

BEHAVIORAL HEALTH SYSTEM AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Steve Eliason

LONG TITLE

Committee Note:

The Health and Human Services Interim Committee recommended this bill.

Legislative Vote: 12 voting for 4 voting against 3 absent

General Description:

This bill creates the Utah Behavioral Health Commission.

Highlighted Provisions:

This bill:

- ▶ creates the Utah Behavioral Health Commission (commission) within the Department of Health and Human Services;
- ▶ describes the commission's purpose and duties;
- ▶ creates certain subcommittees under the commission, including moving certain existing behavioral health entities under the direction of the commission;
- ▶ creates the Legislative Policy Committee under the direction of the commission, and describes that committee's duties;
- ▶ provides a sunset date for the commission;
- ▶ amends the sunset date for the Education and Mental Health Coordinating Committee; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None



28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **17-22-32**, as last amended by Laws of Utah 2023, Chapter 408

33 **26B-1-324**, as last amended by Laws of Utah 2023, Chapter 270 and renumbered and
34 amended by Laws of Utah 2023, Chapter 305

35 **26B-1-329**, as renumbered and amended by Laws of Utah 2023, Chapter 305

36 **26B-1-425**, as last amended by Laws of Utah 2023, Chapter 139 and renumbered and
37 amended by Laws of Utah 2023, Chapter 305

38 **26B-1-427**, as renumbered and amended by Laws of Utah 2023, Chapter 305

39 **26B-1-428**, as last amended by Laws of Utah 2023, Chapter 300 and renumbered and
40 amended by Laws of Utah 2023, Chapter 305

41 **26B-3-138**, as renumbered and amended by Laws of Utah 2023, Chapter 306

42 **26B-3-213**, as renumbered and amended by Laws of Utah 2023, Chapter 306

43 **26B-5-112**, as renumbered and amended by Laws of Utah 2023, Chapter 308

44 **26B-5-112.5**, as enacted by Laws of Utah 2023, Chapter 270

45 **26B-5-114**, as last amended by Laws of Utah 2023, Chapter 270 and renumbered and
46 amended by Laws of Utah 2023, Chapter 308

47 **26B-5-120**, as enacted by Laws of Utah 2023, Chapter 270

48 **26B-5-403**, as renumbered and amended by Laws of Utah 2023, Chapter 308

49 **26B-5-609**, as renumbered and amended by Laws of Utah 2023, Chapter 308

50 **26B-5-610**, as renumbered and amended by Laws of Utah 2023, Chapter 308

51 **26B-5-611**, as renumbered and amended by Laws of Utah 2023, Chapter 308

52 **32B-2-210**, as last amended by Laws of Utah 2022, Chapter 447

53 **32B-2-306**, as last amended by Laws of Utah 2021, Chapter 291

54 **32B-2-402**, as last amended by Laws of Utah 2022, Chapter 255

55 **32B-2-404**, as last amended by Laws of Utah 2014, Chapter 119

56 **32B-2-405**, as last amended by Laws of Utah 2016, Chapter 144

57 **32B-7-305**, as last amended by Laws of Utah 2022, Chapter 447

58 **63C-18-102**, as last amended by Laws of Utah 2023, Chapter 329

- 59 **63C-18-202**, as last amended by Laws of Utah 2023, Chapters 270, 329
- 60 **63C-18-203**, as last amended by Laws of Utah 2023, Chapters 270, 329
- 61 **63C-23-102**, as last amended by Laws of Utah 2022, Chapter 274
- 62 **63C-23-201**, as enacted by Laws of Utah 2021, Chapter 171
- 63 **63C-23-202**, as enacted by Laws of Utah 2021, Chapter 171
- 64 **63I-1-226 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters
- 65 249, 269, 270, 275, 332, 335, 420, and 495 and repealed and reenacted by Laws of
- 66 Utah 2023, Chapter 329
- 67 **63I-1-226 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 249,
- 68 269, 270, 275, 310, 332, 335, 420, and 495 and repealed and reenacted by Laws of
- 69 Utah 2023, Chapter 329 and last amended by Coordination Clause, Laws of Utah
- 70 2023, Chapters 329, 332
- 71 **63I-1-232**, as last amended by Laws of Utah 2022, Chapter 34
- 72 **63I-1-263**, as last amended by Laws of Utah 2023, Chapters 33, 47, 104, 109, 139, 155,
- 73 212, 218, 249, 270, 448, 489, and 534
- 74 **63M-7-202**, as last amended by Laws of Utah 2023, Chapter 150
- 75 **63M-7-301**, as last amended by Laws of Utah 2023, Chapters 150, 266 and 330
- 76 **63M-7-302**, as last amended by Laws of Utah 2019, Chapter 246
- 77 **63M-7-303**, as last amended by Laws of Utah 2023, Chapters 266, 330 and 534 and last
- 78 amended by Coordination Clause, Laws of Utah 2023, Chapter 330
- 79 **63M-7-304**, as last amended by Laws of Utah 2010, Chapters 39, 286
- 80 **63M-7-305**, as last amended by Laws of Utah 2021, Chapter 260
- 81 **63M-7-306**, as last amended by Laws of Utah 2010, Chapter 39
- 82 **64-13-45**, as last amended by Laws of Utah 2019, Chapters 311, 385
- 83 **77-18-104**, as renumbered and amended by Laws of Utah 2021, Chapter 260

84 ENACTS:

- 85 **26B-5-701**, Utah Code Annotated 1953
- 86 **26B-5-702**, Utah Code Annotated 1953
- 87 **26B-5-703**, Utah Code Annotated 1953
- 88 **26B-5-704**, Utah Code Annotated 1953
- 89 **26B-5-705**, Utah Code Annotated 1953

90 [26B-5-706](#), Utah Code Annotated 1953

91 REPEALS:

92 [63C-18-101](#), as last amended by Laws of Utah 2020, Chapter 303

93 [63C-23-101](#), as enacted by Laws of Utah 2021, Chapter 171



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

96 Section 1. Section **17-22-32** is amended to read:

97 **17-22-32. County jail reporting requirements.**

98 (1) As used in this section:

99 (a) "Commission" means the State Commission on Criminal and Juvenile Justice
100 created in Section [63M-7-201](#).

101 (b) (i) "In-custody death" means an inmate death that occurs while the inmate is in the
102 custody of a county jail.

103 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:

104 (A) being transported for medical care; or

105 (B) receiving medical care outside of a county jail.

106 (c) "Inmate" means an individual who is processed or booked into custody or housed in
107 a county jail in the state.

108 (d) "Opiate" means the same as that term is defined in Section [58-37-2](#).

109 (2) Each county jail shall submit a report to the commission before June 15 of each
110 year that includes, for the preceding calendar year:

111 (a) the average daily inmate population each month;

112 (b) the number of inmates in the county jail on the last day of each month who identify
113 as each race or ethnicity included in the Standards for Transmitting Race and Ethnicity

114 published by the United States Federal Bureau of Investigation;

115 (c) the number of inmates booked into the county jail;

116 (d) the number of inmates held in the county jail each month on behalf of each of the
117 following entities:

118 (i) the Bureau of Indian Affairs;

119 (ii) a state prison;

120 (iii) a federal prison;

- 121 (iv) the United States Immigration and Customs Enforcement;
- 122 (v) any other entity with which a county jail has entered a contract to house inmates on
123 the entity's behalf;
- 124 (e) the number of inmates that are denied pretrial release and held in the custody of the
125 county jail while the inmate awaited final disposition of the inmate's criminal charges;
- 126 (f) for each inmate booked into the county jail:
- 127 (i) the name of the agency that arrested the inmate;
- 128 (ii) the date and time the inmate was booked into and released from the custody of the
129 county jail;
- 130 (iii) if the inmate was released from the custody of the county jail, the reason the
131 inmate was released from the custody of the county jail;
- 132 (iv) if the inmate was released from the custody of the county jail on a financial
133 condition, whether the financial condition was set by a county sheriff or a court;
- 134 (v) the number of days the inmate was held in the custody of the county jail before
135 disposition of the inmate's criminal charges;
- 136 (vi) whether the inmate was released from the custody of the county jail before final
137 disposition of the inmate's criminal charges; and
- 138 (vii) the state identification number of the inmate;
- 139 (g) the number of in-custody deaths that occurred at the county jail;
- 140 (h) for each in-custody death[;]:
- 141 (i) the name, gender, race, ethnicity, age, and known or suspected medical diagnosis or
142 disability, if any, of the deceased;
- 143 (ii) the date, time, and location of death;
- 144 (iii) the law enforcement agency that detained, arrested, or was in the process of
145 arresting the deceased; and
- 146 (iv) a brief description of the circumstances surrounding the death;
- 147 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
148 each of the in-custody deaths described in Subsection (2)(g);
- 149 (j) the county jail's policy for notifying an inmate's next of kin after the inmate's
150 in-custody death;
- 151 (k) the county jail policies, procedures, and protocols:

152 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
153 including use of opiates;

154 (ii) that relate to the county jail's provision, or lack of provision, of medications used to
155 treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all
156 forms of buprenorphine and naltrexone; and

157 (iii) that relate to screening, assessment, and treatment of an inmate for a substance use
158 or mental health disorder; and

159 (l) any report the county jail provides or is required to provide under federal law or
160 regulation relating to inmate deaths.

161 (3) (a) Subsection (2) does not apply to a county jail if the county jail:

162 (i) collects and stores the data described in Subsection (2); and

163 (ii) enters into a memorandum of understanding with the commission that allows the
164 commission to access the data described in Subsection (2).

165 (b) The memorandum of understanding described in Subsection (3)(a)(ii) shall include
166 a provision to protect any information related to an ongoing investigation and comply with all
167 applicable federal and state laws.

168 (c) If the commission accesses data from a county jail in accordance with Subsection
169 (3)(a), the commission may not release a report prepared from that data, unless:

170 (i) the commission provides the report for review to:

171 (A) the county jail; and

172 (B) any arresting agency that is named in the report; and

173 (ii) (A) the county jail approves the report for release;

174 (B) the county jail reviews the report and prepares a response to the report to be
175 published with the report; or

176 (C) the county jail fails to provide a response to the report within four weeks after the
177 day on which the commission provides the report to the county jail.

178 (4) The commission shall:

179 (a) compile the information from the reports described in Subsection (2);

180 (b) omit or redact any identifying information of an inmate in the compilation to the
181 extent omission or redaction is necessary to comply with state and federal law;

182 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim

183 Committee and the Utah Substance Use and Mental Health Advisory [~~Council~~] Committee
184 before November 1 of each year; and

185 (d) submit the compilation to the protection and advocacy agency designated by the
186 governor before November 1 of each year.

187 (5) The commission may not provide access to or use a county jail's policies,
188 procedures, or protocols submitted under this section in a manner or for a purpose not
189 described in this section.

190 (6) A report including only the names and causes of death of deceased inmates and the
191 facility in which they were being held in custody shall be made available to the public.

192 Section 2. Section **26B-1-324** is amended to read:

193 **26B-1-324. Statewide Behavioral Health Crisis Response Account -- Creation --**
194 **Administration -- Permitted uses -- Reporting.**

195 (1) There is created a restricted account within the General Fund known as the
196 "Statewide Behavioral Health Crisis Response Account," consisting of:

197 (a) money appropriated or otherwise made available by the Legislature; and

198 (b) contributions of money, property, or equipment from federal agencies, political
199 subdivisions of the state, or other persons.

200 (2) (a) Subject to appropriations by the Legislature and any contributions to the account
201 described in Subsection (1)(b), the division shall disburse funds in the account only for the
202 purpose of support or implementation of services or enhancements of those services in order to
203 rapidly, efficiently, and effectively deliver 988 services in the state.

204 (b) Funds distributed from the account to county local mental health and substance
205 abuse authorities for the provision of crisis services are not subject to the 20% county match
206 described in Sections [17-43-201](#) and [17-43-301](#).

207 (c) After consultation with the Behavioral Health Crisis Response [~~Commission~~]
208 Committee created in Section [63C-18-202](#), and local substance use authorities and local mental
209 health authorities described in Sections [17-43-201](#) and [17-43-301](#), the division shall expend
210 funds from the account on any of the following programs:

211 (i) the Statewide Mental Health Crisis Line, as defined in Section [26B-5-610](#), including
212 coordination with 911 emergency service, as defined in Section [69-2-102](#), and coordination
213 with local substance abuse authorities as described in Section [17-43-201](#), and local mental

214 health authorities, described in Section 17-43-301;

215 (ii) mobile crisis outreach teams as defined in Section 26B-5-609, distributed in
216 accordance with rules made by the division in accordance with Title 63G, Chapter 3, Utah
217 Administrative Rulemaking Act;

218 (iii) behavioral health receiving centers as defined in Section 26B-5-114;

219 (iv) stabilization services as described in Section [26B-1-102] 26B-5-101;

220 (v) mental health crisis services, as defined in Section 26B-5-101, provided by local
221 substance abuse authorities as described in Section 17-43-201 and local mental health
222 authorities described in Section 17-43-301 to provide prolonged mental health services for up
223 to 90 days after the day on which an individual experiences a mental health crisis as defined in
224 Section 26B-5-101;

225 (vi) crisis intervention training for first responders, as that term is defined in Section
226 78B-4-501;

227 (vii) crisis worker certification training for first responders, as that term is defined in
228 Section 78B-4-501;

229 (viii) frontline support for the SafeUT Crisis Line; or

230 (ix) suicide prevention gatekeeper training for first responders, as that term is defined
231 in Section 78B-4-501.

232 (d) If the Legislature appropriates money to the account for a purpose described in
233 Subsection (2)(c), the division shall use the appropriation for that purpose.

234 (3) Subject to appropriations by the Legislature and any contributions to the account
235 described in Subsection (1)(b), the division may expend funds in the account for administrative
236 costs that the division incurs related to administering the account.

237 (4) The division director shall submit and make available to the public a report before
238 December of each year to the Behavioral Health Crisis Response [~~Commission~~] Committee, as
239 defined in Section 63C-18-202, the Social Services Appropriations Subcommittee, and the
240 Legislative Management Committee that includes:

241 (a) the amount of each disbursement from the account;

242 (b) the recipient of each disbursement, the goods and services received, and a
243 description of the project funded by the disbursement;

244 (c) any conditions placed by the division on the disbursements from the account;

- 245 (d) the anticipated expenditures from the account for the next fiscal year;
- 246 (e) the amount of any unexpended funds carried forward;
- 247 (f) the number of Statewide Mental Health Crisis Line calls received;
- 248 (g) the progress towards accomplishing the goals of providing statewide mental health
- 249 crisis service; and
- 250 (h) other relevant justification for ongoing support from the account.

251 (5) Notwithstanding Subsection (2)(c), allocations made to local substance use
252 authorities and local mental health authorities for behavioral health receiving centers or mobile
253 crisis outreach teams before the end of fiscal year 2023 shall be maintained through fiscal year
254 2027, subject to appropriation.

255 (6) (a) As used in this Subsection (6):

256 (i) "Health benefit plan" means the same as that term is defined in Section 31A-1-301.

257 (ii) "Mental health service provider" means a behavioral health receiving center or
258 mobile crisis outreach team.

259 (b) The department shall coordinate with each mental health service provider that
260 receives state funds to determine which health benefit plans, if any, have not contracted or have
261 refused to contract with the mental health service provider at usual and customary rates for the
262 services provided by the mental health service provider.

263 (c) In each year that the department identifies a health benefit plan that meets the
264 description in Subsection (6)(b), the department shall provide a report on the information
265 gathered under Subsection (6)(b) to the Health and Human Services Interim Committee at or
266 before the committee's October meeting.

267 Section 3. Section **26B-1-329** is amended to read:

268 **26B-1-329. Mental Health Services Donation Fund.**

269 (1) As used in this section:

270 (a) "Mental health therapist" means the same as that term is defined in Section
271 58-60-102.

272 (b) "Mental health therapy" means treatment or prevention of a mental illness,
273 including:

274 (i) conducting a professional evaluation of an individual's condition of mental health,
275 mental illness, or emotional disorder consistent with standards generally recognized by mental

276 health therapists;

277 (ii) establishing a diagnosis in accordance with established written standards generally
278 recognized by mental health therapists;

279 (iii) prescribing a plan or medication for the prevention or treatment of a condition of a
280 mental illness or an emotional disorder; and

281 (iv) engaging in the conduct of professional intervention, including psychotherapy by
282 the application of established methods and procedures generally recognized by mental health
283 therapists.

284 (c) "Qualified individual" means an individual who:

285 (i) is experiencing a mental health crisis; and

286 (ii) calls a local mental health crisis line as defined in Section 26B-5-610 or the
287 statewide mental health crisis line as defined in Section 26B-5-610.

288 (2) There is created an expendable special revenue fund known as the "Mental Health
289 Services Donation Fund."

290 (3) (a) The fund shall consist of:

291 (i) gifts, grants, donations, or any other conveyance of money that may be made to the
292 fund from public or private individuals or entities; and

293 (ii) interest earned on money in the fund.

294 (b) The Office of Substance Use and Mental Health shall administer the fund in
295 accordance with this section.

296 (4) The Office of Substance Use and Mental Health shall award fund money to an
297 entity in the state that provides mental health and substance use treatment for the purpose of:

298 (a) providing through telehealth or in-person services, mental health therapy to
299 qualified individuals;

300 (b) providing access to evaluations and coordination of short-term care to assist a
301 qualified individual in identifying services or support needs, resources, or benefits for which
302 the qualified individual may be eligible; and

303 (c) developing a system for a qualified individual and a qualified individual's family to
304 access information and referrals for mental health therapy.

305 (5) Fund money may only be used for the purposes described in Subsection (4).

306 (6) The Office of Substance Use and Mental Health shall provide an annual report to

307 the Behavioral Health Crisis Response [~~Commission~~] Committee, created in Section
308 [63C-18-202](#), regarding:

- 309 (a) the entity that is awarded a grant under Subsection (4);
310 (b) the number of qualified individuals served by the entity with fund money; and
311 (c) any costs or benefits as a result of the award of the grant.

312 Section 4. Section **26B-1-425** is amended to read:

313 **26B-1-425. Utah Health Workforce Advisory Council -- Creation and**
314 **membership.**

315 (1) There is created within the department the Utah Health Workforce Advisory
316 Council.

317 (2) The council shall be comprised of at least 14 but not more than 19 members.

318 (3) The following are members of the council:

319 (a) the executive director or that individual's designee;

320 (b) the executive director of the Department of Workforce Services or that individual's
321 designee;

322 (c) the commissioner of higher education of the Utah System of Higher Education or
323 that individual's designee;

324 (d) the state superintendent of the State Board of Education or that individual's
325 designee;

326 (e) the executive director of the Department of Commerce or that individual's designee;

327 (f) the director of the Division of Multicultural Affairs or that individual's designee;

328 (g) the director of the Utah Substance Use and Mental Health Advisory [~~Council~~]
329 Committee or that individual's designee;

330 (h) the chair of the Utah Indian Health Advisory Board; and

331 (i) the chair of the Utah Medical Education Council created in Section [26B-4-706](#).

332 (4) The executive director shall appoint at least five but not more than ten additional
333 members that represent diverse perspectives regarding Utah's health workforce as defined in
334 Section [~~26B-4-704~~] [26B-4-705](#).

335 (5) (a) A member appointed by the executive director under Subsection (4) shall serve
336 a four-year term.

337 (b) Notwithstanding Subsection (5)(a) for the initial appointments of members

338 described in Subsection (4) the executive director shall appoint at least three but not more than
339 five members to a two-year appointment to ensure that approximately half of the members
340 appointed by the executive director rotate every two years.

341 (6) The executive director or the executive director's designee shall chair the council.

342 (7) (a) As used in this Subsection (7), "health workforce" means the same as that term
343 is defined in Section [~~26B-4-706~~] 26B-4-705.

344 (b) The council shall:

345 (i) meet at least once each quarter;

346 (ii) study and provide recommendations to an entity described in Subsection (8)
347 regarding:

348 (A) health workforce supply;

349 (B) health workforce employment trends and demand;

350 (C) options for training and educating the health workforce;

351 (D) the implementation or improvement of strategies that entities in the state are using
352 or may use to address health workforce needs including shortages, recruitment, retention, and
353 other Utah health workforce priorities as determined by the council;

354 (iii) provide guidance to an entity described in Subsection (8) regarding health
355 workforce related matters;

356 (iv) review and comment on legislation relevant to Utah's health workforce; and

357 (v) advise the Utah Board of Higher Education and the Legislature on the status and
358 needs of the health workforce who are in training.

359 (8) The council shall provide information described in Subsections (7)(b)(ii) and (iii)
360 to:

361 (a) the Legislature;

362 (b) the department;

363 (c) the Department of Workforce Services;

364 (d) the Department of Commerce;

365 (e) the Utah Medical Education Council; and

366 (f) any other entity the council deems appropriate upon the entity's request.

367 (9) (a) The Utah Medical Education Council created in Section 26B-4-706 is a
368 subcommittee of the council.

369 (b) The council may establish subcommittees to support the work of the council.

370 (c) A member of the council shall chair a subcommittee created by the council.

371 (d) Except for the Utah Medical Education Council, the chair of the subcommittee may
372 appoint any individual to the subcommittee.

373 (10) For any report created by the council that pertains to any duty described in
374 Subsection (7), the council shall:

375 (a) provide the report to:

376 (i) the department; and

377 (ii) any appropriate legislative committee; and

378 (b) post the report on the council's website.

379 (11) The executive director shall:

380 (a) ensure the council has adequate staff to support the council and any subcommittee
381 created by the council; and

382 (b) provide any available information upon the council's request if:

383 (i) that information is necessary for the council to fulfill a duty described in Subsection
384 (7); and

385 (ii) the department has access to the information.

386 (12) A member of the council or a subcommittee created by the council may not
387 receive compensation or benefits for the member's service but may receive per diem and travel
388 expenses as allowed in:

389 (a) Section [63A-3-106](#);

390 (b) Section [63A-3-107](#); and

391 (c) rules made by the Division of Finance according to Sections [63A-3-106](#) and
392 [63A-3-107](#).

393 Section 5. Section **26B-1-427** is amended to read:

394 **26B-1-427. Alcohol Abuse Tracking Committee --Tracking effects of abuse of**
395 **alcoholic products.**

396 (1) There is created a committee within the department known as the Alcohol Abuse
397 Tracking Committee that consists of:

398 (a) the executive director or the executive director's designee;

399 (b) the commissioner of the Department of Public Safety or the commissioner's

400 designee;

401 (c) the director of the Department of Alcoholic Beverage Services or that director's
402 designee;

403 (d) the executive director of the Department of Workforce Services or that executive
404 director's designee;

405 (e) the chair of the Utah Substance Use and Mental Health Advisory [~~Council~~]
406 Committee or the chair's designee;

407 (f) the state court administrator or the state court administrator's designee; and

408 (g) the director of the Division of Technology Services or that director's designee.

409 (2) The executive director or the executive director's designee shall chair the
410 committee.

411 (3) (a) Four members of the committee constitute a quorum.

412 (b) A vote of the majority of the committee members present when a quorum is present
413 is an action of the committee.

414 (4) The committee shall meet at the call of the chair, except that the chair shall call a
415 meeting at least twice a year:

416 (a) with one meeting held each year to develop the report required under Subsection
417 (7); and

418 (b) with one meeting held to review and finalize the report before the report is issued.

419 (5) The committee may adopt additional procedures or requirements for:

420 (a) voting, when there is a tie of the committee members;

421 (b) how meetings are to be called; and

422 (c) the frequency of meetings.

423 (6) The committee shall establish a process to collect for each calendar year the
424 following information:

425 (a) the number of individuals statewide who are convicted of, plead guilty to, plead no
426 contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a
427 violation related to underage drinking of alcohol;

428 (b) the number of individuals statewide who are convicted of, plead guilty to, plead no
429 contest to, plead guilty in a similar manner to, or resolve by diversion or its equivalent to a
430 violation related to driving under the influence of alcohol;

431 (c) the number of violations statewide of Title 32B, Alcoholic Beverage Control Act,
432 related to over-serving or over-consumption of an alcoholic product;

433 (d) the cost of social services provided by the state related to abuse of alcohol,
434 including services provided by the Division of Child and Family Services;

435 (e) the location where the alcoholic products that result in the violations or costs
436 described in Subsections (6)(a) through (d) are obtained; and

437 (f) any information the committee determines can be collected and relates to the abuse
438 of alcoholic products.

439 (7) The committee shall report the information collected under Subsection (6) annually
440 to the governor and the Legislature by no later than the July 1 immediately following the
441 calendar year for which the information is collected.

442 Section 6. Section **26B-1-428** is amended to read:

443 **26B-1-428. Youth Electronic Cigarette, Marijuana, and Other Drug Prevention**
444 **Committee and Program -- Creation -- Membership -- Duties.**

445 (1) As used in this section:

446 (a) "Committee" means the Youth Electronic Cigarette, Marijuana, and Other Drug
447 Prevention Committee created in Section [26B-1-204](#).

448 (b) "Program" means the Youth Electronic Cigarette, Marijuana, and Other Drug
449 Prevention Program created in this section.

450 (2) (a) There is created within the department the Youth Electronic Cigarette,
451 Marijuana, and Other Drug Prevention Program.

452 (b) In consultation with the committee, the department shall:

453 (i) establish guidelines for the use of funds appropriated to the program;

454 (ii) ensure that guidelines developed under Subsection (2)(b)(i) are evidence-based and
455 appropriate for the population targeted by the program; and

456 (iii) subject to appropriations from the Legislature, fund statewide initiatives to prevent
457 use of electronic cigarettes, nicotine products, marijuana, and other drugs by youth.

458 (3) (a) The committee shall advise the department on:

459 (i) preventing use of electronic cigarettes, marijuana, and other drugs by youth in the
460 state;

461 (ii) developing the guidelines described in Subsection (2)(b)(i); and

- 462 (iii) implementing the provisions of the program.
- 463 (b) The executive director shall:
- 464 (i) appoint members of the committee; and
- 465 (ii) consult with the Utah Substance Use and Mental Health Advisory [~~Council~~
- 466 Committee created in Section 63M-7-301 when making the appointments under Subsection
- 467 (3)(b)(i).
- 468 (c) The committee shall include, at a minimum:
- 469 (i) the executive director of a local health department as defined in Section 26A-1-102,
- 470 or the local health department executive director's designee;
- 471 (ii) one designee from the department;
- 472 (iii) one representative from the Department of Public Safety;
- 473 (iv) one representative from the behavioral health community; and
- 474 (v) one representative from the education community.
- 475 (d) A member of the committee may not receive compensation or benefits for the
- 476 member's service on the committee, but may receive per diem and travel expenses in
- 477 accordance with:
- 478 (i) Section 63A-3-106;
- 479 (ii) Section 63A-3-107; and
- 480 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- 481 (e) The department shall provide staff support to the committee.
- 482 (4) On or before October 31 of each year, the department shall report to:
- 483 (a) the Health and Human Services Interim Committee regarding:
- 484 (i) the use of funds appropriated to the program;
- 485 (ii) the impact and results of the program, including the effectiveness of each program
- 486 funded under Subsection (2)(b)(iii), during the previous fiscal year;
- 487 (iii) a summary of the impacts and results on reducing youth use of electronic cigarettes
- 488 and nicotine products by entities represented by members of the committee, including those
- 489 entities who receive funding through the Electronic Cigarette Substance and Nicotine Product
- 490 Proceeds Restricted Account created in Section 59-14-807; and
- 491 (iv) any recommendations for legislation; and
- 492 (b) the Utah Substance Use and Mental Health Advisory [~~Council~~] Committee created

493 in Section [63M-7-301](#), regarding:

494 (i) the effectiveness of each program funded under Subsection (2)(b)(iii) in preventing
495 youth use of electronic cigarettes, nicotine products, marijuana, and other drugs; and

496 (ii) any collaborative efforts and partnerships established by the program with public
497 and private entities to prevent youth use of electronic cigarettes, marijuana, and other drugs.

498 Section 7. Section **26B-3-138** is amended to read:

499 **26B-3-138. Behavioral health delivery working group.**

500 (1) As used in this section, "targeted adult Medicaid program" means the same as that
501 term is defined in Section [26B-3-207](#).

502 (2) On or before May 31, 2022, the department shall convene a working group to
503 collaborate with the department on:

504 (a) establishing specific and measurable metrics regarding:

505 (i) compliance of managed care organizations in the state with federal Medicaid
506 managed care requirements;

507 (ii) timeliness and accuracy of authorization and claims processing in accordance with
508 Medicaid policy and contract requirements;

509 (iii) reimbursement by managed care organizations in the state to providers to maintain
510 adequacy of access to care;

511 (iv) availability of care management services to meet the needs of Medicaid-eligible
512 individuals enrolled in the plans of managed care organizations in the state; and

513 (v) timeliness of resolution for disputes between a managed care organization and the
514 managed care organization's providers and enrollees;

515 (b) improving the delivery of behavioral health services in the Medicaid program;

516 (c) proposals to implement the delivery system adjustments authorized under
517 Subsection [26B-3-223\(3\)](#); and

518 (d) issues that are identified by managed care organizations, behavioral health service
519 providers, and the department.

520 (3) The working group convened under Subsection (2) shall:

521 (a) meet quarterly; and

522 (b) consist of at least the following individuals:

523 (i) the executive director or the executive director's designee;

- 524 (ii) for each Medicaid accountable care organization with which the department
525 contracts, an individual selected by the accountable care organization;
- 526 (iii) five individuals selected by the department to represent various types of behavioral
527 health services providers, including, at a minimum, individuals who represent providers who
528 provide the following types of services:
- 529 (A) acute inpatient behavioral health treatment;
- 530 (B) residential treatment;
- 531 (C) intensive outpatient or partial hospitalization treatment; and
- 532 (D) general outpatient treatment;
- 533 (iv) a representative of an association that represents behavioral health treatment
534 providers in the state, designated by the Utah Behavioral Healthcare Council convened by the
535 Utah Association of Counties;
- 536 (v) a representative of an organization representing behavioral health organizations;
- 537 (vi) the chair of the Utah Substance Use and Mental Health Advisory [~~Council~~]
538 Committee created in Section [63M-7-301](#);
- 539 (vii) a representative of an association that represents local authorities who provide
540 public behavioral health care, designated by the department;
- 541 (viii) one member of the Senate, appointed by the president of the Senate; and
- 542 (ix) one member of the House of Representatives, appointed by the speaker of the
543 House of Representatives.
- 544 (4) The working group convened under this section shall recommend to the
545 department:
- 546 (a) specific and measurable metrics under Subsection (2)(a);
- 547 (b) how physical and behavioral health services may be integrated for the targeted adult
548 Medicaid program, including ways the department may address issues regarding:
- 549 (i) filing of claims;
- 550 (ii) authorization and reauthorization for treatment services;
- 551 (iii) reimbursement rates; and
- 552 (iv) other issues identified by the department, behavioral health services providers, or
553 Medicaid managed care organizations;
- 554 (c) ways to improve delivery of behavioral health services to enrollees, including

555 changes to statute or administrative rule; and

556 (d) wraparound service coverage for enrollees who need specific, nonclinical services
557 to ensure a path to success.

558 Section 8. Section **26B-3-213** is amended to read:

559 **26B-3-213. Medicaid waiver for mental health crisis lines and mobile crisis**
560 **outreach teams.**

561 (1) As used in this section:

562 (a) "Local mental health crisis line" means the same as that term is defined in Section
563 [26B-5-610](#).

564 (b) "Mental health crisis" means:

565 (i) a mental health condition that manifests itself in an individual by symptoms of
566 sufficient severity that a prudent layperson who possesses an average knowledge of mental
567 health issues could reasonably expect the absence of immediate attention or intervention to
568 result in:

569 (A) serious danger to the individual's health or well-being; or

570 (B) a danger to the health or well-being of others; or

571 (ii) a mental health condition that, in the opinion of a mental health therapist or the
572 therapist's designee, requires direct professional observation or the intervention of a mental
573 health therapist.

574 (c) (i) "Mental health crisis services" means direct mental health services and on-site
575 intervention that a mobile crisis outreach team provides to an individual suffering from a
576 mental health crisis, including the provision of safety and care plans, prolonged mental health
577 services for up to 90 days, and referrals to other community resources.

578 (ii) "Mental health crisis services" includes:

579 (A) local mental health crisis lines; and

580 (B) the statewide mental health crisis line.

581 (d) "Mental health therapist" means the same as that term is defined in Section
582 [58-60-102](#).

583 (e) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and
584 mental health professionals that, in coordination with local law enforcement and emergency
585 medical service personnel, provides mental health crisis services.

586 (f) "Statewide mental health crisis line" means the same as that term is defined in
587 Section 26B-5-610.

588 (2) In consultation with the Behavioral Health Crisis Response [~~Commission~~]
589 Committee created in Section 63C-18-202, the department shall develop a proposal to amend
590 the state Medicaid plan to include mental health crisis services, including the statewide mental
591 health crisis line, local mental health crisis lines, and mobile crisis outreach teams.

592 (3) By January 1, 2019, the department shall apply for a Medicaid waiver with CMS, if
593 necessary to implement, within the state Medicaid program, the mental health crisis services
594 described in Subsection (2).

595 Section 9. Section 26B-5-112 is amended to read:

596 **26B-5-112. Mobile crisis outreach team expansion.**

597 (1) In consultation with the Behavioral Health Crisis Response [~~Commission~~]
598 Committee, established in Section 63C-18-202, the division shall award grants for the
599 development of:

600 (a) five mobile crisis outreach teams:

601 (i) in counties of the second, third, fourth, fifth, or sixth class; or

602 (ii) in counties of the first class, if no more than two mobile crisis outreach teams are
603 operating or have been awarded a grant to operate in the county; and

604 (b) at least three mobile crisis outreach teams in counties of the third, fourth, fifth, or
605 sixth class.

606 (2) A mobile crisis outreach team awarded a grant under Subsection (1) shall provide
607 mental health crisis services 24 hours per day, 7 days per week, and every day of the year.

608 (3) The division shall prioritize the award of a grant described in Subsection (1) to
609 entities, based on:

610 (a) the number of individuals the proposed mobile crisis outreach team will serve; and

611 (b) the percentage of matching funds the entity will provide to develop the proposed
612 mobile crisis outreach team.

613 (4) An entity does not need to have resources already in place to be awarded a grant
614 described in Subsection (1).

615 (5) In consultation with the Behavioral Health Crisis Response [~~Commission~~]
616 Committee, established in Section 63C-18-202, the division shall make rules, in accordance

617 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the application and award
618 of the grants described in Subsection (1).

619 Section 10. Section **26B-5-112.5** is amended to read:

620 **26B-5-112.5. Mobile Crisis Outreach Team Grant Program.**

621 (1) As used in this section, [~~commission~~] "committee" means the Behavioral Health
622 Crisis Response [~~Commission~~] Committee established in Section [63C-18-202](#).

623 (2) The [~~commission~~] committee shall provide recommendations and the division shall
624 award grants for the development of up to five mobile crisis outreach teams.

625 (3) A mobile crisis outreach team that is awarded a grant under Subsection (2) shall
626 provide mental health crisis services 24 hours per day, seven days per week, and every day of
627 the year.

628 (4) The division shall prioritize the award of a grant described in Subsection (2) to
629 entities based on:

630 (a) the outstanding need for crisis outreach services within the area the proposed
631 mobile crisis outreach team will serve; and

632 (b) the capacity for implementation of the proposed mobile crisis outreach team in
633 accordance with the division's established standards and requirements for mobile crisis
634 outreach teams.

635 (5) (a) In consultation with the [~~commission~~] committee, the division shall make rules,
636 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the
637 application and award of the grants described in Subsection (2).

638 (b) (i) The rules created under Subsection (5)(a) shall implement a funding structure
639 for a mobile crisis outreach team developed using a grant awarded under this section.

640 (ii) The funding structure described in Subsection (5)(b)(i) shall provide for tiers and
641 phases of shared funding coverage between the state and counties.

642 Section 11. Section **26B-5-114** is amended to read:

643 **26B-5-114. Behavioral Health Receiving Center Grant Program.**

644 (1) As used in this section:

645 (a) "Behavioral health receiving center" means a 23-hour nonsecure program or facility
646 that is responsible for, and provides mental health crisis services to, an individual experiencing
647 a mental health crisis.

648 (b) [~~Commission~~] "Committee" means the Behavioral Health Crisis Response
649 [~~Commission~~] Committee established in Section 63C-18-202.

650 (c) "Project" means a behavioral health receiving center project described in
651 Subsection (2) or (3)(a).

652 (2) Before July 1, 2020, the division shall issue a request for proposals in accordance
653 with this section to award a grant to one or more counties of the first or second class, as
654 classified in Section 17-50-501, to develop and implement a behavioral health receiving center.

655 (3) (a) Before July 1, 2023, the division shall issue a request for proposals in
656 accordance with this section to award a grant to one county of the third class, as classified in
657 Section 17-50-501, to develop and implement a behavioral health receiving center.

658 (b) Subject to appropriations by the Legislature, the division shall award grants under
659 this Subsection (3) before December 31, 2023.

660 (c) The [~~commission~~] committee shall provide recommendations to the division
661 regarding the development and implementation of a behavioral health receiving center.

662 (4) The purpose of a project is to:

663 (a) increase access to mental health crisis services for individuals in the state who are
664 experiencing a mental health crisis; and

665 (b) reduce the number of individuals in the state who are incarcerated or in a hospital
666 emergency room while experiencing a mental health crisis.

667 (5) An application for a grant under this section shall:

668 (a) identify the population to which the behavioral health receiving center will provide
669 mental health crisis services;

670 (b) identify the type of mental health crisis services the behavioral health receiving
671 center will provide;

672 (c) explain how the population described in Subsection (5)(a) will benefit from the
673 provision of mental health crisis services;

674 (d) provide details regarding:

675 (i) how the proposed project plans to provide mental health crisis services;

676 (ii) how the proposed project will ensure that consideration is given to the capacity of
677 the behavioral health receiving center;

678 (iii) how the proposed project will ensure timely and effective provision of mental

679 health crisis services;

680 (iv) the cost of the proposed project;

681 (v) any existing or planned contracts or partnerships between the applicant and other
682 individuals or entities to develop and implement the proposed project;

683 (vi) any plan to use funding sources in addition to a grant under this section for the
684 proposed project;

685 (vii) the sustainability of the proposed project; and

686 (viii) the methods the proposed project will use to:

687 (A) protect the privacy of each individual who receives mental health crisis services
688 from the behavioral health receiving center;

689 (B) collect nonidentifying data relating to the proposed project; and

690 (C) provide transparency on the costs and operation of the proposed project; and

691 (e) provide other information requested by the division to ensure that the proposed
692 project satisfies the criteria described in Subsection (7).

693 (6) A recipient of a grant under this section shall enroll as a Medicaid provider and
694 meet minimum standards of care for behavioral health receiving centers established by the
695 division.

696 (7) In evaluating an application for the grant, the division shall consider:

697 (a) the extent to which the proposed project will fulfill the purposes described in
698 Subsection (4);

699 (b) the extent to which the population described in Subsection (5)(a) is likely to benefit
700 from the proposed project;

701 (c) the cost of the proposed project;

702 (d) the extent to which any existing or planned contracts or partnerships between the
703 applicant and other individuals or entities to develop and implement the project, or additional
704 funding sources available to the applicant for the proposed project, are likely to benefit the
705 proposed project; and

706 (e) the viability and innovation of the proposed project.

707 (8) Before June 30, 2023, the division shall report to the Health and Human Services
708 Interim Committee regarding:

709 (a) data gathered in relation to each project described in Subsection (2);

710 (b) knowledge gained relating to the provision of mental health crisis services in a
711 behavioral health receiving center;

712 (c) recommendations for the future use of mental health crisis services in behavioral
713 health receiving centers;

714 (d) obstacles encountered in the provision of mental health crisis services in a
715 behavioral health receiving center; and

716 (e) recommendations for appropriate Medicaid reimbursement for rural behavioral
717 health receiving centers.

718 (9) (a) In consultation with the [~~commission~~] committee, the division shall make rules,
719 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the
720 application and award of a grant under this section.

721 (b) (i) The rules created under Subsection (9)(a) shall:

722 (A) implement a funding structure for a behavioral health receiving center developed
723 using a grant awarded under this section;

724 (B) include implementation standards and minimum program requirements for a
725 behavioral health receiving center developed using a grant awarded under this section,
726 including minimum guidelines and standards of care, and minimum staffing requirements; and

727 (C) require a behavioral health receiving center developed using a grant awarded under
728 this section to operate 24 hours per day, seven days per week, and every day of the year.

729 (ii) The funding structure described in Subsection (9)(b)(i)(A) shall provide for tiers
730 and phases of shared funding coverage between the state and counties.

731 (10) Before June 30, 2024, the division shall report to the Health and Human Services
732 Interim Committee regarding:

733 (a) grants awarded under Subsection (3)(a); and

734 (b) the details of each project described in Subsection (3)(a).

735 (11) Before June 30, 2026, the division shall provide a report to the Health and Human
736 Services Interim Committee that includes:

737 (a) data gathered in relation to each project described in Subsection (3)(a); and

738 (b) an update on the items described in Subsections (8)(b) through (d).

739 Section 12. Section **26B-5-120** is amended to read:

740 **26B-5-120. Virtual crisis outreach team grant program.**

741 (1) As used in this section:

742 (a) "Certified peer support specialist" means the same as that term is defined in Section
743 26B-5-610.

744 (b) [~~"Commission"~~] "Committee" means the Behavioral Health Crisis Response
745 [~~Commission~~] Committee established in Section 63C-18-202.

746 [~~(c) "Committee" means the Health and Human Services Interim Committee.~~]

747 [~~(d)~~] (c) "Mobile crisis outreach team" means the same as that term is defined in
748 Section 26B-5-609.

749 [~~(e)~~] (d) "Virtual crisis outreach program" means a program that provides the following
750 real-time services 24 hours per day, seven days per week, and every day of the year:

751 (i) crisis support, by a qualified mental or behavioral health professional, to law
752 enforcement officers; and

753 (ii) peer support services, by a certified peer support specialist, to individuals
754 experiencing behavioral health crises.

755 (2) In consultation with the [~~commission~~] committee and in accordance with the
756 requirements of this section, the division shall award a grant for the development of a virtual
757 crisis outreach program that primarily serves counties of the third, fourth, fifth, or sixth class.

758 (3) The division shall prioritize the award of the grant described in Subsection (2)
759 based on the extent to which providing the grant to the applicant will increase the provision of
760 crisis support and peer support services in areas:

761 (a) with frequent mental or behavioral health provider shortages; and

762 (b) where only one mobile crisis outreach team is available to serve multiple counties
763 of the third, fourth, fifth, or sixth class.

764 (4) When not providing crisis support or peer support services to law enforcement or
765 individuals in a county of the third, fourth, fifth, or sixth class, the virtual crisis outreach
766 program developed using a grant under this section shall provide support services as needed to
767 mobile crisis outreach teams in counties of the first or second class.

768 (5) In consultation with the [~~commission~~] committee, the division may make rules, in
769 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the
770 application and award of the grant described in Subsection (2).

771 (6) Before June 30, 2024, the division shall submit a written report to the [~~committee~~]

772 Health and Human Services Interim Committee regarding the virtual crisis outreach program
773 developed using the grant awarded under this section.

774 (7) Before June 30, 2026, the division shall submit a written report to the [committee]
775 Health and Human Services Interim Committee regarding:

776 (a) data gathered in relation to the rural virtual crisis outreach team developed using the
777 grant awarded under this section;

778 (b) knowledge gained relating to the provision of virtual crisis outreach services;

779 (c) recommendations for the future use of virtual crisis outreach services; and

780 (d) obstacles encountered in the provision of virtual crisis outreach services.

781 Section 13. Section **26B-5-403** is amended to read:

782 **26B-5-403. Residential and inpatient settings -- Commitment proceeding -- Child**
783 **in physical custody of local mental health authority.**

784 (1) A child may receive services from a local mental health authority in an inpatient or
785 residential setting only after a commitment proceeding, for the purpose of transferring physical
786 custody, has been conducted in accordance with the requirements of this section.

787 (2) That commitment proceeding shall be initiated by a petition for commitment, and
788 shall be a careful, diagnostic inquiry, conducted by a neutral and detached fact finder, pursuant
789 to the procedures and requirements of this section. If the findings described in Subsection (4)
790 exist, the proceeding shall result in the transfer of physical custody to the appropriate local
791 mental health authority, and the child may be placed in an inpatient or residential setting.

792 (3) The neutral and detached fact finder who conducts the inquiry:

793 (a) shall be a designated examiner; and

794 (b) may not profit, financially or otherwise, from the commitment or physical
795 placement of the child in that setting.

796 (4) Upon determination by a fact finder that the following circumstances clearly exist,
797 the fact finder may order that the child be committed to the physical custody of a local mental
798 health authority:

799 (a) the child has a mental illness;

800 (b) the child demonstrates a reasonable fear of the risk of substantial danger to self or
801 others;

802 (c) the child will benefit from care and treatment by the local mental health authority;

803 and

804 (d) there is no appropriate less-restrictive alternative.

805 (5) (a) The commitment proceeding before the neutral and detached fact finder shall be
806 conducted in as informal manner as possible and in a physical setting that is not likely to have a
807 harmful effect on the child.

808 (b) The child, the child's parent or legal guardian, the petitioner, and a representative of
809 the appropriate local mental health authority:

810 (i) shall receive informal notice of the date and time of the proceeding; and

811 (ii) may appear and address the petition for commitment.

812 (c) The neutral and detached fact finder may, in the fact finder's discretion, receive the
813 testimony of any other person.

814 (d) The fact finder may allow a child to waive the child's right to be present at the
815 commitment proceeding, for good cause shown. If that right is waived, the purpose of the
816 waiver shall be made a matter of record at the proceeding.

817 (e) At the time of the commitment proceeding, the appropriate local mental health
818 authority, its designee, or the psychiatrist who has been in charge of the child's care prior to the
819 commitment proceeding, shall provide the neutral and detached fact finder with the following
820 information, as it relates to the period of current admission:

821 (i) the petition for commitment;

822 (ii) the admission notes;

823 (iii) the child's diagnosis;

824 (iv) physicians' orders;

825 (v) progress notes;

826 (vi) nursing notes; and

827 (vii) medication records.

828 (f) The information described in Subsection (5)(e) shall also be provided to the child's
829 parent or legal guardian upon written request.

830 (g) (i) The neutral and detached fact finder's decision of commitment shall state the
831 duration of the commitment. Any commitment to the physical custody of a local mental health
832 authority may not exceed 180 days. Prior to expiration of the commitment, and if further
833 commitment is sought, a hearing shall be conducted in the same manner as the initial

834 commitment proceeding, in accordance with the requirements of this section.

835 (ii) At the conclusion of the hearing and subsequently in writing, when a decision for
836 commitment is made, the neutral and detached fact finder shall inform the child and the child's
837 parent or legal guardian of that decision and of the reasons for ordering commitment.

838 (iii) The neutral and detached fact finder shall state in writing the basis of the decision,
839 with specific reference to each of the criteria described in Subsection (4), as a matter of record.

840 (6) A child may be temporarily committed for a maximum of 72 hours, excluding
841 Saturdays, Sundays, and legal holidays, to the physical custody of a local mental health
842 authority in accordance with the procedures described in Section [26B-5-331](#) and upon
843 satisfaction of the risk factors described in Subsection (4). A child who is temporarily
844 committed shall be released at the expiration of the 72 hours unless the procedures and findings
845 required by this section for the commitment of a child are satisfied.

846 (7) A local mental health authority shall have physical custody of each child committed
847 to it under this section. The parent or legal guardian of a child committed to the physical
848 custody of a local mental health authority under this section, retains legal custody of the child,
849 unless legal custody has been otherwise modified by a court of competent jurisdiction. In cases
850 when the Division of Child and Family Services or the Division of Juvenile Justice and Youth
851 Services has legal custody of a child, that division shall retain legal custody for purposes of this
852 part.

853 (8) The cost of caring for and maintaining a child in the physical custody of a local
854 mental health authority shall be assessed to and paid by the child's parents, according to their
855 ability to pay. For purposes of this section, the Division of Child and Family Services or the
856 Division of Juvenile Justice and Youth Services shall be financially responsible, in addition to
857 the child's parents, if the child is in the legal custody of either of those divisions at the time the
858 child is committed to the physical custody of a local mental health authority under this section,
859 unless Medicaid regulation or contract provisions specify otherwise. The Office of Recovery
860 Services shall assist those divisions in collecting the costs assessed pursuant to this section.

861 (9) Whenever application is made for commitment of a minor to a local mental health
862 authority under any provision of this section by a person other than the child's parent or
863 guardian, the local mental health authority or its designee shall notify the child's parent or
864 guardian. The parents shall be provided sufficient time to prepare and appear at any scheduled

865 proceeding.

866 (10) (a) Each child committed pursuant to this section is entitled to an appeal within 30
867 days after any order for commitment. The appeal may be brought on the child's own petition or
868 on petition of the child's parent or legal guardian, to the juvenile court in the district where the
869 child resides or is currently physically located. With regard to a child in the custody of the
870 Division of Child and Family Services or the Division of Juvenile Justice and Youth Services,
871 the attorney general's office shall handle the appeal, otherwise the appropriate county attorney's
872 office is responsible for appeals brought pursuant to this Subsection (10)(a).

873 (b) Upon receipt of the petition for appeal, the court shall appoint a designated
874 examiner previously unrelated to the case, to conduct an examination of the child in accordance
875 with the criteria described in Subsection (4), and file a written report with the court. The court
876 shall then conduct an appeal hearing to determine whether the findings described in Subsection
877 (4) exist by clear and convincing evidence.

878 (c) Prior to the time of the appeal hearing, the appropriate local mental health authority,
879 its designee, or the mental health professional who has been in charge of the child's care prior
880 to commitment, shall provide the court and the designated examiner for the appeal hearing with
881 the following information, as it relates to the period of current admission:

882 (i) the original petition for commitment;

883 (ii) admission notes;

884 (iii) diagnosis;

885 (iv) physicians' orders;

886 (v) progress notes;

887 (vi) nursing notes; and

888 (vii) medication records.

889 (d) Both the neutral and detached fact finder and the designated examiner appointed for
890 the appeal hearing shall be provided with an opportunity to review the most current
891 information described in Subsection (10)(c) prior to the appeal hearing.

892 (e) The child, the child's parent or legal guardian, the person who submitted the
893 original petition for commitment, and a representative of the appropriate local mental health
894 authority shall be notified by the court of the date and time of the appeal hearing. Those
895 persons shall be afforded an opportunity to appear at the hearing. In reaching its decision, the

896 court shall review the record and findings of the neutral and detached fact finder, the report of
897 the designated examiner appointed pursuant to Subsection (10)(b), and may, in its discretion,
898 allow or require the testimony of the neutral and detached fact finder, the designated examiner,
899 the child, the child's parent or legal guardian, the person who brought the initial petition for
900 commitment, or any other person whose testimony the court deems relevant. The court may
901 allow the child to waive the right to appear at the appeal hearing, for good cause shown. If that
902 waiver is granted, the purpose shall be made a part of the court's record.

903 (11) Each local mental health authority has an affirmative duty to conduct periodic
904 evaluations of the mental health and treatment progress of every child committed to its physical
905 custody under this section, and to release any child who has sufficiently improved so that the
906 criteria justifying commitment no longer exist.

907 (12) (a) A local mental health authority or its designee, in conjunction with the child's
908 current treating mental health professional may release an improved child to a less restrictive
909 environment, as they determine appropriate. Whenever the local mental health authority or its
910 designee, and the child's current treating mental health professional, determine that the
911 conditions justifying commitment no longer exist, the child shall be discharged and released to
912 the child's parent or legal guardian. With regard to a child who is in the physical custody of the
913 State Hospital, the treating psychiatrist or clinical director of the State Hospital shall be the
914 child's current treating mental health professional.

915 (b) A local mental health authority or its designee, in conjunction with the child's
916 current treating mental health professional, is authorized to issue a written order for the
917 immediate placement of a child not previously released from an order of commitment into a
918 more restrictive environment, if the local authority or its designee and the child's current
919 treating mental health professional has reason to believe that the less restrictive environment in
920 which the child has been placed is exacerbating the child's mental illness, or increasing the risk
921 of harm to self or others.

922 (c) The written order described in Subsection (12)(b) shall include the reasons for
923 placement in a more restrictive environment and shall authorize any peace officer to take the
924 child into physical custody and transport the child to a facility designated by the appropriate
925 local mental health authority in conjunction with the child's current treating mental health
926 professional. Prior to admission to the more restrictive environment, copies of the order shall

927 be personally delivered to the child, the child's parent or legal guardian, the administrator of the
928 more restrictive environment, or the administrator's designee, and the child's former treatment
929 provider or facility.

930 (d) If the child has been in a less restrictive environment for more than 30 days and is
931 aggrieved by the change to a more restrictive environment, the child or the child's
932 representative may request a review within 30 days of the change, by a neutral and detached
933 fact finder as described in Subsection (3). The fact finder shall determine whether:

934 (i) the less restrictive environment in which the child has been placed is exacerbating
935 the child's mental illness or increasing the risk of harm to self or others; or

936 (ii) the less restrictive environment in which the child has been placed is not
937 exacerbating the child's mental illness or increasing the risk of harm to self or others, in which
938 case the fact finder shall designate that the child remain in the less restrictive environment.

939 (e) Nothing in this section prevents a local mental health authority or its designee, in
940 conjunction with the child's current mental health professional, from discharging a child from
941 commitment or from placing a child in an environment that is less restrictive than that
942 designated by the neutral and detached fact finder.

943 (13) Each local mental health authority or its designee, in conjunction with the child's
944 current treating mental health professional shall discharge any child who, in the opinion of that
945 local authority, or its designee, and the child's current treating mental health professional, no
946 longer meets the criteria specified in Subsection (4), except as provided by Section [26B-5-405](#).
947 The local authority and the mental health professional shall assure that any further supportive
948 services required to meet the child's needs upon release will be provided.

949 (14) Even though a child has been committed to the physical custody of a local mental
950 health authority under this section, the child is still entitled to additional due process
951 proceedings, in accordance with Section [~~26B-5-704~~] [26B-5-404](#), before any treatment that
952 may affect a constitutionally protected liberty or privacy interest is administered. Those
953 treatments include, but are not limited to, antipsychotic medication, electroshock therapy, and
954 psychosurgery.

955 Section 14. Section [26B-5-609](#) is amended to read:

956 **26B-5-609. Department and division duties -- MCOT license creation.**

957 (1) As used in this section:

958 (a) [~~"Commission"~~] "Committee" means the Behavioral Health Crisis Response
959 [~~Commission~~] Committee created in Section 63C-18-202.

960 (b) "Emergency medical service personnel" means the same as that term is defined in
961 Section 26B-4-101.

962 (c) "Emergency medical services" means the same as that term is defined in Section
963 26B-4-101.

964 (d) "MCOT certification" means the certification created in this part for MCOT
965 personnel and mental health crisis outreach services.

966 (e) "MCOT personnel" means a licensed mental health therapist or other mental health
967 professional, as determined by the division, who is a part of a mobile crisis outreach team.

968 (f) "Mental health crisis" means a mental health condition that manifests itself by
969 symptoms of sufficient severity that a prudent layperson who possesses an average knowledge
970 of mental health issues could reasonably expect the absence of immediate attention or
971 intervention to result in:

972 (i) serious jeopardy to the individual's health or well-being; or

973 (ii) a danger to others.

974 (g) (i) "Mental health crisis services" means mental health services and on-site
975 intervention that a person renders to an individual suffering from a mental health crisis.

976 (ii) "Mental health crisis services" includes the provision of safety and care plans,
977 stabilization services offered for a minimum of 60 days, and referrals to other community
978 resources.

979 (h) "Mental health therapist" means the same as that term is defined in Section
980 58-60-102.

981 (i) "Mobile crisis outreach team" or "MCOT" means a mobile team of medical and
982 mental health professionals that provides mental health crisis services and, based on the
983 individual circumstances of each case, coordinates with local law enforcement, emergency
984 medical service personnel, and other appropriate state or local resources.

985 (2) To promote the availability of comprehensive mental health crisis services
986 throughout the state, the division shall make rules, in accordance with Title 63G, Chapter 3,
987 Utah Administrative Rulemaking Act, that create a certificate for MCOT personnel and
988 MCOTs, including:

- 989 (a) the standards the division establishes under Subsection (3); and
 990 (b) guidelines for:
 991 (i) credit for training and experience; and
 992 (ii) the coordination of:
 993 (A) emergency medical services and mental health crisis services;
 994 (B) law enforcement, emergency medical service personnel, and mobile crisis outreach
 995 teams; and
 996 (C) temporary commitment in accordance with Section 26B-5-331.

997 (3) (a) With recommendations from the [~~commission~~] committee, the division shall:
 998 (i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 999 make rules that establish standards that an applicant is required to meet to qualify for the
 1000 MCOT certification described in Subsection (2); and

- 1001 (ii) create a statewide MCOT plan that:
 1002 (A) identifies statewide mental health crisis services needs, objectives, and priorities;
 1003 and
 1004 (B) identifies the equipment, facilities, personnel training, and other resources
 1005 necessary to provide mental health crisis services.

1006 (b) The division may delegate the MCOT plan requirement described in Subsection
 1007 (3)(a)(ii) to a contractor with which the division contracts to provide mental health crisis
 1008 services.

1009 Section 15. Section 26B-5-610 is amended to read:

1010 **26B-5-610. Contracts for statewide mental health crisis line and statewide warm**
 1011 **line -- Crisis worker and certified peer support specialist qualification or certification --**
 1012 **Operational standards.**

1013 (1) As used in this section:

- 1014 (a) "Certified peer support specialist" means an individual who:
 1015 (i) meets the standards of qualification or certification that the division sets, in
 1016 accordance with Subsection (3); and
 1017 (ii) staffs the statewide warm line under the supervision of at least one mental health
 1018 therapist.

1019 (b) [~~"Commission"~~] "Committee" means the Behavioral Health Crisis Response

1020 [~~Commission~~] Committee created in Section 63C-18-202.

1021 (c) "Crisis worker" means an individual who:

1022 (i) meets the standards of qualification or certification that the division sets, in
1023 accordance with Subsection (3); and

1024 (ii) staffs the statewide mental health crisis line, the statewide warm line, or a local
1025 mental health crisis line under the supervision of at least one mental health therapist.

1026 (d) "Local mental health crisis line" means a phone number or other response system
1027 that is:

1028 (i) accessible within a particular geographic area of the state; and

1029 (ii) intended to allow an individual to contact and interact with a qualified mental or
1030 behavioral health professional.

1031 (e) "Mental health crisis" means the same as that term is defined in Section 26B-5-609.

1032 (f) "Mental health therapist" means the same as that term is defined in Section
1033 58-60-102.

1034 (g) "Statewide mental health crisis line" means a statewide phone number or other
1035 response system that allows an individual to contact and interact with a qualified mental or
1036 behavioral health professional 24 hours per day, 365 days per year.

1037 (h) "Statewide warm line" means a statewide phone number or other response system
1038 that allows an individual to contact and interact with a qualified mental or behavioral health
1039 professional or a certified peer support specialist.

1040 (2) (a) The division shall enter into a new contract or modify an existing contract to
1041 manage and operate, in accordance with this part, the statewide mental health crisis line and the
1042 statewide warm line.

1043 (b) Through the contracts described in Subsection (2)(a) and in consultation with the
1044 [~~commission~~] committee, the division shall set standards of care and practice for:

1045 (i) the mental health therapists and crisis workers who staff the statewide mental health
1046 crisis line; and

1047 (ii) the mental health therapists, crisis workers, and certified peer support specialists
1048 who staff the statewide warm line.

1049 (3) (a) The division shall establish training and minimum standards for the
1050 qualification or certification of:

- 1051 (i) crisis workers who staff the statewide mental health crisis line, the statewide warm
1052 line, and local mental health crisis lines; and
- 1053 (ii) certified peer support specialists who staff the statewide warm line.
- 1054 (b) The division may make rules, in accordance with Title 63G, Chapter 3, Utah
1055 Administrative Rulemaking Act, necessary to establish the training and minimum standards
1056 described in Subsection (3)(a).
- 1057 (4) In consultation with the [~~commission~~] committee, the division shall ensure that:
- 1058 (a) the following individuals are available to staff and answer calls to the statewide
1059 mental health crisis line 24 hours per day, 365 days per calendar year:
- 1060 (i) mental health therapists; or
- 1061 (ii) crisis workers;
- 1062 (b) a sufficient amount of staff is available to ensure that when an individual calls the
1063 statewide mental health crisis line, regardless of the time, date, or number of individuals trying
1064 to simultaneously access the statewide mental health crisis line, an individual described in
1065 Subsection (4)(a) answers the call without the caller first:
- 1066 (i) waiting on hold; or
- 1067 (ii) being screened by an individual other than a mental health therapist or crisis
1068 worker;
- 1069 (c) the statewide mental health crisis line has capacity to accept all calls that local
1070 mental health crisis lines route to the statewide mental health crisis line;
- 1071 (d) the following individuals are available to staff and answer calls to the statewide
1072 warm line during the hours and days of operation set by the division under Subsection (5):
- 1073 (i) mental health therapists;
- 1074 (ii) crisis workers; or
- 1075 (iii) certified peer support specialists;
- 1076 (e) when an individual calls the statewide mental health crisis line, the individual's call
1077 may be transferred to the statewide warm line if the individual is not experiencing a mental
1078 health crisis; and
- 1079 (f) when an individual calls the statewide warm line, the individual's call may be
1080 transferred to the statewide mental health crisis line if the individual is experiencing a mental
1081 health crisis.

1082 (5) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
1083 Administrative Rulemaking Act, to establish the hours and days of operation for the statewide
1084 warm line.

1085 Section 16. Section **26B-5-611** is amended to read:

1086 **26B-5-611. Suicide prevention -- Reporting requirements.**

1087 (1) As used in this section:

1088 (a) "Advisory [~~Council~~] Committee" means the Utah Substance Use and Mental Health
1089 Advisory [~~Council~~] Committee created in Section [63M-7-301](#).

1090 (b) "Bureau" means the Bureau of Criminal Identification created in Section [53-10-201](#)
1091 within the Department of Public Safety.

1092 (c) "Coalition" means the Statewide Suicide Prevention Coalition created under
1093 Subsection (3).

1094 (d) "Coordinator" means the state suicide prevention coordinator appointed under
1095 Subsection (2).

1096 (e) "Fund" means the Governor's Suicide Prevention Fund created in Section
1097 [26B-1-325](#).

1098 (f) "Intervention" means an effort to prevent a person from attempting suicide.

1099 (g) "Legal intervention" means an incident in which an individual is shot by another
1100 individual who has legal authority to use deadly force.

1101 (h) "Postvention" means intervention after a suicide attempt or a suicide death to
1102 reduce risk and promote healing.

1103 (i) "Shooter" means an individual who uses a gun in an act that results in the death of
1104 the actor or another individual, whether the act was a suicide, homicide, legal intervention, act
1105 of self-defense, or accident.

1106 (2) The division shall appoint a state suicide prevention coordinator to administer a
1107 state suicide prevention program composed of suicide prevention, intervention, and postvention
1108 programs, services, and efforts.

1109 (3) The coordinator shall:

1110 (a) establish a Statewide Suicide Prevention Coalition with membership from public
1111 and private organizations and Utah citizens; and

1112 (b) appoint a chair and co-chair from among the membership of the coalition to lead

1113 the coalition.

1114 (4) The state suicide prevention program may include the following components:

1115 (a) delivery of resources, tools, and training to community-based coalitions;

1116 (b) evidence-based suicide risk assessment tools and training;

1117 (c) town hall meetings for building community-based suicide prevention strategies;

1118 (d) suicide prevention gatekeeper training;

1119 (e) training to identify warning signs and to manage an at-risk individual's crisis;

1120 (f) evidence-based intervention training;

1121 (g) intervention skills training;

1122 (h) postvention training; or

1123 (i) a public education campaign to improve public awareness about warning signs of
1124 suicide and suicide prevention resources.

1125 (5) The coordinator shall coordinate with the following to gather statistics, among
1126 other duties:

1127 (a) local mental health and substance abuse authorities;

1128 (b) the State Board of Education, including the public education suicide prevention
1129 coordinator described in Section [53G-9-702](#);

1130 (c) applicable divisions and offices within the department;

1131 (d) health care providers, including emergency rooms;

1132 (e) federal agencies, including the Federal Bureau of Investigation;

1133 (f) other unbiased sources; and

1134 (g) other public health suicide prevention efforts.

1135 (6) The coordinator shall provide a written report to the Health and Human Services
1136 Interim Committee, at or before the October meeting every year, on:

1137 (a) implementation of the state suicide prevention program, as described in Subsections
1138 (2) and (4);

1139 (b) data measuring the effectiveness of each component of the state suicide prevention
1140 program;

1141 (c) funds appropriated for each component of the state suicide prevention program; and

1142 (d) five-year trends of suicides in Utah, including subgroups of youths and adults and
1143 other subgroups identified by the state suicide prevention coordinator.

1144 (7) The coordinator shall, in consultation with the bureau, implement and manage the
1145 operation of the firearm safety program described in Subsection 26B-5-102(3).

1146 (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1147 division shall make rules:

1148 (a) governing the implementation of the state suicide prevention program, consistent
1149 with this section; and

1150 (b) in conjunction with the bureau, defining the criteria for employers to apply for
1151 grants under the Suicide Prevention Education Program described in Section 26B-5-110, which
1152 shall include:

1153 (i) attendance at the suicide prevention education course described in Subsection
1154 26B-5-102(3); and

1155 (ii) distribution of the firearm safety brochures or packets created in Subsection
1156 26B-5-102(3), but does not require the distribution of a cable-style gun lock with a firearm if
1157 the firearm already has a trigger lock or comparable safety mechanism.

1158 (9) As funding by the Legislature allows, the coordinator shall award grants, not to
1159 exceed a total of \$100,000 per fiscal year, to suicide prevention programs that focus on the
1160 needs of children who have been served by the Division of Juvenile Justice and Youth
1161 Services.

1162 (10) The coordinator and the coalition shall submit to the advisory [~~council~~]
1163 committee, no later than October 1 each year, a written report detailing the previous fiscal
1164 year's activities to fund, implement, and evaluate suicide prevention activities described in this
1165 section.

1166 Section 17. Section 26B-5-701 is enacted to read:

1167 **Part 7. Utah Behavioral Health Commission**

1168 **26B-5-701. Definitions.**

1169 As used in this part:

1170 (1) "Commission" means the Utah Behavioral Health Commission" created in Section
1171 26B-5-702.

1172 (2) "Master plan" means the Utah Behavioral Health Assessment and Master Plan.

1173 (3) "Mental disorder" means the same as that term is defined in the current edition of
1174 the Diagnostic and Statistical Manual of Mental Disorders published by the American

1175 Psychiatric Association.

1176 (4) "Substance use disorder" means the same as that term is defined in the current
1177 edition of the Diagnostic and Statistical Manual of Mental Disorders published by the
1178 American Psychiatric Association.

1179 Section 18. Section **26B-5-702** is enacted to read:

1180 **26B-5-702. Utah Behavioral Health Commission -- Creation -- Members -- Chair.**

1181 (1) There is created within the department the Utah Behavioral Health Commission.

1182 (2) The commission is composed of the following 11 members:

1183 (a) one individual who has lived experience with a substance use disorder, appointed
1184 by the governor with the advice and consent of the Senate;

1185 (b) one individual who has lived experience with a mental disorder, appointed by the
1186 governor with the advice and consent of the Senate;

1187 (c) one individual who represents families of individuals with behavioral health issues,
1188 appointed by the governor with the advice and consent of the Senate;

1189 (d) one individual who represents state behavioral health agencies, appointed by the
1190 governor with the advice and consent of the Senate;

1191 (e) one individual who represents major healthcare systems, appointed by the governor
1192 with the advice and consent of the Senate;

1193 (f) one individual who represents private acute care providers, appointed by the
1194 governor with the advice and consent of the Senate;

1195 (g) one individual who represents private outpatient providers, appointed by the
1196 governor with the advice and consent of the Senate;

1197 (h) one individual who represents county behavioral health authorities, appointed by
1198 the chair of the Utah Behavioral Healthcare Committee with the advice and consent of the
1199 Senate;

1200 (i) one individual who represents rural communities, appointed by the speaker of the
1201 House of Representatives;

1202 (j) one individual who represents large employers, appointed by the president of the
1203 Senate; and

1204 (k) one individual who represents historically underrepresented populations, appointed
1205 by the joint minority caucus leaders.

1206 (3) (a) After all 11 members of the commission have been appointed, the governor
1207 shall appoint the chair of the commission from among the membership of the commission to
1208 serve a two-year term.

1209 (b) A commission member may not serve as chair of the commission for more than two
1210 consecutive terms.

1211 (4) (a) A member appointed by the governor shall serve a four-year term, except as
1212 provided in Subsection (4)(b).

1213 (b) The governor shall stagger the initial terms of appointees so that approximately half
1214 of the members appointed by the governor are appointed every two years.

1215 (c) The terms of members appointed under Subsections (2)(h) through (k) shall be
1216 staggered so that:

1217 (i) members appointed under Subsections (2)(h) and (i) shall serve four-year terms;

1218 (ii) the initial members appointed under Subsections (2)(j) and (k) shall serve an initial
1219 two-year term; and

1220 (iii) after the initial members appointed under Subsections (2)(j) and (k) serve an initial
1221 two-year term, members appointed under Subsections (2)(j) and (k) shall serve four-year terms.

1222 (d) (i) The commission may remove a member of the commission for cause by a
1223 majority vote of the commission.

1224 (ii) The person who appointed a member of the commission may remove that member
1225 for cause.

1226 (e) If a vacancy occurs in the membership of the commission for any reason, a
1227 replacement shall be appointed for the unexpired term in the same manner as the original
1228 appointment.

1229 (5) (a) A majority of the members of the commission constitutes a quorum.

1230 (b) The action of a majority of a quorum of the commission constitutes the action of
1231 the commission.

1232 (6) A member of the commission may not receive compensation or benefits for the
1233 member's service, but may receive per diem and travel expenses in accordance with:

1234 (a) Section [63A-3-106](#);

1235 (b) Section [63A-3-107](#); and

1236 (c) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).

1237 (7) Consistent with the provisions of this part, the commission may adopt bylaws to
1238 govern the commission's operation.

1239 Section 19. Section **26B-5-703** is enacted to read:

1240 **26B-5-703. Purpose -- Duties -- Reporting.**

1241 (1) The purpose of the commission is to be the central authority for coordinating
1242 behavioral health initiatives between state and local governments, health systems, and other
1243 interested persons, to ensure that Utah's behavioral health systems are comprehensive, aligned,
1244 effective, and efficient.

1245 (2) To fulfill the commission's purpose, the commission shall:

1246 (a) establish a shared vision across public and private sectors for improving Utah's
1247 behavioral health systems;

1248 (b) make recommendations, including policy recommendations, and advise the
1249 governor, executive branch agencies, and the Legislature on matters pertaining to behavioral
1250 health;

1251 (c) provide feedback on proposed bills, rules, policies, and budgets relating to
1252 behavioral health;

1253 (d) encourage participation in the commission's work by individuals and populations
1254 directly impacted by behavioral health issues, including family members of individuals with
1255 behavioral health issues;

1256 (e) engage private sector payers, providers, and business and employer groups in the
1257 commission's work;

1258 (f) continually review implementation of the master plan and revise the master plan as
1259 appropriate;

1260 (g) identify priorities that align with the master plan and lead efforts to implement and
1261 advance those priorities by coordinating and collaborating closely with public and private
1262 persons throughout the state;

1263 (h) identify areas where innovation is necessary to improve behavioral health access
1264 and care;

1265 (i) cooperate with the Utah System of Higher Education, the State Board of Education,
1266 the Division of Professional Licensing, the Utah Health Workforce Advisory Council, and the
1267 department to oversee the creation and implementation of behavioral health workforce

- 1268 initiatives for the state;
- 1269 (j) collaborate with the Utah State Hospital, the Department of Corrections, county
- 1270 jails, and the department;
- 1271 (k) develop methods or models for implementing and coherently communicating
- 1272 cross-sector strategies;
- 1273 (l) hold the state's behavioral health systems accountable for clear, measurable
- 1274 outcomes; and
- 1275 (m) maintain independence from the department and the governor such that the
- 1276 commission is able to provide independent advice and recommendations, especially regarding
- 1277 proposed bills and policy considerations.
- 1278 (3) (a) The commission shall meet at least quarterly, but may meet at other times as
- 1279 scheduled by the chair.
- 1280 (b) The chair of the commission shall set the agenda for each commission meeting with
- 1281 input from commission members and staff.
- 1282 (c) Notice of the time and place of a commission meeting shall be given to each
- 1283 member and to the public in compliance with Title 52, Chapter 4, Open and Public Meetings
- 1284 Act.
- 1285 (d) A commission meeting is open to the public unless the meeting or a portion of a
- 1286 meeting is closed by the commission pursuant to Section 52-4-204 or Section 52-4-205.
- 1287 (4) On or before December 31, 2024, the commission shall provide a report to the
- 1288 Legislature that includes:
- 1289 (a) recommendations for behavioral health measures and targets to be included in the
- 1290 next update to the master plan;
- 1291 (b) recommendations for consolidating into the commission other commissions,
- 1292 committees, subcommittees, task forces, working groups, or other bodies pertaining to
- 1293 behavioral health;
- 1294 (c) recommendations on the next steps for reviewing and potentially redefining state
- 1295 law and program options regarding county-based behavioral health services; and
- 1296 (d) recommendations on key budget priorities and key legislative policies for the 2025
- 1297 General Session and thereafter.
- 1298 (5) (a) Beginning in 2025, by no later than September 30 of each year, the commission

1299 shall provide a report to the Health and Human Services Interim Committee that describes the
1300 commission's work during the preceding year and includes, in accordance with Section
1301 26B-5-705, any legislative recommendations from the commission.

1302 (b) Before the commission submits a legislative recommendation to the Health and
1303 Human Services Interim Committee or the Legislature, the Legislative Policy Committee
1304 created in Section 26B-5-705 shall review the recommendation.

1305 Section 20. Section **26B-5-704** is enacted to read:

1306 **26B-5-704. Committees -- Creation -- Duties.**

1307 (1) Each committee created under this part or formed by the commission in accordance
1308 with this section serves under the direction of the commission.

1309 (2) In addition to the committees created under this part or formed by the commission,
1310 the following are committees of the commission and shall serve under the direction of the
1311 commission to assist the commission in performing the commission's duties:

1312 (a) the Behavioral Health Crisis Response Committee created in Section 63C-18-202;

1313 (b) the Education and Mental Health Coordinating Committee created in Section
1314 63C-23-201; and

1315 (c) the Utah Substance Use and Mental Health Advisory Committee created in Section
1316 63M-7-301.

1317 (3) (a) In addition to the committees described in Subsection (2) or created under this
1318 part, the commission may form committees to support the commission in fulfilling the
1319 commission's duties.

1320 (b) When forming a committee, the commission shall:

1321 (i) appoint members to the committee who represent a range of views and expertise;
1322 and

1323 (ii) adopt procedures and directives for the committee.

1324 (c) Unless otherwise provided for in statute, a member of a committee may not receive
1325 compensation or benefits for the member's service on the committee, but may receive per diem
1326 and travel expenses in accordance with:

1327 (i) Section 63A-3-106;

1328 (ii) Section 63A-3-107; and

1329 (iii) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

1330 (d) Compensation and expenses of a committee member who is a legislator are
1331 governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and
1332 Expenses.

1333 Section 21. Section **26B-5-705** is enacted to read:

1334 **26B-5-705. Legislative Policy Committee -- Creation -- Duties -- Staff.**

1335 (1) As used in this section, "committee" means the Legislative Policy Committee
1336 created in Subsection (2).

1337 (2) Under the commission, there is created the Legislative Policy Committee.

1338 (3) (a) The committee is composed of five legislators, appointed as follows:

1339 (i) the speaker of the House of Representatives shall appoint one member of the House
1340 of Representatives;

1341 (ii) the minority leader of the House of Representatives shall appoint one member of
1342 the House of Representatives;

1343 (iii) the president of the Senate shall appoint one member of the Senate;

1344 (iv) the minority leader of the Senate shall appoint one member of the Senate; and

1345 (v) the speaker of the House of Representatives and the president of the Senate shall
1346 jointly appoint one legislator.

1347 (b) The speaker, president, and minority leaders:

1348 (i) shall make the appointments described in Subsection (3)(a) after consulting with the
1349 chairs of the Health and Human Services Interim Committee and the chairs of the Social
1350 Services Appropriations Committee; and

1351 (ii) are encouraged but not required to appoint to the committee legislators who are
1352 members of one or more of the following:

1353 (A) the Health and Human Services Interim Committee;

1354 (B) the Social Services Appropriations Subcommittee;

1355 (C) the Behavioral Health Crisis Response Committee; or

1356 (D) the Education and Mental Health Coordinating Committee.

1357 (4) The speaker of the House and Representatives and the president of the Senate shall
1358 each designate one of their appointees as a co-chair of the committee.

1359 (5) The individual who appoints a member of the committee may change the
1360 appointment at any time.

1361 (6) The committee shall:

1362 (a) assist the commission and any of the commission's other committees with
1363 developing policy and legislative recommendations; and

1364 (b) review any legislative recommendation proposed by the commission before the
1365 legislative recommendation is provided to the Health and Human Services Interim Committee
1366 or the Legislature.

1367 (7) The committee may:

1368 (a) submit its own proposed legislation to the commission for consideration; and

1369 (b) provide other services as requested by the commission.

1370 (8) (a) A majority of the members of the committee constitutes a quorum.

1371 (b) The action of a majority of a quorum constitutes the action of the committee.

1372 (9) The Office of Legislative Research and General Counsel shall provide staff support
1373 to the committee.

1374 Section 22. Section **26B-5-706** is enacted to read:

1375 **26B-5-706. Staff.**

1376 (1) The Office of Substance Use and Mental Health within the Department of Health
1377 and Human Services shall provide staff support to the commission and, unless otherwise
1378 specified by statute, to each of the commission's committees.

1379 (2) Upon request, the Office of Legislative Research and General Counsel shall provide
1380 additional staff support to the commission.

1381 Section 23. Section **32B-2-210** is amended to read:

1382 **32B-2-210. Alcoholic Beverage Services Advisory Board.**

1383 (1) There is created within the department an advisory board known as the "Alcoholic
1384 Beverage Services Advisory Board."

1385 (2) The advisory board shall consist of eight voting members and one nonvoting
1386 member as follows:

1387 (a) four voting members appointed by the commission:

1388 (i) one of whom represents the retail alcohol industry;

1389 (ii) one of whom represents the wholesale alcohol industry;

1390 (iii) one of whom represents the alcohol manufacturing industry; and

1391 (iv) one of whom represents the restaurant industry;

1392 (b) two voting members appointed by the commission, each of whom represents an
1393 organization that addresses alcohol or drug abuse prevention, alcohol or drug related
1394 enforcement, or alcohol or drug related education;

1395 (c) the director of the Division of Substance Abuse and Mental Health or the director's
1396 designee who serves as a voting member;

1397 (d) the chair of the Utah Substance Use and Mental Health Advisory [~~Council~~]
1398 Committee, or the chair's designee, who serves as a voting member; and

1399 (e) the chair of the commission or the chair's designee from the members of the
1400 commission, who serves as a nonvoting member.

1401 (3) (a) Except as required by Subsection (3)(b), as terms of current voting members of
1402 the advisory board expire, the commission shall appoint each new member or reappointed
1403 member to a four-year term beginning July 1 and ending June 30.

1404 (b) Notwithstanding the requirements of Subsection (3)(a), the commission shall, at the
1405 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
1406 voting advisory board members are staggered so that approximately half of the advisory board
1407 is appointed every two years.

1408 (c) No two members of the board may be employed by the same company or nonprofit
1409 organization.

1410 (4) (a) When a vacancy occurs in the membership for any reason, the commission shall
1411 appoint a replacement for the unexpired term.

1412 (b) The commission shall terminate the term of a voting advisory board member who
1413 ceases to be representative as designated by the member's original appointment.

1414 (5) The advisory board shall meet as called by the chair for the purpose of advising the
1415 commission and the department, with discussion limited to administrative rules made under
1416 this title.

1417 (6) The chair of the commission or the chair's designee shall serve as the chair of the
1418 advisory board and call the necessary meetings.

1419 (7) (a) Five members of the board constitute a quorum of the board.

1420 (b) An action of the majority when a quorum is present is the action of the board.

1421 (8) The department shall provide staff support to the advisory board.

1422 (9) A member may not receive compensation or benefits for the member's service, but

1423 may receive per diem and travel expenses in accordance with:

1424 (a) Section 63A-3-106;

1425 (b) Section 63A-3-107; and

1426 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

1427 63A-3-107.

1428 Section 24. Section 32B-2-306 is amended to read:

1429 **32B-2-306. Underage drinking prevention media and education campaign.**

1430 (1) As used in this section:

1431 (a) "Advisory [~~council~~] committee" means the Utah Substance Use and Mental Health

1432 Advisory [~~Council~~] Committee created in Section 63M-7-301.

1433 (b) "Restricted account" means the Underage Drinking Prevention Media and

1434 Education Campaign Restricted Account created in this section.

1435 (2) (a) There is created a restricted account within the General Fund known as the

1436 "Underage Drinking Prevention Media and Education Campaign Restricted Account."

1437 (b) The restricted account consists of:

1438 (i) deposits made under Subsection (3); and

1439 (ii) interest earned on the restricted account.

1440 (3) The department shall deposit 0.6% of the total gross revenue from sales of liquor

1441 with the state treasurer, as determined by the total gross revenue collected for the fiscal year

1442 two years preceding the fiscal year for which the deposit is made, to be credited to the

1443 restricted account and to be used by the department as provided in Subsection (5).

1444 (4) The advisory [~~council~~] committee shall:

1445 (a) provide ongoing oversight of a media and education campaign funded under this

1446 section;

1447 (b) create an underage drinking prevention workgroup consistent with guidelines

1448 proposed by the advisory [~~council~~] committee related to the membership and duties of the

1449 underage drinking prevention workgroup;

1450 (c) create guidelines for how money appropriated for a media and education campaign

1451 can be used;

1452 (d) include in the guidelines established pursuant to this Subsection (4) that a media

1453 and education campaign funded under this section is carefully researched and developed, and

1454 appropriate for target groups; and

1455 (e) approve plans submitted by the department in accordance with Subsection (5).

1456 (5) (a) Subject to appropriation from the Legislature, the department shall expend
1457 money from the restricted account to direct and fund one or more media and education
1458 campaigns designed to reduce underage drinking in cooperation with the advisory [~~council~~]
1459 committee.

1460 (b) The department shall:

1461 (i) in cooperation with the underage drinking prevention workgroup created under
1462 Subsection (4), prepare and submit a plan to the advisory [~~council~~] committee detailing the
1463 intended use of the money appropriated under this section;

1464 (ii) upon approval of the plan by the advisory [~~council~~] committee, conduct the media
1465 and education campaign in accordance with the guidelines made by the advisory [~~council~~]
1466 committee; and

1467 (iii) submit to the advisory [~~council~~] committee annually by no later than October 1, a
1468 written report detailing the use of the money for the media and education campaigns conducted
1469 under this Subsection (5) and the impact and results of the use of the money during the prior
1470 fiscal year ending June 30.

1471 Section 25. Section **32B-2-402** is amended to read:

1472 **32B-2-402. Definitions -- Calculations.**

1473 (1) As used in this part:

1474 (a) "Account" means the Alcoholic Beverage and Substance Abuse Enforcement and
1475 Treatment Restricted Account created in Section [32B-2-403](#).

1476 (b) "Advisory [~~council~~] committee" means the Utah Substance Use and Mental Health
1477 Advisory [~~Council~~] Committee created in Section [63M-7-301](#).

1478 (c) "Alcohol-related offense" means:

1479 (i) a violation of:

1480 (A) Section [41-6a-502](#); or

1481 (B) an ordinance that complies with the requirements of:

1482 (I) Subsection [41-6a-510](#)(1); or

1483 (II) Section [76-5-207](#); or

1484 (ii) an offense involving the illegal:

- 1485 (A) sale of an alcoholic product;
- 1486 (B) consumption of an alcoholic product;
- 1487 (C) distribution of an alcoholic product;
- 1488 (D) transportation of an alcoholic product; or
- 1489 (E) possession of an alcoholic product.
- 1490 (d) "Annual conviction time period" means the time period that:
- 1491 (i) begins on July 1 and ends on June 30; and
- 1492 (ii) immediately precedes the fiscal year for which an appropriation under this part is
- 1493 made.
- 1494 (e) "Municipality" means:
- 1495 (i) a city;
- 1496 (ii) a town; or
- 1497 (iii) a metro township.
- 1498 (f) (i) "Prevention" is as defined by rule, in accordance with Title 63G, Chapter 3, Utah
- 1499 Administrative Rulemaking Act, by the Division of Integrated Healthcare within the
- 1500 Department of Health and Human Services.
- 1501 (ii) In defining the term "prevention," the Division of Substance Abuse and Mental
- 1502 Health shall:
- 1503 (A) include only evidence-based or evidence-informed programs; and
- 1504 (B) provide for coordination with local substance abuse authorities designated to
- 1505 provide substance abuse services in accordance with Section [17-43-201](#).
- 1506 (2) For purposes of Subsection [32B-2-404\(1\)\(b\)\(iii\)](#), the number of premises located
- 1507 within the limits of a municipality or county:
- 1508 (a) is the number determined by the department to be so located;
- 1509 (b) includes the aggregate number of premises of the following:
- 1510 (i) a state store;
- 1511 (ii) a package agency; and
- 1512 (iii) a retail licensee; and
- 1513 (c) for a county, consists only of the number located within an unincorporated area of
- 1514 the county.
- 1515 (3) The department shall determine:

1516 (a) a population figure according to the most current population estimate prepared by
1517 the Utah Population Committee;

1518 (b) a county's population for the 25% distribution to municipalities and counties under
1519 Subsection 32B-2-404(1)(b)(i) only with reference to the population in the unincorporated
1520 areas of the county; and

1521 (c) a county's population for the 25% distribution to counties under Subsection
1522 32B-2-404(1)(b)(iv) only with reference to the total population in the county, including that of
1523 a municipality.

1524 (4) (a) A conviction occurs in the municipality or county that actually prosecutes the
1525 offense to judgment.

1526 (b) If a conviction is based upon a guilty plea, the conviction is considered to occur in
1527 the municipality or county that, except for the guilty plea, would have prosecuted the offense.

1528 Section 26. Section 32B-2-404 is amended to read:

1529 **32B-2-404. Alcoholic Beverage and Substance Abuse Enforcement and**
1530 **Treatment Restricted Account distribution.**

1531 (1) (a) The money deposited into the account under Section 32B-2-403 shall be
1532 distributed to municipalities and counties:

1533 (i) to the extent appropriated by the Legislature, except that the Legislature shall
1534 appropriate each fiscal year an amount equal to at least the amount deposited in the account in
1535 accordance with Section 59-15-109; and

1536 (ii) as provided in this Subsection (1).

1537 (b) The amount appropriated from the account shall be distributed as follows:

1538 (i) 25% to municipalities and counties on the basis of the percentage of the state
1539 population residing in each municipality and county;

1540 (ii) 30% to municipalities and counties on the basis of each municipality's and county's
1541 percentage of the statewide convictions for all alcohol-related offenses;

1542 (iii) 20% to municipalities and counties on the basis of the percentage of the following
1543 in the state that are located in each municipality and county:

1544 (A) state stores;

1545 (B) package agencies;

1546 (C) retail licensees; and

- 1547 (D) off-premise beer retailers; and
1548 (iv) 25% to the counties for confinement and treatment purposes authorized by this part
1549 on the basis of the percentage of the state population located in each county.
- 1550 (c) (i) Except as provided in Subsection (1)(c)(ii), if a municipality does not have a law
1551 enforcement agency:
- 1552 (A) the municipality may not receive money under this part; and
1553 (B) the State Tax Commission:
- 1554 (I) may not distribute the money the municipality would receive but for the
1555 municipality not having a law enforcement agency to that municipality; and
1556 (II) shall distribute the money that the municipality would have received but for it not
1557 having a law enforcement agency to the county in which the municipality is located for use by
1558 the county in accordance with this part.
- 1559 (ii) If the advisory [~~council~~] committee finds that a municipality described in
1560 Subsection (1)(c)(i) demonstrates that the municipality can use the money that the municipality
1561 is otherwise eligible to receive in accordance with this part, the advisory [~~council~~] committee
1562 may direct the State Tax Commission to distribute the money to the municipality.
- 1563 (2) To determine the distribution required by Subsection (1)(b)(ii), the State Tax
1564 Commission shall annually:
- 1565 (a) for an annual conviction time period:
1566 (i) multiply by two the total number of convictions in the state obtained during the
1567 annual conviction time period for violation of:
1568 (A) Section 41-6a-502; or
1569 (B) an ordinance that complies with the requirements of Subsection 41-6a-510(1) or
1570 Section 76-5-207; and
1571 (ii) add to the number calculated under Subsection (2)(a)(i) the number of convictions
1572 obtained during the annual conviction time period for the alcohol-related offenses other than
1573 the alcohol-related offenses described in Subsection (2)(a)(i);
1574 (b) divide an amount equal to 30% of the appropriation for that fiscal year by the sum
1575 obtained in Subsection (2)(a); and
1576 (c) multiply the amount calculated under Subsection (2)(b), by the number of
1577 convictions obtained in each municipality and county during the annual conviction time period

1578 for alcohol-related offenses.

1579 (3) By not later than September 1 each year:

1580 (a) the state court administrator shall certify to the State Tax Commission the number
1581 of convictions obtained for alcohol-related offenses in each municipality or county in the state
1582 during the annual conviction time period; and

1583 (b) the advisory [~~council~~] committee shall notify the State Tax Commission of any
1584 municipality that does not have a law enforcement agency.

1585 (4) By not later than December 1 of each year, the advisory [~~council~~] committee shall
1586 notify the State Tax Commission for the fiscal year of appropriation of:

1587 (a) a municipality that may receive a distribution under Subsection (1)(c)(ii);

1588 (b) a county that may receive a distribution allocated to a municipality described in
1589 Subsection (1)(c)(i);

1590 (c) a municipality or county that may not receive a distribution because the advisory
1591 [~~council~~] committee has suspended the payment under Subsection 32B-2-405(2)(a); and

1592 (d) a municipality or county that receives a distribution because the suspension of
1593 payment has been cancelled under Subsection 32B-2-405(2).

1594 (5) (a) By not later than January 1 of the fiscal year of appropriation, the State Tax
1595 Commission shall annually distribute to each municipality and county the portion of the
1596 appropriation that the municipality or county is eligible to receive under this part, except for
1597 any municipality or county that the advisory [~~council~~] committee notifies the State Tax
1598 Commission in accordance with Subsection (4) may not receive a distribution in that fiscal
1599 year.

1600 (b) (i) The advisory [~~council~~] committee shall prepare forms for use by a municipality
1601 or county in applying for a distribution under this part.

1602 (ii) A form described in this Subsection (5) may require the submission of information
1603 the advisory [~~council~~] committee considers necessary to enable the State Tax Commission to
1604 comply with this part.

1605 Section 27. Section 32B-2-405 is amended to read:

1606 **32B-2-405. Reporting by municipalities and counties -- Grants.**

1607 (1) A municipality or county that receives money under this part during a fiscal year
1608 shall by no later than October 1 following the fiscal year:

- 1609 (a) report to the advisory [~~council~~] committee:
- 1610 (i) the programs or projects of the municipality or county that receive money under this
- 1611 part;
- 1612 (ii) if the money for programs or projects were exclusively used as required by
- 1613 Subsection [32B-2-403\(2\)](#);
- 1614 (iii) indicators of whether the programs or projects that receive money under this part
- 1615 are effective; and
- 1616 (iv) if money received under this part was not expended by the municipality or county;
- 1617 and
- 1618 (b) provide the advisory [~~council~~] committee a statement signed by the chief executive
- 1619 officer of the county or municipality attesting that the money received under this part was used
- 1620 in addition to money appropriated or otherwise available for the county's or municipality's law
- 1621 enforcement and was not used to supplant that money.
- 1622 (2) The advisory [~~council~~] committee may, by a majority vote:
- 1623 (a) suspend future payments under Subsection [32B-2-404\(4\)](#) to a municipality or
- 1624 county that:
- 1625 (i) does not file a report that meets the requirements of Subsection (1); or
- 1626 (ii) the advisory [~~council~~] committee finds does not use the money as required by
- 1627 Subsection [32B-2-403\(2\)](#) on the basis of the report filed by the municipality or county under
- 1628 Subsection (1); and
- 1629 (b) cancel a suspension under Subsection (2)(a).
- 1630 (3) The State Tax Commission shall notify the advisory [~~council~~] committee of the
- 1631 balance of any undistributed money after the annual distribution under Subsection
- 1632 [32B-2-404\(5\)](#).
- 1633 (4) (a) Subject to the requirements of this Subsection (4), the advisory [~~council~~]
- 1634 committee shall award the balance of undistributed money under Subsection (3):
- 1635 (i) as prioritized by majority vote of the advisory [~~council~~] committee; and
- 1636 (ii) as grants to:
- 1637 (A) a county;
- 1638 (B) a municipality;
- 1639 (C) the department;

- 1640 (D) the Department of Human Services;
- 1641 (E) the Department of Public Safety; or
- 1642 (F) the State Board of Education.
- 1643 (b) By not later than May 30 of the fiscal year of the appropriation, the advisory
- 1644 [~~council~~] committee shall notify the State Tax Commission of grants awarded under this
- 1645 Subsection (4).
- 1646 (c) The State Tax Commission shall make payments of a grant:
- 1647 (i) upon receiving notice as provided under Subsection (4)(b); and
- 1648 (ii) by not later than June 30 of the fiscal year of the appropriation.
- 1649 (d) An entity that receives a grant under this Subsection (4) shall use the grant money
- 1650 exclusively for programs or projects described in Subsection 32B-2-403(2).
- 1651 Section 28. Section 32B-7-305 is amended to read:
- 1652 **32B-7-305. Tracking of enforcement actions -- Costs of enforcement actions.**
- 1653 (1) The Department of Public Safety shall administer a program to reimburse a
- 1654 municipal or county law enforcement agency:
- 1655 (a) for the actual costs of an alcohol-related compliance check investigation conducted
- 1656 pursuant to Section 77-39-101 on the premises of an off-premise beer retailer;
- 1657 (b) for administrative costs associated with reporting the compliance check
- 1658 investigation described in Subsection (1)(a);
- 1659 (c) if the municipal or county law enforcement agency completes and submits to the
- 1660 Department of Public Safety a report within 90 days after the day on which the compliance
- 1661 check investigation described in Subsection (1)(a) occurs in a format required by the
- 1662 Department of Public Safety; and
- 1663 (d) in the order that the municipal or county law enforcement agency submits the report
- 1664 required by Subsection (1)(c) until the amount allocated by the Department of Public Safety to
- 1665 reimburse a municipal or county law enforcement agency is spent.
- 1666 (2) By no later than October 1 of each year, the Department of Public Safety shall
- 1667 report to the Utah Substance Use and Mental Health Advisory [~~Council~~] Committee on the
- 1668 compliance check investigations:
- 1669 (a) funded during the previous fiscal year; and
- 1670 (b) reimbursed under Subsection (1).

1671 Section 29. Section **63C-18-102** is amended to read:

1672 **CHAPTER 18. BEHAVIORAL HEALTH CRISIS RESPONSE COMMITTEE**

1673 **63C-18-102. Definitions.**

1674 As used in this chapter:

1675 (1) [~~Commission~~] "Committee" means the Behavioral Health Crisis Response
1676 [~~Commission~~] Committee created in Section [63C-18-202](#).

1677 (2) "Local mental health crisis line" means the same as that term is defined in Section
1678 [26B-5-610](#).

1679 (3) "Statewide mental health crisis line" means the same as that term is defined in
1680 Section [26B-5-610](#).

1681 (4) "Statewide warm line" means the same as that term is defined in Section
1682 [26B-5-610](#).

1683 Section 30. Section **63C-18-202** is amended to read:

1684 **Part 2. Committee Creation**

1685 **63C-18-202. Committee established -- Members.**

1686 (1) [~~There~~] Under the Utah Behavioral Health Commission created in Section
1687 [26B-5-702](#), there is created the Behavioral Health Crisis Response [~~Commission~~] Committee,
1688 composed of the following members:

1689 (a) the executive director of the Huntsman Mental Health Institute;

1690 (b) the governor or the governor's designee;

1691 (c) the director of the Office of Substance Use and Mental Health;

1692 (d) one representative of the Office of the Attorney General, appointed by the attorney
1693 general;

1694 (e) the executive director of the Department of Health and Human Services or the
1695 executive director's designee;

1696 (f) one member of the public, appointed by the chair of the [~~commission~~] committee
1697 and approved by the [~~commission~~] committee;

1698 (g) two individuals who are mental or behavioral health clinicians licensed to practice
1699 in the state, appointed by the chair of the [~~commission~~] committee and approved by the
1700 [~~commission~~] committee, at least one of whom is an individual who:

1701 (i) is licensed as a physician under:

- 1702 (A) Title 58, Chapter 67, Utah Medical Practice Act;
- 1703 (B) Title 58, Chapter 67b, Interstate Medical Licensure Compact; or
- 1704 (C) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and
- 1705 (ii) is board eligible for a psychiatry specialization recognized by the American Board
- 1706 of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic
- 1707 Specialists;
- 1708 (h) one individual who represents a county of the first or second class, appointed by the
- 1709 Utah Association of Counties;
- 1710 (i) one individual who represents a county of the third, fourth, or fifth class, appointed
- 1711 by the Utah Association of Counties;
- 1712 (j) one individual who represents the Utah Hospital Association, appointed by the chair
- 1713 of the [~~commission~~] committee;
- 1714 (k) one individual who represents law enforcement, appointed by the chair of the
- 1715 [~~commission~~] committee;
- 1716 (l) one individual who has lived with a mental health disorder, appointed by the chair
- 1717 of the [~~commission~~] committee;
- 1718 (m) one individual who represents an integrated health care system that:
- 1719 (i) is not affiliated with the chair of the [~~commission~~] committee; and
- 1720 (ii) provides inpatient behavioral health services and emergency room services to
- 1721 individuals in the state;
- 1722 (n) one individual who represents an accountable care organization, as defined in
- 1723 Section [26B-3-219](#), with a statewide membership base;
- 1724 (o) one individual who represents 911 call centers and public safety answering points,
- 1725 appointed by the chair of the [~~commission~~] committee;
- 1726 (p) one individual who represents Emergency Medical Services, appointed by the chair
- 1727 of the [~~commission~~] committee;
- 1728 (q) one individual who represents the mobile wireless service provider industry,
- 1729 appointed by the chair of the [~~commission~~] committee;
- 1730 (r) one individual who represents rural telecommunications providers, appointed by the
- 1731 chair of the [~~commission~~] committee;
- 1732 (s) one individual who represents voice over internet protocol and land line providers,

1733 appointed by the chair of the [~~commission~~] committee;

1734 (t) one individual who represents the Utah League of Cities and Towns, appointed by
1735 the Utah League of Cities and Towns; and

1736 (u) three or six legislative members, the number of which shall be decided jointly by
1737 the speaker of the House of Representatives and the president of the Senate, appointed as
1738 follows:

1739 (i) if the speaker of the House of Representatives and the president of the Senate jointly
1740 decide to appoint three legislative members to the [~~commission~~] committee, the speaker shall
1741 appoint one member of the House of Representatives, the president shall appoint one member
1742 of the Senate, and the speaker and the president shall jointly appoint one legislator from the
1743 minority party; or

1744 (ii) if the speaker of the House of Representatives and the president of the Senate
1745 jointly decide to appoint six legislative members to the [~~commission~~] committee:

1746 (A) the speaker of the House of Representatives shall appoint three members of the
1747 House of Representatives, no more than two of whom may be from the same political party;
1748 and

1749 (B) the president of the Senate shall appoint three members of the Senate, no more than
1750 two of whom may be from the same political party.

1751 (2) (a) Except as provided in Subsection (2)(d), the executive director of the Huntsman
1752 Mental Health Institute is the chair of the [~~commission~~] committee.

1753 (b) The chair of the [~~commission~~] committee shall appoint a member of the
1754 [~~commission~~] committee to serve as the vice chair of the [~~commission~~] committee, with the
1755 approval of the [~~commission~~] committee.

1756 (c) The chair of the [~~commission~~] committee shall set the agenda for each
1757 [~~commission~~] committee meeting.

1758 (d) If the executive director of the Huntsman Mental Health Institute is not available to
1759 serve as the chair of the [~~commission~~] committee, the [~~commission~~] committee shall elect a
1760 chair from among the [~~commission's~~] committee's members.

1761 (3) (a) A majority of the members of the [~~commission~~] committee constitutes a
1762 quorum.

1763 (b) The action of a majority of a quorum constitutes the action of the [~~commission~~]

1764 committee.

1765 (4) (a) Except as provided in Subsection (4)(b), a member may not receive
1766 compensation, benefits, per diem, or travel expenses for the member's service on the
1767 [~~commission~~] committee.

1768 (b) Compensation and expenses of a member who is a legislator are governed by
1769 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

1770 (5) The Office of the Attorney General shall provide staff support to the [~~commission~~]
1771 committee.

1772 Section 31. Section **63C-18-203** is amended to read:

1773 **63C-18-203. Committee duties -- Reporting requirements.**

1774 (1) [~~The commission~~] Under the direction of the Utah Behavioral Health Commission
1775 created in Section 26B-5-702, the committee shall:

1776 (a) identify a method to integrate existing local mental health crisis lines to ensure each
1777 individual who accesses a local mental health crisis line is connected to a qualified mental or
1778 behavioral health professional, regardless of the time, date, or number of individuals trying to
1779 simultaneously access the local mental health crisis line;

1780 (b) study how to establish and implement a statewide mental health crisis line and a
1781 statewide warm line, including identifying:

1782 (i) a statewide phone number or other means for an individual to easily access the
1783 statewide mental health crisis line, including a short code for text messaging and a three-digit
1784 number for calls;

1785 (ii) a statewide phone number or other means for an individual to easily access the
1786 statewide warm line, including a short code for text messaging and a three-digit number for
1787 calls;

1788 (iii) a supply of:

1789 (A) qualified mental or behavioral health professionals to staff the statewide mental
1790 health crisis line; and

1791 (B) qualified mental or behavioral health professionals or certified peer support
1792 specialists to staff the statewide warm line; and

1793 (iv) a funding mechanism to operate and maintain the statewide mental health crisis
1794 line and the statewide warm line;

- 1795 (c) coordinate with local mental health authorities in fulfilling the [~~commission's~~
1796 committee's duties described in Subsections (1)(a) and (b);
- 1797 (d) recommend standards for the certifications described in Section 26B-5-610; and
- 1798 (e) coordinate services provided by local mental health crisis lines and mobile crisis
1799 outreach teams, as defined in Section 62A-15-1401.
- 1800 (2) The [~~commission~~] committee shall study and make recommendations regarding:
- 1801 (a) crisis line practices and needs, including:
- 1802 (i) quality and timeliness of service;
- 1803 (ii) service volume projections;
- 1804 (iii) a statewide assessment of crisis line staffing needs, including required
1805 certifications; and
- 1806 (iv) a statewide assessment of technology needs;
- 1807 (b) primary duties performed by crisis line workers;
- 1808 (c) coordination or redistribution of secondary duties performed by crisis line workers,
1809 including responding to non-emergency calls;
- 1810 (d) operating the statewide 988 hotline:
- 1811 (i) in accordance with federal law;
- 1812 (ii) to ensure the efficient and effective routing of calls to an appropriate crisis center;
- 1813 and
- 1814 (iii) to directly respond to calls with trained personnel and the provision of acute
1815 mental health, crisis outreach, and stabilization services;
- 1816 (e) opportunities to increase operational and technological efficiencies and
1817 effectiveness between 988 and 911, utilizing current technology;
- 1818 (f) needs for interoperability partnerships and policies related to 911 call transfers and
1819 public safety responses;
- 1820 (g) standards for statewide mobile crisis outreach teams, including:
- 1821 (i) current models and projected needs;
- 1822 (ii) quality and timeliness of service;
- 1823 (iii) hospital and jail diversions; and
- 1824 (iv) staffing and certification;
- 1825 (h) resource centers, including:

- 1826 (i) current models and projected needs; and
- 1827 (ii) quality and timeliness of service;
- 1828 (i) policy considerations related to whether the state should:
- 1829 (i) manage, operate, and pay for a complete behavioral health system; or
- 1830 (ii) create partnerships with private industry; and
- 1831 (j) sustainable funding source alternatives, including:
- 1832 (i) charging a 988 fee, including a recommendation on the fee amount;
- 1833 (ii) General Fund appropriations;
- 1834 (iii) other government funding options;
- 1835 (iv) private funding sources;
- 1836 (v) grants;
- 1837 (vi) insurance partnerships, including coverage for support and treatment after initial
- 1838 call and triage; and
- 1839 (vii) other funding resources.

1840 (3) The ~~[commission]~~ committee may conduct other business related to the

1841 ~~[commission's]~~ committee's duties described in this section.

1842 (4) The ~~[commission]~~ committee shall consult with the Office of Substance Use and

1843 Mental Health regarding:

- 1844 (a) the standards and operation of the statewide mental health crisis line and the
- 1845 statewide warm line, in accordance with Section [26B-5-610](#); and
- 1846 (b) the incorporation of the statewide mental health crisis line and the statewide warm
- 1847 line into behavioral health systems throughout the state.

1848 (5) ~~[Beginning in 2023, by no later than the last interim meeting of the Health and~~

1849 ~~Human Services Interim Committee each year, the commission]~~ The committee shall report to

1850 the ~~[Health and Human Services Interim Committee]~~ Utah Behavioral Health Commission on

1851 the matters described in Subsections (1) and (2), including any recommendations, legislation

1852 proposals, and opportunities for behavioral health crisis response system improvement.

1853 Section 32. Section **63C-23-102** is amended to read:

CHAPTER 23. EDUCATION AND MENTAL HEALTH COORDINATING

COMMITTEE

63C-23-102. Definitions.

1857 As used in this chapter:

1858 (1) [~~Council~~] "Committee" means the Education and Mental Health Coordinating
1859 [~~Council~~] Committee created in Section 63C-23-201.

1860 (2) "Local education agency" or "LEA" means the same as that term is defined in
1861 Section 53E-1-102.

1862 (3) "Local mental health authority" means a local mental health authority described in
1863 Section 17-43-301.

1864 (4) "Local substance abuse authority" means a local substance abuse authority
1865 described in Section 17-43-201.

1866 Section 33. Section 63C-23-201 is amended to read:

1867 **Part 2. Education and Mental Health Coordinating Committee**

1868 **63C-23-201. Education and Mental Health Coordinating Committee --**

1869 **Membership -- Quorum and voting requirements -- Compensation -- Staff support.**

1870 (1) [~~There~~] Under the direction of the Utah Behavioral Health Commission created in
1871 Section 26B-5-702, there is created the Education and Mental Health Coordinating [~~Council~~]
1872 Committee to:

1873 (a) provide action-oriented guidance to legislative and other state leaders on how to
1874 meet the behavioral health needs, including mental health and substance use issues, facing
1875 youth and families within the state; and

1876 (b) ensure close collaboration and alignment with existing statewide behavioral health
1877 efforts and groups, including:

1878 (i) the Behavioral Health Crisis Response [~~Commission~~] Committee created in Section
1879 63C-18-202; and

1880 (ii) the Utah Substance Use and Mental Health Advisory [~~Council~~] Committee created
1881 in Section 63M-7-301.

1882 (2) The [~~council~~] committee consists of the following members:

1883 (a) a member of the House of Representatives whom the speaker of the House of
1884 Representatives appoints;

1885 (b) a member of the Senate whom the president of the Senate appoints;

1886 (c) an individual with expertise in behavioral health whom the governor appoints;

1887 (d) the state superintendent of public instruction appointed under Section 53E-3-301 or

1888 the state superintendent's designee;

1889 (e) the chief executive officer of the Huntsman Mental Health Institute at the
1890 University of Utah or the chief executive officer's designee;

1891 (f) the director of the Division of Substance Abuse and Mental Health or the director's
1892 designee;

1893 (g) the commissioner of higher education appointed under Section 53B-1-408 or the
1894 commissioner's designee; and

1895 (h) the following individuals whom the president of the Senate and the speaker of the
1896 House of Representatives jointly appoint:

1897 (i) a community-oriented behavioral health leader from the private sector;

1898 (ii) the president or chief executive officer of an association that represents hospitals
1899 within the state;

1900 (iii) a community health executive from an academic medical system;

1901 (iv) a community health executive from an integrated healthcare system;

1902 (v) the president or chief executive officer of a nonprofit organization that provides
1903 comprehensive mental health care to children and families across the socioeconomic spectrum;
1904 and

1905 (vi) a mental health research expert.

1906 (3) (a) The members described in Subsections (2)(a) and (2)(h)(i) shall serve as
1907 co-chairs of the [~~council~~] committee.

1908 (b) A [~~council~~] committee member whom the speaker of the House of Representatives
1909 and the president of the Senate jointly appoint under Subsection (2)(h), and the [~~council~~]
1910 committee member whom the governor appoints under Subsection (2)(c), shall serve a term of
1911 two years.

1912 (c) The speaker of the House of Representatives, the president of the Senate, and the
1913 governor shall:

1914 (i) make the initial appointments described in Subsection (2) before July 1, 2021; and

1915 (ii) make appointments for subsequent terms for the [~~council~~] committee positions
1916 described in Subsection (2)(b) before July 1 of each odd-numbered year, by:

1917 (A) reappointing the [~~council~~] committee member whose term expires under
1918 Subsection (3)(b); or

- 1919 (B) appointing a new [council] committee member.
- 1920 (d) The speaker of the House of Representatives and the president of the Senate may
1921 change the appointment described in Subsections (2)(a) and (b) at any time.
- 1922 (4) (a) The salary and expenses of a [council] committee member who is a legislator
1923 shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3,
1924 Legislator Compensation.
- 1925 (b) A [council] committee member who is not a legislator:
- 1926 (i) may not receive compensation or benefits for the member's service on the [council]
1927 committee; and
- 1928 (ii) may receive per diem and reimbursement for travel expenses that the [council]
1929 committee member incurs as a [council] committee member at the rates that the Division of
1930 Finance establishes under:
- 1931 (A) Sections 63A-3-106 and 63A-3-107; and
- 1932 (B) rules that the Division of Finance makes under Sections 63A-3-106 and
1933 63A-3-107.
- 1934 (5) (a) A majority of the [council] committee members constitutes a quorum.
- 1935 (b) The action of a majority of a quorum constitutes an action of the [council]
1936 committee.
- 1937 (6) The Office of Legislative Research and General Counsel shall provide staff support
1938 to the [council] committee.
- 1939 Section 34. Section 63C-23-202 is amended to read:
- 1940 **63C-23-202. Committee duties -- Reporting requirements.**
- 1941 (1) The [council] committee shall:
- 1942 (a) meet at least twice per quarter; and
- 1943 (b) make findings and recommendations to:
- 1944 (i) generate a common framework for preventing and addressing mild, moderate, and
1945 serious behavioral health concerns that youth within the state face;
- 1946 (ii) clarify roles among LEAs, local mental health authorities, local substance abuse
1947 authorities, and other behavioral health partners regarding the practical and legal obligations of
1948 screening, assessment, and the provision of care; and
- 1949 (iii) facilitate joint development of state and local plans among LEAs, local mental

1950 health authorities, local substance abuse authorities, and other behavioral health partners that:

1951 (A) describe how the entities will collaborate to meet the behavioral health needs of
1952 youth within the state; and

1953 (B) provide clarity and consistency in the standardization, collection, analysis, and
1954 application of behavioral health-related data to drive improvement.

1955 (2) At least once per quarter, the ~~[council]~~ committee co-chairs shall report to the
1956 speaker of the House of Representatives and the president of the Senate regarding the findings
1957 and recommendations described in Subsection (1)(b).

1958 (3) ~~[At or before the November interim meeting, the council]~~ On or before July 31 of
1959 each year, the committee shall report the ~~[council's]~~ committee's findings and recommendations
1960 described in Subsection (1)(b) to the ~~[Education Interim Committee and the Health and Human~~
1961 ~~Services Interim Committee]~~ Utah Behavioral Health Commission.

1962 Section 35. Section **63I-1-226 (Superseded 07/01/24)** is amended to read:

1963 **63I-1-226 (Superseded 07/01/24). Repeal dates: Titles 26A through 26B.**

1964 (1) Subsection **26B-1-204(2)(i)**, related to the Primary Care Grant Committee, is
1965 repealed July 1, 2025.

1966 (2) Section **26B-1-315**, which creates the Medicaid Expansion Fund, is repealed July 1,
1967 2024.

1968 (3) Section **26B-1-319**, which creates the Neuro-Rehabilitation Fund, is repealed
1969 January 1, 2025.

1970 (4) Section **26B-1-320**, which creates the Pediatric Neuro-Rehabilitation Fund, is
1971 repealed January 1, 2025.

1972 (5) Subsection **26B-1-324(4)**, the language that states "the Behavioral Health Crisis
1973 Response ~~[Commission]~~ Committee, as defined in Section **63C-18-202**," is repealed December
1974 31, 2026.

1975 (6) Subsection **26B-1-329(6)**, related to the Behavioral Health Crisis Response
1976 ~~[Commission]~~ Committee, is repealed December 31, 2026.

1977 (7) Section **26B-1-402**, related to the Rare Disease Advisory Council Grant Program, is
1978 repealed July 1, 2026.

1979 (8) Section **26B-1-409**, which creates the Utah Digital Health Service Commission, is
1980 repealed July 1, 2025.

1981 (9) Section 26B-1-410, which creates the Primary Care Grant Committee, is repealed
1982 July 1, 2025.

1983 (10) Section 26B-1-416, which creates the Utah Children's Health Insurance Program
1984 Advisory Council, is repealed July 1, 2025.

1985 (11) Section 26B-1-417, which creates the Brain Injury Advisory Committee, is
1986 repealed July 1, 2025.

1987 (12) Section 26B-1-418, which creates the Neuro-Rehabilitation Fund and Pediatric
1988 Neuro-Rehabilitation Fund Advisory Committee, is repealed January 1, 2025.

1989 (13) Section 26B-1-422, which creates the Early Childhood Utah Advisory Council, is
1990 repealed July 1, 2029.

1991 (14) Section 26B-1-428, which creates the Youth Electronic Cigarette, Marijuana, and
1992 Other Drug Prevention Program, is repealed July 1, 2025.

1993 (15) Section 26B-1-430, which creates the Coordinating Council for Persons with
1994 Disabilities, is repealed July 1, 2027.

1995 (16) Section 26B-1-431, which creates the Forensic Mental Health Coordinating
1996 Council, is repealed July 1, 2023.

1997 (17) Section 26B-1-432, which creates the Newborn Hearing Screening Committee, is
1998 repealed July 1, 2026.

1999 (18) Section 26B-1-434, regarding the Correctional Postnatal and Early Childhood
2000 Advisory Board, is repealed July 1, 2026.

2001 (19) Section 26B-2-407, related to drinking water quality in child care centers, is
2002 repealed July 1, 2027.

2003 (20) Subsection 26B-3-107(9), which addresses reimbursement for dental hygienists, is
2004 repealed July 1, 2028.

2005 (21) Section 26B-3-136, which creates the Children's Health Care Coverage Program,
2006 is repealed July 1, 2025.

2007 (22) Section 26B-3-137, related to reimbursement for the National Diabetes Prevention
2008 Program, is repealed June 30, 2027.

2009 (23) Subsection 26B-3-213(2), the language that states "[and] In consultation with the
2010 Behavioral Health Crisis Response [~~Commission~~] Committee created in Section 63C-18-202"
2011 is repealed December 31, 2026.

- 2012 (24) Sections 26B-3-302 through 26B-3-309, regarding the Drug Utilization Review
2013 Board, are repealed July 1, 2027.
- 2014 (25) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1,
2015 2024.
- 2016 (26) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is
2017 repealed July 1, 2024.
- 2018 (27) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1,
2019 2028.
- 2020 (28) Section 26B-3-910, regarding alternative eligibility, is repealed July 1, 2028.
- 2021 (29) Section 26B-4-136, related to the Volunteer Emergency Medical Service
2022 Personnel Health Insurance Program, is repealed July 1, 2027.
- 2023 (30) Section 26B-4-710, related to rural residency training programs, is repealed July 1,
2024 2025.
- 2025 (31) Subsections 26B-5-112(1) and (5), the language that states "In consultation with
2026 the Behavioral Health Crisis Response [~~Commission~~] Committee, established in Section
2027 63C-18-202," is repealed December 31, 2026.
- 2028 (32) Section 26B-5-112.5 is repealed December 31, 2026.
- 2029 (33) Section 26B-5-114, related to the Behavioral Health Receiving Center Grant
2030 Program, is repealed December 31, 2026.
- 2031 (34) Section 26B-5-118, related to collaborative care grant programs, is repealed
2032 December 31, 2024.
- 2033 (35) Section 26B-5-120 is repealed December 31, 2026.
- 2034 (36) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:
- 2035 (a) Subsection 26B-5-606(2)(a)(i), the language that states "and" is repealed; and
- 2036 (b) Subsections 26B-5-606(2)(a)(ii), 26B-5-606(2)(b), and 26B-5-606(2)(c) are
2037 repealed.
- 2038 (37) In relation to the Behavioral Health Crisis Response [~~Commission~~] Committee, on
2039 December 31, 2026:
- 2040 (a) Subsection 26B-5-609(1)(a) is repealed;
- 2041 (b) Subsection 26B-5-609(3)(a), the language that states "With recommendations from
2042 the [~~commission~~] committee," is repealed;

- 2043 (c) Subsection [26B-5-610\(1\)\(b\)](#) is repealed;
- 2044 (d) Subsection [26B-5-610\(2\)\(b\)](#), the language that states "and in consultation with the
2045 [~~commission~~] committee," is repealed; [~~and~~]
- 2046 (e) Subsection [26B-5-610\(4\)](#), the language that states "In consultation with the
2047 [~~commission~~] committee," is repealed[-]; and
- 2048 (f) Subsection [26B-5-704\(2\)\(a\)](#) is repealed.
- 2049 (38) Subsections [26B-5-611\(1\)\(a\)](#) and (10), in relation to the Utah Substance Use and
2050 Mental Health Advisory [~~Council~~] Committee, are repealed January 1, 2033.
- 2051 (39) Section [26B-5-612](#), related to integrated behavioral health care grant programs, is
2052 repealed December 31, 2025.
- 2053 (40) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed July
2054 1, 2029.
- 2055 (41) Subsection [26B-5-704\(2\)\(b\)](#), related to the Education and Mental Health
2056 Coordinating Committee, is repealed December 31, 2024.
- 2057 [~~(40)~~] (42) Subsection [26B-7-119\(5\)](#), related to reports to the Legislature on the
2058 outcomes of the Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.
- 2059 [~~(41)~~] (43) Section [26B-7-224](#), related to reports to the Legislature on violent incidents
2060 and fatalities involving substance abuse, is repealed December 31, 2027.
- 2061 [~~(42)~~] (44) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1,
2062 2024.
- 2063 [~~(43)~~] (45) Section [26B-8-513](#), related to identifying overuse of non-evidence-based
2064 health care, is repealed December 31, 2023.
- 2065 Section 36. Section **63I-1-226 (Effective 07/01/24)** is amended to read:
- 2066 **63I-1-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.**
- 2067 (1) Subsection [26B-1-204\(2\)\(i\)](#), related to the Primary Care Grant Committee, is
2068 repealed July 1, 2025.
- 2069 (2) Section [26B-1-315](#), which creates the Medicaid Expansion Fund, is repealed July 1,
2070 2024.
- 2071 (3) Section [26B-1-319](#), which creates the Neuro-Rehabilitation Fund, is repealed
2072 January 1, 2025.
- 2073 (4) Section [26B-1-320](#), which creates the Pediatric Neuro-Rehabilitation Fund, is

2074 repealed January 1, 2025.

2075 (5) Subsection [26B-1-324\(4\)](#), the language that states "the Behavioral Health Crisis
2076 Response [~~Commission~~] Committee, as defined in Section [63C-18-202](#)," is repealed December
2077 31, 2026.

2078 (6) Subsection [26B-1-329\(6\)](#), related to the Behavioral Health Crisis Response
2079 [~~Commission~~] Committee, is repealed December 31, 2026.

2080 (7) Section [26B-1-402](#), related to the Rare Disease Advisory Council Grant Program, is
2081 repealed July 1, 2026.

2082 (8) Section [26B-1-409](#), which creates the Utah Digital Health Service Commission, is
2083 repealed July 1, 2025.

2084 (9) Section [26B-1-410](#), which creates the Primary Care Grant Committee, is repealed
2085 July 1, 2025.

2086 (10) Section [26B-1-416](#), which creates the Utah Children's Health Insurance Program
2087 Advisory Council, is repealed July 1, 2025.

2088 (11) Section [26B-1-417](#), which creates the Brain Injury Advisory Committee, is
2089 repealed July 1, 2025.

2090 (12) Section [26B-1-418](#), which creates the Neuro-Rehabilitation Fund and Pediatric
2091 Neuro-Rehabilitation Fund Advisory Committee, is repealed January 1, 2025.

2092 (13) Section [26B-1-422](#), which creates the Early Childhood Utah Advisory Council, is
2093 repealed July 1, 2029.

2094 (14) Section [26B-1-428](#), which creates the Youth Electronic Cigarette, Marijuana, and
2095 Other Drug Prevention Program, is repealed July 1, 2025.

2096 (15) Section [26B-1-430](#), which creates the Coordinating Council for Persons with
2097 Disabilities, is repealed July 1, 2027.

2098 (16) Section [26B-1-431](#), which creates the Forensic Mental Health Coordinating
2099 Council, is repealed July 1, 2023.

2100 (17) Section [26B-1-432](#), which creates the Newborn Hearing Screening Committee, is
2101 repealed July 1, 2026.

2102 (18) Section [26B-1-434](#), regarding the Correctional Postnatal and Early Childhood
2103 Advisory Board, is repealed July 1, 2026.

2104 (19) Section [26B-2-407](#), related to drinking water quality in child care centers, is

2105 repealed July 1, 2027.

2106 (20) Subsection 26B-3-107(9), which addresses reimbursement for dental hygienists, is
2107 repealed July 1, 2028.

2108 (21) Section 26B-3-136, which creates the Children's Health Care Coverage Program,
2109 is repealed July 1, 2025.

2110 (22) Section 26B-3-137, related to reimbursement for the National Diabetes Prevention
2111 Program, is repealed June 30, 2027.

2112 (23) Subsection 26B-3-213(2), the language that states "[~~and~~] In consultation with the
2113 Behavioral Health Crisis Response [~~Commission~~] Committee created in Section 63C-18-202"
2114 is repealed December 31, 2026.

2115 (24) Sections 26B-3-302 through 26B-3-309, regarding the Drug Utilization Review
2116 Board, are repealed July 1, 2027.

2117 (25) Title 26B, Chapter 3, Part 5, Inpatient Hospital Assessment, is repealed July 1,
2118 2024.

2119 (26) Title 26B, Chapter 3, Part 6, Medicaid Expansion Hospital Assessment, is
2120 repealed July 1, 2024.

2121 (27) Title 26B, Chapter 3, Part 7, Hospital Provider Assessment, is repealed July 1,
2122 2028.

2123 (28) Section 26B-3-910, regarding alternative eligibility, is repealed July 1, 2028.

2124 (29) Section 26B-4-710, related to rural residency training programs, is repealed July 1,
2125 2025.

2126 (30) Subsections 26B-5-112(1) and (5), the language that states "In consultation with
2127 the Behavioral Health Crisis Response [~~Commission~~] Committee, established in Section
2128 63C-18-202," is repealed December 31, 2026.

2129 (31) Section 26B-5-112.5 is repealed December 31, 2026.

2130 (32) Section 26B-5-114, related to the Behavioral Health Receiving Center Grant
2131 Program, is repealed December 31, 2026.

2132 (33) Section 26B-5-118, related to collaborative care grant programs, is repealed
2133 December 31, 2024.

2134 (34) Section 26B-5-120 is repealed December 31, 2026.

2135 (35) In relation to the Utah Assertive Community Treatment Act, on July 1, 2024:

2136 (a) Subsection [26B-5-606\(2\)\(a\)\(i\)](#), the language that states "and" is repealed; and

2137 (b) Subsections [26B-5-606\(2\)\(a\)\(ii\)](#), [26B-5-606\(2\)\(b\)](#), and [26B-5-606\(2\)\(c\)](#) are

2138 repealed.

2139 (36) In relation to the Behavioral Health Crisis Response [~~Commission~~] Committee, on
2140 December 31, 2026:

2141 (a) Subsection [26B-5-609\(1\)\(a\)](#) is repealed;

2142 (b) Subsection [26B-5-609\(3\)\(a\)](#), the language that states "With recommendations from
2143 the [~~commission~~] committee," is repealed;

2144 (c) Subsection [26B-5-610\(1\)\(b\)](#) is repealed;

2145 (d) Subsection [26B-5-610\(2\)\(b\)](#), the language that states "and in consultation with the
2146 [~~commission~~] committee," is repealed; [~~and~~]

2147 (e) Subsection [26B-5-610\(4\)](#), the language that states "In consultation with the

2148 [~~commission~~] committee," is repealed[.]; and

2149 (f) Subsection [26B-5-704\(2\)\(a\)](#) is repealed.

2150 (37) Subsections [26B-5-611\(1\)\(a\)](#) and (10), in relation to the Utah Substance Use and
2151 Mental Health Advisory [~~Council~~] Committee, are repealed January 1, 2033.

2152 (38) Section [26B-5-612](#), related to integrated behavioral health care grant programs, is
2153 repealed December 31, 2025.

2154 (39) Title 26B, Chapter 5, Part 7, Utah Behavioral Health Commission, is repealed July
2155 1, 2029.

2156 (40) Subsection [26B-5-704\(2\)\(b\)](#), related to the Education and Mental Health
2157 Coordinating Committee, is repealed December 31, 2024.

2158 [~~(39)~~] (41) Subsection [26B-7-119\(5\)](#), related to reports to the Legislature on the
2159 outcomes of the Hepatitis C Outreach Pilot Program, is repealed July 1, 2028.

2160 [~~(40)~~] (42) Section [26B-7-224](#), related to reports to the Legislature on violent incidents
2161 and fatalities involving substance abuse, is repealed December 31, 2027.

2162 [~~(41)~~] (43) Title 26B, Chapter 8, Part 5, Utah Health Data Authority, is repealed July 1,
2163 2024.

2164 [~~(42)~~] (44) Section [26B-8-513](#), related to identifying overuse of non-evidence-based
2165 health care, is repealed December 31, 2023.

2166 Section 37. Section **63I-1-232** is amended to read:

2167 **63I-1-232. Repeal dates: Title 32A through 32B.**

2168 In relation to the Utah Substance Use and Mental Health Advisory [~~Council~~

2169 Committee, on January 1, 2033:

2170 (1) Subsection 32B-2-306(1)(a) is repealed;

2171 (2) Subsection 32B-2-306(4), the language that states "advisory [~~council~~] committee"
2172 is repealed and replaced with "department";

2173 (3) Subsections 32B-2-306(4)(b) and (e) are repealed;

2174 (4) Subsection 32B-2-306(5)(a), the language that states "in cooperation with the
2175 advisory [~~council~~] committee" is repealed;

2176 (5) Subsection 32B-2-306(5)(b) is amended to read:

2177 "(b) The department shall:

2178 (i) prepare a plan detailing the intended use of the money appropriated under this
2179 section; and

2180 (ii) conduct the media and education campaign in accordance with the guidelines
2181 created by the department under Subsection (4)(c).";

2182 (6) Subsection 32B-2-402(1)(b) is repealed;

2183 (7) Sections 32B-2-404 and 32B-2-405, the language that states "advisory [~~council~~]
2184 committee" is repealed and replaced with "department";

2185 (8) Subsection 32B-2-405(2), the language that states "by a majority vote" is repealed;
2186 and

2187 (9) Subsection 32B-2-405(4)(a)(i), the language that states "majority vote of" is
2188 repealed.

2189 Section 38. Section 63I-1-263 is amended to read:

2190 **63I-1-263. Repeal dates: Titles 63A to 63N.**

2191 (1) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital
2192 improvement funding, is repealed July 1, 2024.

2193 (2) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,
2194 2023.

2195 (3) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review
2196 Committee, are repealed July 1, 2023.

2197 (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July

- 2198 1, 2028.
- 2199 (5) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
2200 2025.
- 2201 (6) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
2202 2024.
- 2203 (7) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
2204 repealed July 1, 2023.
- 2205 (8) [~~Title 63C, Chapter 18, Behavioral Health Crisis Response Commission~~] [Title 63C,](#)
2206 [Chapter 18, Behavioral Health Crisis Response Committee](#), is repealed December 31, 2026.
- 2207 (9) [~~Title 63C, Chapter 23, Education and Mental Health Coordinating Council~~] [Title](#)
2208 [63C, Chapter 23, Education and Mental Health Coordinating Committee](#), is repealed [~~July 1,~~
2209 ~~2026~~] [December 31, 2024](#).
- 2210 (10) Title 63C, Chapter 27, Cybersecurity Commission, is repealed July 1, 2032.
- 2211 (11) Title 63C, Chapter 28, Ethnic Studies Commission, is repealed July 1, 2026.
- 2212 (12) Title 63C, Chapter 29, Domestic Violence Data Task Force, is repealed December
2213 31, 2024.
- 2214 (13) Title 63C, Chapter 31, State Employee Benefits Advisory Commission, is
2215 repealed on July 1, 2028.
- 2216 (14) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities
2217 Advisory Board, is repealed July 1, 2026.
- 2218 (15) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
2219 2028.
- 2220 (16) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
2221 2024.
- 2222 (17) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 2223 (18) Subsection [63J-1-602.2\(25\)](#), related to the Utah Seismic Safety Commission, is
2224 repealed January 1, 2025.
- 2225 (19) Section [63L-11-204](#), creating a canyon resource management plan to Provo
2226 Canyon, is repealed July 1, 2025.
- 2227 (20) Title 63L, Chapter 11, Part 4, Resource Development Coordinating Committee, is
2228 repealed July 1, 2027.

- 2229 (21) In relation to the Utah Substance Use and Mental Health Advisory [Council]
2230 Committee, on January 1, 2033:
- 2231 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
2232 repealed;
- 2233 (b) Section 63M-7-305, the language that states [~~council~~] "committee" is replaced
2234 with "commission";
- 2235 (c) Subsection 63M-7-305(1)(a) is repealed and replaced with:
2236 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
- 2237 (d) Subsection 63M-7-305(2) is repealed and replaced with:
2238 "(2) The commission shall:
- 2239 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
2240 Drug-Related Offenses Reform Act; and
- 2241 (b) coordinate the implementation of Section 77-18-104 and related provisions in
2242 Subsections 77-18-103(2)(c) and (d)."
- 2243 (22) The Crime Victim Reparations and Assistance Board, created in Section
2244 63M-7-504, is repealed July 1, 2027.
- 2245 (23) Title 63M, Chapter 7, Part 8, Sex Offense Management Board, is repealed July 1,
2246 2026.
- 2247 (24) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 2248 (25) Title 63N, Chapter 1b, Part 4, Women in the Economy Subcommittee, is repealed
2249 January 1, 2025.
- 2250 (26) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 2251 (27) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July
2252 1, 2028.
- 2253 (28) Title 63N, Chapter 3, Part 9, Strategic Innovation Grant Pilot Program, is repealed
2254 July 1, 2027.
- 2255 (29) Title 63N, Chapter 3, Part 11, Manufacturing Modernization Grant Program, is
2256 repealed July 1, 2025.
- 2257 (30) In relation to the Rural Employment Expansion Program, on July 1, 2028:
- 2258 (a) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed;
2259 and

2260 (b) Subsection 63N-4-805(5)(b), referring to the Rural Employment Expansion
2261 Program, is repealed.

2262 (31) In relation to the Board of Tourism Development, on July 1, 2025:

2263 (a) Subsection 63N-2-511(1)(b), which defines "tourism board," is repealed;

2264 (b) Subsections 63N-2-511(3)(a) and (5), the language that states "tourism board" is
2265 repealed and replaced with "Utah Office of Tourism";

2266 (c) Subsection 63N-7-101(1), which defines "board," is repealed;

2267 (d) Subsection 63N-7-102(3)(c), which requires the Utah Office of Tourism to receive
2268 approval from the Board of Tourism Development, is repealed; and

2269 (e) Title 63N, Chapter 7, Part 2, Board of Tourism Development, is repealed.

2270 (32) Subsection 63N-8-103(3)(c), which allows the Governor's Office of Economic
2271 Opportunity to issue an amount of tax credit certificates only for rural productions, is repealed
2272 on July 1, 2024.

2273 Section 39. Section 63M-7-202 is amended to read:

2274 **63M-7-202. Composition -- Appointments -- Ex officio members -- Terms --**
2275 **United States Attorney as nonvoting member.**

2276 (1) The State Commission on Criminal and Juvenile Justice is composed of 26 voting
2277 members as follows:

2278 (a) the chief justice of the supreme court, as the presiding officer of the judicial
2279 council, or a judge designated by the chief justice;

2280 (b) the state court administrator or the state court administrator's designee;

2281 (c) the executive director of the Department of Corrections or the executive director's
2282 designee;

2283 (d) the executive director of the Department of Health and Human Services or the
2284 executive director's designee;

2285 (e) the commissioner of the Department of Public Safety or the commissioner's
2286 designee;

2287 (f) the attorney general or an attorney designated by the attorney general;

2288 (g) the president of the chiefs of police association or a chief of police designated by
2289 the association's president;

2290 (h) the president of the sheriffs' association or a sheriff designated by the association's

- 2291 president;
- 2292 (i) the chair of the Board of Pardons and Parole or a member of the Board of Pardons
2293 and Parole designated by the chair;
- 2294 (j) the chair of the Utah Sentencing Commission or a member of the Utah Sentencing
2295 Commission designated by the chair;
- 2296 (k) the chair of the Utah Substance Use and Mental Health Advisory [~~Council~~]
2297 Committee or a member of the Utah Substance Use and Mental Health Advisory [~~Council~~]
2298 Committee designated by the chair;
- 2299 (l) the chair of the Utah Board of Juvenile Justice or a member of the Utah Board of
2300 Juvenile Justice designated by the chair;
- 2301 (m) the chair of the Utah Victim Services Commission or a member of the Utah Victim
2302 Services Commission designated by the chair;
- 2303 (n) the chair of the Utah Council on Victims of Crime or a member of the Utah
2304 Council on Victims of Crime designated by the chair;
- 2305 (o) the executive director of the Salt Lake Legal Defender Association or an attorney
2306 designated by the executive director;
- 2307 (p) the chair of the Utah Indigent Defense Commission or a member of the Indigent
2308 Defense Commission designated by the chair;
- 2309 (q) the Salt Lake County District Attorney or an attorney designated by the district
2310 attorney; and
- 2311 (r) the following members designated to serve four-year terms:
- 2312 (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the
2313 Judicial Council;
- 2314 (ii) a representative of the statewide association of public attorneys designated by the
2315 association's officers;
- 2316 (iii) one member of the House of Representatives who is appointed by the speaker of
2317 the House of Representatives; and
- 2318 (iv) one member of the Senate who is appointed by the president of the Senate.
- 2319 (2) The governor shall appoint the remaining five members to four-year staggered
2320 terms as follows:
- 2321 (a) one criminal defense attorney appointed from a list of three nominees submitted by

2322 the Utah State Bar Association;

2323 (b) one attorney who primarily represents juveniles in delinquency matters appointed
2324 from a list of three nominees submitted by the Utah Bar Association;

2325 (c) one representative of public education;

2326 (d) one citizen representative; and

2327 (e) a representative from a local faith who has experience with the criminal justice
2328 system.

2329 (3) In addition to the members designated under Subsections (1) and (2), the United
2330 States Attorney for the district of Utah or an attorney designated by the United States Attorney
2331 may serve as a nonvoting member.

2332 (4) In appointing the members under Subsection (2), the governor shall take into
2333 account the geographical makeup of the commission.

2334 Section 40. Section **63M-7-301** is amended to read:

2335 **Part 3. Utah Substance Use and Mental Health Advisory Committee**

2336 **63M-7-301. Definitions -- Creation of committee -- Membership -- Terms.**

2337 (1) (a) As used in this part, [~~council~~] "committee" means the Utah Substance Use and
2338 Mental Health Advisory [~~Council~~] Committee created in this section.

2339 (b) There is created within the governor's office the Utah Substance Use and Mental
2340 Health Advisory [~~Council~~] Committee.

2341 (2) The [~~council~~] committee shall be comprised of the following voting members:

2342 (a) the attorney general or the attorney general's designee;

2343 (b) one elected county official appointed by the Utah Association of Counties;

2344 (c) the commissioner of public safety or the commissioner's designee;

2345 (d) the director of the Division of Integrated Healthcare or the director's designee;

2346 (e) the state superintendent of public instruction or the superintendent's designee;

2347 (f) the executive director of the Department of Health and Human Services or the
2348 executive director's designee;

2349 (g) the executive director of the State Commission on Criminal and Juvenile Justice or
2350 the executive director's designee;

2351 (h) the executive director of the Department of Corrections or the executive director's
2352 designee;

- 2353 (i) the director of the Division of Juvenile Justice and Youth Services or the director's
2354 designee;
- 2355 (j) the director of the Division of Child and Family Services or the director's designee;
- 2356 (k) the chair of the Board of Pardons and Parole or the chair's designee;
- 2357 (l) the director of the Office of Multicultural Affairs or the director's designee;
- 2358 (m) the director of the Division of Indian Affairs or the director's designee;
- 2359 (n) the state court administrator or the state court administrator's designee;
- 2360 (o) one district court judge who presides over a drug court and who is appointed by the
2361 chief justice of the Utah Supreme Court;
- 2362 (p) one district court judge who presides over a mental health court and who is
2363 appointed by the chief justice of the Utah Supreme Court;
- 2364 (q) one juvenile court judge who presides over a drug court and who is appointed by
2365 the chief justice of the Utah Supreme Court;
- 2366 (r) one prosecutor appointed by the Statewide Association of Prosecutors;
- 2367 (s) the chair or co-chair of each [~~committee~~] subcommittee established by the [~~council~~]
2368 committee;
- 2369 (t) the chair or co-chair of the Statewide Suicide Prevention Coalition created under
2370 Subsection [26B-5-611\(3\)](#);
- 2371 (u) one representative appointed by the Utah League of Cities and Towns to serve a
2372 four-year term;
- 2373 (v) the chair of the Utah Victim Services Commission or the chair's designee;
- 2374 (w) the superintendent of the Utah State Hospital or the superintendent's designee;
- 2375 (x) the following members appointed by the governor to serve four-year terms:
- 2376 (i) one resident of the state who has been personally affected by a substance use or
2377 mental health disorder; and
- 2378 (ii) one citizen representative; and
- 2379 (y) in addition to the voting members described in Subsections (2)(a) through (x), the
2380 following voting members appointed by a majority of the members described in Subsections
2381 (2)(a) through (x) to serve four-year terms:
- 2382 (i) one resident of the state who represents a statewide advocacy organization for
2383 recovery from substance use disorders;

- 2384 (ii) one resident of the state who represents a statewide advocacy organization for
2385 recovery from mental illness;
- 2386 (iii) one resident of the state who represents a statewide advocacy organization for
2387 protection of rights of individuals with a disability;
- 2388 (iv) one resident of the state who represents prevention professionals;
- 2389 (v) one resident of the state who represents treatment professionals;
- 2390 (vi) one resident of the state who represents the physical health care field;
- 2391 (vii) one resident of the state who is a criminal defense attorney;
- 2392 (viii) one resident of the state who is a military servicemember or military veteran
2393 under Section 53B-8-102;
- 2394 (ix) one resident of the state who represents local law enforcement agencies;
- 2395 (x) one representative of private service providers that serve youth with substance use
2396 disorders or mental health disorders; and
- 2397 (xi) one resident of the state who is certified by the Division of Integrated Healthcare
2398 as a peer support specialist as described in Subsection 26B-5-102(2)(h).

2399 (3) An individual other than an individual described in Subsection (2) may not be
2400 appointed as a voting member of the [~~council~~] committee.

2401 Section 41. Section 63M-7-302 is amended to read:

2402 **63M-7-302. Chair -- Vacancies -- Quorum -- Expenses.**

2403 (1) The Utah Substance Use and Mental Health Advisory [~~Council~~] Committee shall
2404 annually select one of its members to serve as chair and one of its members to serve as vice
2405 chair.

2406 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
2407 appointed for the unexpired term in the same manner as the position was originally filled.

2408 (3) A majority of the members of the [~~council~~] committee constitutes a quorum.

2409 (4) A member may not receive compensation or benefits for the member's service, but
2410 may receive per diem and travel expenses as allowed in:

2411 (a) Section 63A-3-106;

2412 (b) Section 63A-3-107; and

2413 (c) rules made by the Division of Finance according to Sections 63A-3-106 and
2414 63A-3-107.

2415 (5) The [~~council~~] committee may establish [~~committees~~] subcommittees as needed to
2416 assist in accomplishing its duties under Section 63M-7-303.

2417 Section 42. Section 63M-7-303 is amended to read:

2418 **63M-7-303. Duties of committee.**

2419 (1) [~~The~~] Under the direction of the Utah Behavioral Health Commission created in
2420 Section 26B-5-702, the Utah Substance Use and Mental Health Advisory [Council] Committee
2421 shall:

2422 (a) provide leadership and generate unity for Utah's ongoing efforts to reduce and
2423 eliminate the impact of substance use and mental health disorders in Utah through a
2424 comprehensive and evidence-based prevention, treatment, and justice strategy;

2425 (b) recommend and coordinate the creation, dissemination, and implementation of
2426 statewide policies to address substance use and mental health disorders;

2427 (c) facilitate planning for a balanced continuum of substance use and mental health
2428 disorder prevention, treatment, and justice services;

2429 (d) promote collaboration and mutually beneficial public and private partnerships;

2430 (e) coordinate recommendations made by any [~~committee~~] subcommittee created under
2431 Section 63M-7-302;

2432 (f) analyze and provide an objective assessment of all proposed legislation concerning
2433 substance use, mental health, forensic mental health, and related issues;

2434 (g) coordinate the implementation of Section 77-18-104 and related provisions in
2435 Subsections 77-18-103(2)(c) and (d), as provided in Section 63M-7-305;

2436 (h) comply with Section 32B-2-306;

2437 (i) oversee coordination for the funding, implementation, and evaluation of suicide
2438 prevention efforts described in Section 26B-5-611;

2439 (j) advise the Department of Health and Human Services regarding the state hospital
2440 admissions policy for individuals in the custody of the Department of Corrections;

2441 (k) regarding the interaction between an individual with a mental illness or an
2442 intellectual disability and the civil commitment system, criminal justice system, or juvenile
2443 justice system:

2444 (i) promote communication between and coordination among all agencies interacting
2445 with the individual;

- 2446 (ii) study, evaluate, and recommend changes to laws and procedures;
- 2447 (iii) identify and promote the implementation of specific policies and programs to deal
2448 fairly and efficiently with the individual; and
- 2449 (iv) promote judicial education;
- 2450 (1) study the long-term need for adult patient staffed beds at the state hospital,
2451 including:
- 2452 (i) the total number of staffed beds currently in use at the state hospital;
- 2453 (ii) the current staffed bed capacity at the state hospital;
- 2454 (iii) the projected total number of staffed beds needed in the adult general psychiatric
2455 unit of the state hospital over the next three, five, and 10 years based on:
- 2456 (A) the state's current and projected population growth;
- 2457 (B) current access to mental health resources in the community; and
- 2458 (C) any other factors the [council] committee finds relevant to projecting the total
2459 number of staffed beds; and
- 2460 (iv) the cost associated with the projected total number of staffed beds described in
2461 Subsection (1)(l)(iii); and
- 2462 (m) each year report on whether the pay of the state hospital's employees is adequate
2463 based on market conditions.
- 2464 (2) The [council] committee shall meet quarterly or more frequently as determined
2465 necessary by the chair.
- 2466 (3) The [council] committee shall report:
- 2467 (a) with the assistance and staff support from the state hospital, regarding the items
2468 described in Subsections (1)(l) and (m), including any recommendations, to the [~~Health and~~
2469 ~~Human Services Interim Committee before October 1 of each year~~] Utah Behavioral Health
2470 Commission on or before July 31 of each year; and
- 2471 (b) any other recommendations annually to the commission, the governor, the
2472 Legislature, and the Judicial Council.
- 2473 Section 43. Section **63M-7-304** is amended to read:
- 2474 **63M-7-304. Chair -- Vacancies -- Quorum -- Expenses.**
- 2475 (1) The members of each [committee] subcommittee established by the [council]
2476 committee shall annually select a chair or co-chairs from among the members of the

2477 [~~committee~~] subcommittee.

2478 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
2479 appointed for the unexpired term in the same manner as the position was originally filled.

2480 (3) A majority of the members of a [~~committee~~] subcommittee constitutes a quorum for
2481 the transaction of business by the [~~committee~~] subcommittee.

2482 (4) A member may not receive compensation or benefits for the member's service, but
2483 may receive per diem and travel expenses in accordance with:

2484 (a) Section 63A-3-106;

2485 (b) Section 63A-3-107; and

2486 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
2487 63A-3-107.

2488 Section 44. Section 63M-7-305 is amended to read:

2489 **63M-7-305. Drug-Related Offenses Reform Act -- Coordination.**

2490 (1) As used in this section:

2491 [~~(a) "Council" means the Utah Substance Use and Mental Health Advisory Council.~~]

2492 [(~~b~~)] (a) "Drug-Related Offenses Reform Act" and "act" mean the screening,
2493 assessment, substance use disorder treatment, and supervision provided to convicted persons
2494 under Subsection 77-18-104(2) to:

2495 (i) determine a person's specific substance use disorder treatment needs as early as
2496 possible in the judicial process;

2497 (ii) expand treatment resources for persons in the community;

2498 (iii) integrate a person's treatment with supervision by the Department of Corrections;

2499 and

2500 (iv) reduce the incidence of substance use disorders and related criminal conduct.

2501 [(~~e~~)] (b) "Substance abuse authority" means the same as that term is defined in Section
2502 17-43-201.

2503 (2) The [~~council~~] Utah Substance Use and Mental Health Advisory Committee shall
2504 provide ongoing oversight of the implementation, functions, and evaluation of the
2505 Drug-Related Offenses Reform Act.

2506 (3) The [~~council~~] Utah Substance Use and Mental Health Advisory Committee shall
2507 develop an implementation plan for the Drug-Related Offenses Reform Act. The plan shall:

2508 (a) identify local substance abuse authority areas where the act will be implemented, in
2509 cooperation with the Division of Substance Abuse and Mental Health, the Department of
2510 Corrections, and the local substance abuse authorities;

2511 (b) include guidelines for local substance abuse authorities and the Utah Department of
2512 Corrections on how funds appropriated under the act should be used, including eligibility
2513 requirements for convicted persons who participate in services funded by the act, that are
2514 consistent with the recommendations of the Commission on Criminal and Juvenile Justice for
2515 reducing recidivism; and

2516 (c) require that treatment plans under the act are appropriate for persons involved in the
2517 criminal justice system.

2518 Section 45. Section **63M-7-306** is amended to read:

2519 **63M-7-306. Staffing.**

2520 The Commission on Criminal and Juvenile Justice shall provide staff to the [council]
2521 committee and any [committee] subcommittee established by the [council] committee.

2522 Section 46. Section **64-13-45** is amended to read:

2523 **64-13-45. Department reporting requirements.**

2524 (1) As used in this section:

2525 (a) (i) "In-custody death" means an inmate death that occurs while the inmate is in the
2526 custody of the department.

2527 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:

2528 (A) being transported for medical care; or

2529 (B) receiving medical care outside of a correctional facility, other than a county jail.

2530 (b) "Inmate" means an individual who is processed or booked into custody or housed in
2531 the department or a correctional facility other than a county jail.

2532 (c) "Opiate" means the same as that term is defined in Section [58-37-2](#).

2533 (2) The department shall submit a report to the Commission on Criminal and Juvenile
2534 Justice, created in Section [63M-7-201](#), before June 15 of each year that includes:

2535 (a) the number of in-custody deaths that occurred during the preceding calendar year,
2536 including:

2537 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
2538 each of the in-custody deaths described in Subsection (2)(a); and

- 2539 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
2540 in-custody death;
- 2541 (b) the department policies, procedures, and protocols:
- 2542 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
2543 including use of opiates;
- 2544 (ii) that relate to the department's provision, or lack of provision, of medications used
2545 to treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all
2546 forms of buprenorphine and naltrexone; and
- 2547 (iii) that relate to screening, assessment, and treatment of an inmate for a substance use
2548 disorder or mental health disorder;
- 2549 (c) the number of inmates who gave birth and were restrained in accordance with
2550 Section 64-13-46, including:
- 2551 (i) the types of restraints used; and
- 2552 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
2553 inmate, medical or corrections staff, or the public; and
- 2554 (d) any report the department provides or is required to provide under federal law or
2555 regulation relating to inmate deaths.
- 2556 (3) The Commission on Criminal and Juvenile Justice shall:
- 2557 (a) compile the information from the reports described in Subsection (2);
- 2558 (b) omit or redact any identifying information of an inmate in the compilation to the
2559 extent omission or redaction is necessary to comply with state and federal law; and
- 2560 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
2561 Committee and the Utah Substance Use and Mental Health Advisory [~~Council~~] Committee
2562 before November 1 of each year.
- 2563 (4) The Commission on Criminal and Juvenile Justice may not provide access to or use
2564 the department's policies, procedures, or protocols submitted under this section in a manner or
2565 for a purpose not described in this section.
- 2566 Section 47. Section 77-18-104 is amended to read:
- 2567 **77-18-104. Screening, assessment, and treatment.**
- 2568 (1) As used in this section:
- 2569 (a) "Assessment" has the same meaning as in Section 41-6a-501.

2570 (b) "Screening" has the same meaning as in Section [41-6a-501](#).
2571 (2) In coordination with the local substance abuse authority regarding available
2572 resources, a court in which the Drug-Related Offenses Reform Act under Section [63M-7-305](#) is
2573 implemented shall order a convicted defendant, who is determined to be eligible in accordance
2574 with the implementation plan developed by the Utah Substance Use and Mental Health
2575 Advisory [~~Council~~] Committee under Section [63M-7-305](#), to:

- 2576 (a) participate in a screening before sentencing;
- 2577 (b) participate in an assessment before sentencing if the screening indicates an
2578 assessment to be appropriate; and
- 2579 (c) participate in substance use disorder treatment if:
 - 2580 (i) the assessment indicates treatment to be appropriate;
 - 2581 (ii) the court finds treatment to be appropriate for the convicted defendant; and
 - 2582 (iii) the court finds the convicted defendant to be an appropriate candidate for
2583 community-based supervision.

2584 (3) The findings from any screening and any assessment conducted under this section
2585 shall be part of the presentence investigation report submitted to the court under Section
2586 [77-18-103](#).

2587 (4) Money appropriated by the Legislature to assist in the funding of the screening,
2588 assessment, substance use disorder treatment, and supervision provided under this section is
2589 not subject to any requirement regarding matching funds from a state or local governmental
2590 entity.

2591 Section 48. **Repealer.**

2592 This bill repeals:

2593 Section [63C-18-101](#), Title.

2594 Section [63C-23-101](#), Title.

2595 Section 49. **Effective date.**

2596 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.

2597 (2) The actions affecting Section [63I-1-226](#) (Effective 07/01/24) take effect on July 1,
2598 2024.