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RESPITE CARE AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Todd D. Weiler
House Sponsor: Karianne Lisonbee

LONG TITLE

General Description:

This bill addresses respite care services for families of individuals with disabilities.

Highlighted Provisions:

This bill:

- defines terms;
- allows the Division of Services for People with Disabilities to provide, as funding permits and either directly or through a third party, overnight respite care services for families of individuals with disabilities;
- provides a sunset date; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- to Department of Health and Human Services - Long-Term Services & Support - Community Supports Waiver Services as a one-time appropriation:
 - from the General Fund, One-time, \$250,000

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 63I-2-226 (Effective 05/01/24) (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33, 139, 249, 295, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter 329
- 63I-2-226 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33, 139, 249, 295, 310, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter 329 and

28 last amended by Coordination Clause, Laws of Utah 2023, Chapter 329

29 ENACTS:

30 **26B-6-414 (Effective 05/01/24)**, as Utah Code Annotated 1953

31

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

33 Section 1. Section **26B-6-414** is enacted to read:

34 **26B-6-414 (Effective 05/01/24). Respite care services.**

35 (1) As used in this section, "respite care services" means temporary, periodic relief
 36 provided to parents or guardians from the care of an individual who is eligible to receive
 37 division services.

38 (2) The division may, as funding permits and either directly or through one or more third
 39 parties who are under contract with the division, provide overnight respite care services
 40 and, concurrent with the respite care services, services for the individual who is eligible
 41 to receive division services, such as recreational therapy, community-based programs,
 42 therapeutic recreation, educational programs, transportation, or vocational rehabilitation.

43 Section 2. Section **63I-2-226** is amended to read:

44 **63I-2-226 (Effective 05/01/24) (Superseded 07/01/24). Repeal dates: Titles 26A**
 45 **through 26B.**

46 (1) Subsection 26B-1-204(2)(e), related to the Air Ambulance Committee, is repealed July
 47 1, 2024.

48 (2) Section 26B-1-241 is repealed July 1, 2024.

49 (3) Section 26B-1-302 is repealed on July 1, 2024.

50 (4) Section 26B-1-313 is repealed on July 1, 2024.

51 (5) Section 26B-1-314 is repealed on July 1, 2024.

52 (6) Section 26B-1-321 is repealed on July 1, 2024.

53 (7) Section 26B-1-405, related to the Air Ambulance Committee, is repealed on July 1,
 54 2024.

55 (8) Section 26B-1-419, which creates the Utah Health Care Workforce Financial Assistance
 56 Program Advisory Committee, is repealed July 1, 2027.

57 (9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26B-2-231(1)(a)
 58 is amended to read:

59 "(a) provide the patient or the patient's representative with the following information
 60 before contacting an air medical transport provider:

61 (i) which health insurers in the state the air medical transport provider contracts with;

- 62 (ii) if sufficient data is available, the average charge for air medical transport services for a
63 patient who is uninsured or out of network; and
64 (iii) whether the air medical transport provider balance bills a patient for any charge not paid
65 by the patient's health insurer; and".
- 66 (10) Section 26B-3-142 is repealed July 1, 2024.
- 67 (11) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization and
68 genetic testing, is repealed July 1, 2030.
- 69 (12) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26B-4-135(1)(a)
70 is amended to read:
- 71 (a) provide the patient or the patient's representative with the following information
72 before contacting an air medical transport provider:
- 73 (i) which health insurers in the state the air medical transport provider contracts with;
74 (ii) if sufficient data is available, the average charge for air medical transport services for a
75 patient who is uninsured or out of network; and
76 (iii) whether the air medical transport provider balance bills a patient for any charge not paid
77 by the patient's health insurer; and".
- 78 (13) Section 26B-4-702, related to the Utah Health Care Workforce Financial Assistance
79 Program, is repealed July 1, 2027.
- 80 (14) Section 26B-5-117, related to early childhood mental health support grant programs, is
81 repealed January 2, 2025.
- 82 (15) Section 26B-6-414, related to overnight respite care services, is repealed July 1, 2025.
- 83 ~~[(15)]~~ (16) Subsection 26B-7-117(3), related to reports to the Legislature on syringe
84 exchange and education, is repealed January 1, 2027.
- 85 ~~[(16)]~~ (17) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1, 2025.
- 86 Section 3. Section **63I-2-226** is amended to read:
- 87 **63I-2-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.**
- 88 (1) Section 26B-1-241 is repealed July 1, 2024.
- 89 (2) Section 26B-1-302 is repealed on July 1, 2024.
- 90 (3) Section 26B-1-313 is repealed on July 1, 2024.
- 91 (4) Section 26B-1-314 is repealed on July 1, 2024.
- 92 (5) Section 26B-1-321 is repealed on July 1, 2024.
- 93 (6) Section 26B-1-419, which creates the Utah Health Care Workforce Financial Assistance
94 Program Advisory Committee, is repealed July 1, 2027.
- 95 (7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26B-2-231(1)(a)

96 is amended to read:

97 "(a) provide the patient or the patient's representative with the following information
98 before contacting an air medical transport provider:

99 (i) which health insurers in the state the air medical transport provider contracts with;

100 (ii) if sufficient data is available, the average charge for air medical transport services for a
101 patient who is uninsured or out of network; and

102 (iii) whether the air medical transport provider balance bills a patient for any charge not paid
103 by the patient's health insurer; and".

104 (8) Section 26B-3-142 is repealed July 1, 2024.

105 (9) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization and
106 genetic testing, is repealed July 1, 2030.

107 (10) Section 26B-4-702, related to the Utah Health Care Workforce Financial Assistance
108 Program, is repealed July 1, 2027.

109 (11) Section 26B-5-117, related to early childhood mental health support grant programs, is
110 repealed January 2, 2025.

111 (12) Section 26B-6-414, related to overnight respite care services, is repealed July 1, 2025.

112 [~~(12)~~] (13) Subsection 26B-7-117(3), related to reports to the Legislature on syringe
113 exchange and education, is repealed January 1, 2027.

114 [~~(13)~~] (14) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1, 2025.

115 **Section 4. FY 2025 Appropriation.**

116 The following sums of money are appropriated for the fiscal year beginning July 1,
117 2024, and ending June 30, 2025. These are additions to amounts previously appropriated
118 for fiscal year 2025.

119 Subsection 4(a) **Operating and Capital Budgets**

120 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
121 Legislature appropriates the following sums of money from the funds or accounts
122 indicated for the use and support of the government of the state of Utah.

123 ITEM 1 To Department of Health and Human Services - Long-Term Services & Support

124 From General Fund, One-time

\$250,000

125 Schedule of Programs:

126 Community Supports Waiver Services

\$250,000

127 The Legislature intends that the Division of Services for People with Disabilities use the
128 appropriation under this item to provide overnight respite care services in accordance
129 with Section 26B-6-414.

130 Section 5. **Effective date.**

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

132 (2) The actions affecting Section 63I-2-226 (Effective 07/01/24) take effect on July 1, 2024.