in the commission's discretion, refuse to award a grant of 	
41	state funds to an entity for a specified period of time due to the entity's improper	
42	denial of mental health resources to an eligible individual; and	
43	makes technical and conforming changes.	
44	Money Appropriated in this Bill:	
45	None	
46	Other Special Clauses:	
47	This bill provides a special effective date.	
48	Utah Code Sections Affected:	
49	AMENDS:	
50	53-2d-206 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 19,	
51	327 and renumbered and amended by Laws of Utah 2023, Chapter 310 and last	
52	amended by Coordination Clause, Laws of Utah 2023, Chapters 307, 327	
53	53-21-101 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 16,	
54	19, 310, and 328	
55	53-21-102, as last amended by Laws of Utah 2023, Chapter 19	
56	53-21-103, as last amended by Laws of Utah 2023, Chapter 19	
57	63M-7-204, as last amended by Laws of Utah 2023, Chapters 158, 330, 382, and 500	
58	63M-7-218, as last amended by Laws of Utah 2023, Chapters 158, 161 and 382	

ENACTS:	
53-21-104.1, Utah Code Annotated 1953	
Be it enacted by the Legislature of the state of Utah:	
Section 1. Section 53-2d-206 (Effective 07/01/24) is amended to read:	
53-2d-206 (Effective 07/01/24). Personnel critical incident stress management	
program.	
(1) The bureau shall [develop and implement] facilitate a statewide program to provide	
support and counseling for personnel who have been exposed to one or more stressful incidents	
in the course of providing emergency services.	
(2) [This] The critical incident stress management program shall include:	
(a) ongoing training for agencies providing emergency services and counseling	
program volunteers;	
(b) critical incident stress debriefing for personnel at no cost to the emergency	
provider; and	
(c) advising the department on training requirements for licensure as a behavioral	
emergency services technician.	
(3) (a) The department shall annually provide informational resources to first responder	
agencies about the critical incident stress management program in a format that will ensure that	
the first responder agency receives the information.	
(b) The informational resources described in Subsection (3)(a) shall include	
educational resources about the critical incident stress management program directed to:	
(i) the first responder agency administration; and	
(ii) the employees or volunteers of the first responder agency.	
[(3)] (4) (a) The department shall receive, process, and reimburse reasonable actual	
expenses, including mileage, incurred by a volunteer during the course of [the] a volunteer's	
provision of critical incident stress management services under this section.	
(b) The department shall, on the department's website, provide information concerning:	
(i) the expenses that are eligible for reimbursement for a critical incident stress	
management program volunteer under Subsection (4)(a); and	
(ii) instructions on how a critical incident stress management volunteer may submit a	

90	request for reimbursement under Subsection (4)(a).	
91	(5) (a) The department shall, in collaboration with current critical incident stress	
92	management program volunteers, organize and provide an annual training for critical incident	
93	stress management program volunteers.	
94	(b) For the training described in Subsection (5)(a), the department shall:	
95	(i) pay for or reimburse reasonable actual expenses for a critical incident stress	
96	management program volunteer who attends the training;	
97	(ii) collaborate with existing critical incident stress management program volunteers to	
98	determine a location for the training; and	
99	(iii) provide information on the department's website about the training.	
100	Section 2. Section 53-21-101 (Effective 07/01/24) is amended to read:	
101	53-21-101 (Effective 07/01/24). Definitions.	
102	As used in this chapter:	
103	(1) "Crime scene investigator technician" means an individual employed by a law	
104	enforcement agency to collect and analyze evidence from crime scenes and crime-related	
105	incidents.	
106	[(2) "Department" means the Department of Public Safety.]	
107	(2) "Designated mental health resources liaison" means a non-leadership human	
108	resources or other administrative employee designated by a first responder agency who receives	
109	and processes a request for mental health resources on behalf of the first responder agency	
110	under this chapter.	
111	(3) "First responder" means:	
112	(a) a law enforcement officer, as defined in Section 53-13-103;	
113	(b) an emergency medical technician, as defined in Section 53-2e-101;	
114	(c) an advanced emergency medical technician, as defined in Section 53-2e-101;	
115	(d) a paramedic, as defined in Section 53-2e-101;	
116	(e) a firefighter, as defined in Section 34A-3-113;	
117	(f) a dispatcher, as defined in Section 53-6-102;	
118	(g) a correctional officer, as defined in Section 53-13-104;	
119	(h) a special function officer, as defined in Section 53-13-105, employed by a local	
120	sheriff;	

121	(1) a search and rescue worker under the supervision of a local sheriff;	
122	(j) a forensic interviewer or victim advocate employed by a children's justice center	
123	established in accordance with Section 67-5b-102;	
124	(k) a credentialed criminal justice system victim advocate as defined in Section	
125	77-38-403 who responds to incidents with a law enforcement officer;	
126	(l) a crime scene investigator technician;	
127	(m) a wildland firefighter; [or]	
128	(n) an investigator or prosecutor of cases involving sexual crimes against children[-]; or	
129	(o) a civilian employee of a first responder agency who has been authorized to view or	
130	otherwise access information concerning crimes, accidents, or other traumatic events.	
131	(4) "First responder agency" means:	
132	(a) a special district, municipality, interlocal entity, or other political subdivision that	
133	employs a first responder to provide fire protection, paramedic, law enforcement, or emergency	
134	services; or	
135	(b) a certified private law enforcement agency as defined in Section 53-19-102.	
136	(5) "Mental health resources" means:	
137	(a) an assessment to determine appropriate mental health treatment that is performed	
138	by a mental health therapist;	
139	(b) outpatient mental health treatment provided by a mental health therapist; or	
140	(c) peer support services provided by a peer support specialist who is qualified to	
141	provide peer support services under Subsection 26B-5-102(2)(h).	
142	(6) "Mental health therapist" means the same as that term is defined in Section	
143	58-60-102.	
144	(7) "Plan" means a plan to implement or expand a program that provides mental health	
145	resources to first responders for which the division awards a grant under this chapter.	
146	(8) "Retired" means the status of an individual who has become eligible, applies for,	
147	and may receive an allowance under Title 49, Utah State Retirement and Insurance Benefit Act.	
148	(9) "Separated" means the status of an individual who has separated from employment	
149	as a first responder from a first responder agency as a result of a critical incident involving the	
150	first responder.	
151	Section 3. Section 53-21-102 is amended to read:	

152	53-21-102. Mental health services Requirement to provide Eligibility		
153	Confidentiality Requests Reporting noncompliance Designation.		
154	(1) Every first responder agency within the state shall provide or make available mental		
155	health resources to:		
156	(a) all first responders;		
157	(b) the spouse and children of first responders;		
158	(c) surviving spouses of first responders whose death is classified as a line-of-duty		
159	death under Title 49, Utah State Retirement and Insurance Benefit Act;		
160	(d) retired or separated first responders for at least three years from the date that the		
161	retired or separated first responder requests mental health resources, regardless of any		
162	subsequent employment as a non-first responder; and		
163	(e) spouses of retired or separated first responders for a least three years from the date		
164	that the spouse of the retired or separated first responder requests mental health resources,		
165	regardless of any subsequent employment as a non-first responder.		
166	(2) All access by first responders and their families to mental health resources shall be		
167	kept confidential.		
168	(3) A first responder agency shall:		
169	(a) annually provide information to all employed first responders regarding:		
170	(i) the availability of mental health resources under this section, including:		
171	(A) for individuals in addition to the first responders as described in Subsection (1);		
172	<u>and</u>		
173	(B) subsequent to a separation or retirement;		
174	(ii) how to access the mental health resources under this section; and		
175	(iii) directions on how to appeal a denial of mental health resources under this section		
176	to the department, as provided under Section 53-21-104.1; and		
177	(b) (i) assign a designated mental health resources liaison;		
178	(ii) inform the department of the identity of the designated mental health resources		
179	liaison; and		
180	(iii) update the department as to the identity of the designated mental health resources		
181	liaison when a new individual is assigned.		
182	Section 4. Section 53-21-103 is amended to read:		

183	53-21-103. Grants to first responder agencies Rulemaking.	
184	(1) The department may award grants to first responder agencies to provide mental	
185	health resources in response to a:	
186	(a) request for proposal;	
187	(b) request for qualifications; or	
188	(c) program description that meets the criteria in Subsection (2).	
189	(2) The request for proposal, request for qualifications, or program description received	
190	by the department shall require mental health providers contracted or employed by the first	
191	responder agency to have training and experience in working with first responders and provide,	
192	at a minimum, the following services:	
193	(a) regular periodic screenings for all employees within the first responder agency;	
194	(b) assessments and availability to mental health services for personnel directly	
195	involved in a critical incident within 12 hours of the incident; and	
196	(c) regular and continuing access to the mental health program for:	
197	(i) spouses and children of first responders;	
198	(ii) first responders who have retired or separated from the agency; and	
199	(iii) spouses of first responders who have retired or separated from the agency.	
200	(3) An application from a first responder agency for a grant under this chapter shall	
201	provide the following details:	
202	(a) a proposed plan to provide mental health resources to first responders in the first	
203	responder agency;	
204	(b) the number of first responders to be served by the proposed plan;	
205	(c) how the proposed plan will ensure timely and effective provision of mental health	
206	resources to first responders in the first responder agency;	
207	(d) the cost of the proposed plan; and	
208	(e) the sustainability of the proposed plan.	
209	(4) In evaluating a project proposal for a grant under this section, the department shall	
210	consider:	
211	(a) the extent to which the first responders that will be served by the proposed plan are	
212	likely to benefit from the proposed plan;	
213	(b) the cost of the proposed plan; and	

214	(c) the viability of the proposed plan.	
215	(5) A first responder agency may not apply for a grant to fund a program already in	
216	place. However, a request for proposal to fund an expansion of an already existing program	
217	shall, in addition to the requirements of Subsection (4), provide:	
218	(a) the scope and cost of the agency's current program;	
219	(b) the number of additional first responders the expansion will serve; and	
220	(c) whether the expansion will provide services under Subsection (2) that the current	
221	program does not provide.	
222	(6) The department shall prioritize grant funding for:	
223	(a) counties of the 3rd, 4th, 5th, and 6th class;	
224	(b) cities of the 3rd, 4th, and 5th class; and	
225	(c) towns.	
226	(7) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah	
227	Administrative Rulemaking Act, to administer this chapter.	
228	(8) The department shall:	
229	(a) notify entities that may be eligible for a grant under this section about the grant	
230	program; and	
231	(b) on or before October 1, [2023] 2024, and October 1, 2025, provide a report to the	
232	Law Enforcement and Criminal Justice Interim Committee that describes:	
233	(i) the number of entities that have been notified by the department about the grant	
234	program under this section; and	
235	(ii) the number of grant applications that the department has received.	
236	(9) The department may assist a first responder entity in drafting a grant application	
237	under this section.	
238	Section 5. Section 53-21-104.1 is enacted to read:	
239	53-21-104.1. Education Complaints Investigations.	
240	(1) The department shall annually inform all first responder entities in the state of the	
241	requirements described in Section 53-21-102.	
242	(2) In addition to the notification required under Subsection (1), the department shall,	
243	on the department's website, provide information describing:	
244	(a) an individual's eligibility for mental health resources under Section 53-21-102;	

245	(b) the statutory definition for mental health resources provided in Section 53-21-101;	
246	(c) the designated mental health resources liaison for each first responder agency as	
247	described in Subsection 53-21-102(3)(b); and	
248	(d) how to appeal a denial of mental health resources to the department.	
249	(3) (a) The department shall investigate a denial of mental health resources that is	
250	received under Subsection (2)(d) to determine whether the denial was in violation of this	
251	chapter.	
252	(b) If, after an investigation, the department determines that a first responder agency	
253	improperly denied mental health resources in violation of this chapter, the department shall	
254	notify the first responder agency and provide the first responder agency with a reasonable time	
255	to correct the improper denial.	
256	(c) The department shall determine whether a first responder agency has cured the	
257	violation within the time described in Subsection (3)(b) and, if the first responder agency has	
258	not, the department shall send a letter within a reasonable time identifying the first responder	
259	agency and the relevant details of the department's investigation to:	
260	(i) the commissioner;	
261	(ii) the chairs of the Law Enforcement and Criminal Justice Interim Committee; and	
262	(iii) the director of the State Commission on Criminal and Juvenile Justice, who shall	
263	refer the matter for investigation under Section 63M-7-204 and may restrict state grant money	
264	under Section 63M-7-21.	
265	Section 6. Section 63M-7-204 is amended to read:	
266	63M-7-204. Duties of commission.	
267	(1) The State Commission on Criminal and Juvenile Justice administration shall:	
268	(a) promote the commission's purposes as enumerated in Section 63M-7-201;	
269	(b) promote the communication and coordination of all criminal and juvenile justice	
270	agencies;	
271	(c) study, evaluate, and report on the status of crime in the state and on the	
272	effectiveness of criminal justice policies, procedures, and programs that are directed toward the	
273	reduction of crime in the state;	
274	(d) study, evaluate, and report on programs initiated by state and local agencies to	
275	address reducing recidivism, including changes in penalties and sentencing guidelines intended	

to reduce recidivism, costs savings associated with the reduction in the number of inmates, and evaluation of expenses and resources needed to meet goals regarding the use of treatment as an alternative to incarceration, as resources allow;

(e) study, evaluate, and report on policies, procedures, and programs of other jurisdictions which have effectively reduced crime;

- (f) identify and promote the implementation of specific policies and programs the commission determines will significantly reduce crime in Utah;
- (g) provide analysis and recommendations on all criminal and juvenile justice legislation, state budget, and facility requests, including program and fiscal impact on all components of the criminal and juvenile justice system;
- (h) provide analysis, accountability, recommendations, and supervision for state and federal criminal justice grant money;
- (i) provide public information on the criminal and juvenile justice system and give technical assistance to agencies or local units of government on methods to promote public awareness;
- (j) promote research and program evaluation as an integral part of the criminal and juvenile justice system;
 - (k) provide a comprehensive criminal justice plan annually;
- (l) review agency forecasts regarding future demands on the criminal and juvenile justice systems, including specific projections for secure bed space;
- (m) promote the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems by:
- (i) developing and maintaining common data standards for use by all state criminal justice agencies;
- (ii) annually performing audits of criminal history record information maintained by state criminal justice agencies to assess their accuracy, completeness, and adherence to standards;
- (iii) defining and developing state and local programs and projects associated with the improvement of information management for law enforcement and the administration of justice; and

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307	(iv) establishing general policies concerning criminal and juvenile justice information	
308	systems and making rules as necessary to carry out the duties under Subsection (1)(k) and this	
309	Subsection (1)(m);	
310	(n) allocate and administer grants, from money made available, for approved education	
311	programs to help prevent the sexual exploitation of children;	
312	(o) allocate and administer grants for law enforcement operations and programs related	
313	to reducing illegal drug activity and related criminal activity;	
314	(p) request, receive, and evaluate data and recommendations collected and reported by	
315	agencies and contractors related to policies recommended by the commission regarding	
316	recidivism reduction, including the data described in Section 13-53-111 and Subsection	
317	26B-5-102(2)(1);	
318	(q) establish and administer a performance incentive grant program that allocates funds	
319	appropriated by the Legislature to programs and practices implemented by counties that reduce	
320	recidivism and reduce the number of offenders per capita who are incarcerated;	
321	(r) oversee or designate an entity to oversee the implementation of juvenile justice	
322	reforms;	
323	(s) make rules and administer the juvenile holding room standards and juvenile jail	
324	standards to align with the Juvenile Justice and Delinquency Prevention Act requirements	
325	pursuant to 42 U.S.C. Sec. 5633;	
326	(t) allocate and administer grants, from money made available, for pilot qualifying	
327	education programs;	
328	(u) oversee the trauma-informed justice program described in Section 63M-7-209;	
329	(v) request, receive, and evaluate the aggregate data collected from prosecutorial	
330	agencies and the Administrative Office of the Courts, in accordance with Sections 63M-7-216	
331	and 78A-2-109.5;	
332	(w) report annually to the Law Enforcement and Criminal Justice Interim Committee	
333	on the progress made on each of the following goals of the Justice Reinvestment Initiative:	
334	(i) ensuring oversight and accountability;	
335	(ii) supporting local corrections systems;	
336	(iii) improving and expanding reentry and treatment services; and	

(iv) strengthening probation and parole supervision;

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338	(x) compile a report of findings based on the data and recommendations provided
339	under Section 13-53-111 and Subsection 26B-5-102(2)(n) that:
340	(i) separates the data provided under Section 13-53-111 by each residential, vocational
341	and life skills program; and
342	(ii) separates the data provided under Subsection 26B-5-102(2)(n) by each mental
343	health or substance use treatment program;
344	(y) publish the report described in Subsection (1)(x) on the commission's website and
345	annually provide the report to the Judiciary Interim Committee, the Health and Human Services
346	Interim Committee, the Law Enforcement and Criminal Justice Interim Committee, and the
347	related appropriations subcommittees; [and]
348	(z) receive, compile, and publish on the commission's website the data provided under:
349	(i) Section 53-23-101;
350	(ii) Section 53-24-102; and
351	(iii) Section 53-26-101; and
352	(aa) receive and investigate a referral from the Department of Public Safety received
353	under Section 53-21-104.1 involving a denial of mental health resources to an eligible
354	individual, including, if appropriate in the commission's discretion, deny the relevant entity
355	from receiving any grant of state funds under Section 63M-7-218 for a specified period of time
356	(2) If the commission designates an entity under Subsection (1)(r), the commission
357	shall ensure that the membership of the entity includes representation from the three branches
358	of government and, as determined by the commission, representation from relevant stakeholder
359	groups across all parts of the juvenile justice system, including county representation.
360	Section 7. Section 63M-7-218 is amended to read:
361	63M-7-218. State grant requirements.
362	(1) Beginning July 1, 2023, the commission may not award any grant of state funds to
363	any entity subject to, and not in compliance with, the reporting requirements in Subsections
364	63A-16-1002(5)(a) through (r).
365	(2) Beginning July 1, 2025, the commission may not award any grant of state funds to
366	an entity subject to the requirements under Sections 53-21-102 and 53-21-104.1, if the
367	commission has determined under Subsection 63M-7-204(1)(aa) that the entity is currently not
368	eligible to receive state grant funds under this section.

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369	Section 8. Effective date.
370	This bill takes effect on July 1, 2024