

RESPIRE CARE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd D. Weiler

House Sponsor: Karianne Lisonbee

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- ▶ to Department of Health and Human Services - Long-Term Services & Support - Community Supports Waiver Services as a one-time appropriation:
 - from the General Fund, One-time, \$1,000,000

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-2-226 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 33,



28 139, 249, 295, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter 329
 29 **63I-2-226 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33,
 30 139, 249, 295, 310, and 465 and repealed and reenacted by Laws of Utah 2023,
 31 Chapter 329 and last amended by Coordination Clause, Laws of Utah 2023, Chapter
 32 329

33 ENACTS:

34 **26B-6-414**, Utah Code Annotated 1953

35

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

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

38 **26B-6-414. Respite care services.**

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

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

47 Section 2. Section **63I-2-226 (Superseded 07/01/24)** is amended to read:

48 **63I-2-226 (Superseded 07/01/24). Repeal dates: Titles 26A through 26B.**

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

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

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

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

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

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

56 (7) Section **26B-1-405**, related to the Air Ambulance Committee, is repealed on July 1,
 57 2024.

58 (8) Section **26B-1-419**, which creates the Utah Health Care Workforce Financial

59 Assistance Program Advisory Committee, is repealed July 1, 2027.

60 (9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
61 [26B-2-231](#)(1)(a) is amended to read:

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

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

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

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

69 (10) Section [26B-3-142](#) is repealed July 1, 2024.

70 (11) Subsection [26B-3-215](#)(5), related to reporting on coverage for in vitro fertilization
71 and genetic testing, is repealed July 1, 2030.

72 (12) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
73 [26B-4-135](#)(1)(a) is amended to read:

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

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

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

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

81 (13) Section [26B-4-702](#), related to the Utah Health Care Workforce Financial
82 Assistance Program, is repealed July 1, 2027.

83 (14) Section [26B-5-117](#), related to early childhood mental health support grant
84 programs, is repealed January 2, 2025.

85 (15) Section [26B-6-414](#), related to overnight respite care services, is repealed July 1,
86 2025.

87 ~~[(15)]~~ (16) Subsection [26B-7-117](#)(3), related to reports to the Legislature on syringe
88 exchange and education, is repealed January 1, 2027.

89 ~~[(16)]~~ (17) Section [26B-7-120](#), relating to sickle cell disease, is repealed on July 1,

90 2025.

91 Section 3. Section **63I-2-226 (Effective 07/01/24)** is amended to read:

92 **63I-2-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.**

93 (1) Section **26B-1-241** is repealed July 1, 2024.

94 (2) Section **26B-1-302** is repealed on July 1, 2024.

95 (3) Section **26B-1-313** is repealed on July 1, 2024.

96 (4) Section **26B-1-314** is repealed on July 1, 2024.

97 (5) Section **26B-1-321** is repealed on July 1, 2024.

98 (6) Section **26B-1-419**, which creates the Utah Health Care Workforce Financial
99 Assistance Program Advisory Committee, is repealed July 1, 2027.

100 (7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
101 **26B-2-231(1)(a)** is amended to read:

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

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

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

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

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

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

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

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

116 (12) Section **26B-6-414**, related to overnight respite care services, is repealed July 1,
117 2025.

118 ~~[(12)]~~ (13) Subsection **26B-7-117(3)**, related to reports to the Legislature on syringe
119 exchange and education, is repealed January 1, 2027.

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

121 2025.

122 Section 4. **FY 2025 Appropriation.**

123 The following sums of money are appropriated for the fiscal year beginning July 1,
124 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for
125 fiscal year 2025.

126 Subsection 4(a). **Operating and Capital Budgets.**

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

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

131 From General Fund, One-time \$1,000,000

132 Schedule of Programs:

133 Community Supports Waiver Services \$1,000,000

134 The Legislature intends that the Division of Services for People with Disabilities use the
135 appropriation under this item to provide overnight respite care services in accordance with
136 Section [26B-6-414](#).

137 Section 5. **Effective date.**

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

139 (2) The actions affecting Section [63I-2-226](#) (Effective 07/01/24) take effect on July 1,
140 2024.