Senator Todd D. Weiler proposes the following substitute bill: **RESPITE CARE AMENDMENTS** 1 **2024 GENERAL SESSION** 2 3 STATE OF UTAH **Chief Sponsor: Todd D. Weiler** 4 5 House Sponsor: Karianne Lisonbee 6 7 LONG TITLE 8 **General Description:** 9 This bill addresses respite care services for families of individuals with disabilities. 10 **Highlighted Provisions:** This bill: 11 12 defines terms; 13 allows the Division of Services for People with Disabilities to provide, as funding 14 permits and either directly or through a third party, overnight respite care services 15 for families of individuals with disabilities; 16 provides a sunset date; and makes technical and conforming changes. 17 Money Appropriated in this Bill: 18 19 This bill appropriates in fiscal year 2025: 20 ▶ to Department of Health and Human Services - Long-Term Services & Support -21 Community Supports Waiver Services as a one-time appropriation: 22 • from the General Fund, One-time, \$250,000 23 **Other Special Clauses:** 24 This bill provides a special effective date. 25 **Utah Code Sections Affected:**

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26	AMENDS:
27	63I-2-226 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 33,
28	139, 249, 295, and 465 and repealed and reenacted by Laws of Utah 2023, Chapter
29	329
30	63I-2-226 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 33,
31	139, 249, 295, 310, and 465 and repealed and reenacted by Laws of Utah 2023,
32	Chapter 329 and last amended by Coordination Clause, Laws of Utah 2023, Chapter
33	329
34	ENACTS:
35	26B-6-414, Utah Code Annotated 1953
36	
37	Be it enacted by the Legislature of the state of Utah:
38	Section 1. Section 26B-6-414 is enacted to read:
39	<u>26B-6-414.</u> Respite care services.
40	(1) As used in this section, "respite care services" means temporary, periodic relief
41	provided to parents or guardians from the care of an individual who is eligible to receive
42	division services.
43	(2) The division may, as funding permits and either directly or through one or more
44	third parties who are under contract with the division, provide overnight respite care services
45	and, concurrent with the respite care services, services for the individual who is eligible to
46	receive division services, such as recreational therapy, community-based programs, therapeutic
47	recreation, educational programs, transportation, or vocational rehabilitation.
48	Section 2. Section 63I-2-226 (Superseded 07/01/24) is amended to read:
49	63I-2-226 (Superseded 07/01/24). Repeal dates: Titles 26A through 26B.
50	(1) Subsection 26B-1-204(2)(e), related to the Air Ambulance Committee, is repealed
51	July 1, 2024.
52	(2) Section 26B-1-241 is repealed July 1, 2024.
53	(3) Section 26B-1-302 is repealed on July 1, 2024.
54	(4) Section 26B-1-313 is repealed on July 1, 2024.
55	(5) Section 26B-1-314 is repealed on July 1, 2024.
56	(6) Section 26B-1-321 is repealed on July 1, 2024.

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57	(7) Section 26B-1-405, related to the Air Ambulance Committee, is repealed on July 1,
58	2024.
59	(8) Section 26B-1-419, which creates the Utah Health Care Workforce Financial
60	Assistance Program Advisory Committee, is repealed July 1, 2027.
61	(9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
62	26B-2-231(1)(a) is amended to read:
63	"(a) provide the patient or the patient's representative with the following information
64	before contacting an air medical transport provider:
65	(i) which health insurers in the state the air medical transport provider contracts with;
66	(ii) if sufficient data is available, the average charge for air medical transport services
67	for a patient who is uninsured or out of network; and
68	(iii) whether the air medical transport provider balance bills a patient for any charge not
69	paid by the patient's health insurer; and".
70	(10) Section 26B-3-142 is repealed July 1, 2024.
71	(11) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization
72	and genetic testing, is repealed July 1, 2030.
73	(12) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
74	26B-4-135(1)(a) is amended to read:
75	"(a) provide the patient or the patient's representative with the following information
76	before contacting an air medical transport provider:
77	(i) which health insurers in the state the air medical transport provider contracts with;
78	(ii) if sufficient data is available, the average charge for air medical transport services
79	for a patient who is uninsured or out of network; and
80	(iii) whether the air medical transport provider balance bills a patient for any charge not
81	paid by the patient's health insurer; and".
82	(13) Section 26B-4-702, related to the Utah Health Care Workforce Financial
83	Assistance Program, is repealed July 1, 2027.
84	(14) Section 26B-5-117, related to early childhood mental health support grant
85	programs, is repealed January 2, 2025.
86	(15) Section 26B-6-414, related to overnight respite care services, is repealed July 1,
87	<u>2025.</u>

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88	[(15)] (16) Subsection 26B-7-117(3), related to reports to the Legislature on syringe
89	exchange and education, is repealed January 1, 2027.
90	[(16)] (17) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1,
91	2025.
92	Section 3. Section 63I-2-226 (Effective 07/01/24) is amended to read:
93	63I-2-226 (Effective 07/01/24). Repeal dates: Titles 26A through 26B.
94	(1) Section 26B-1-241 is repealed July 1, 2024.
95	(2) Section 26B-1-302 is repealed on July 1, 2024.
96	(3) Section 26B-1-313 is repealed on July 1, 2024.
97	(4) Section 26B-1-314 is repealed on July 1, 2024.
98	(5) Section 26B-1-321 is repealed on July 1, 2024.
99	(6) Section 26B-1-419, which creates the Utah Health Care Workforce Financial
100	Assistance Program Advisory Committee, is repealed July 1, 2027.
101	(7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
102	26B-2-231(1)(a) is amended to read:
103	"(a) provide the patient or the patient's representative with the following information
104	before contacting an air medical transport provider:
105	(i) which health insurers in the state the air medical transport provider contracts with;
106	(ii) if sufficient data is available, the average charge for air medical transport services
107	for a patient who is uninsured or out of network; and
108	(iii) whether the air medical transport provider balance bills a patient for any charge not
109	paid by the patient's health insurer; and".
110	(8) Section 26B-3-142 is repealed July 1, 2024.
111	(9) Subsection 26B-3-215(5), related to reporting on coverage for in vitro fertilization
112	and genetic testing, is repealed July 1, 2030.
113	(10) Section 26B-4-702, related to the Utah Health Care Workforce Financial
114	Assistance Program, is repealed July 1, 2027.
115	(11) Section 26B-5-117, related to early childhood mental health support grant
116	programs, is repealed January 2, 2025.
117	(12) Section <u>26B-6-414</u> , related to overnight respite care services, is repealed July 1,
118	<u>2025.</u>

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119	[(12)] (13) Subsection 26B-7-117(3), related to reports to the Legislature on syringe
120	exchange and education, is repealed January 1, 2027.
121	[(13)] (14) Section 26B-7-120, relating to sickle cell disease, is repealed on July 1,
122	2025.
123	Section 4. FY 2025 Appropriation.
124	The following sums of money are appropriated for the fiscal year beginning July 1,
125	2024, and ending June 30, 2025. These are additions to amounts previously appropriated for
126	fiscal year 2025.
127	Subsection 4(a). Operating and Capital Budgets.
128	Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
129	Legislature appropriates the following sums of money from the funds or accounts indicated for
130	the use and support of the government of the state of Utah.
131	ITEM 1 To Department of Health and Human Services - Long-Term Services & Support
132	From General Fund, One-time \$250,000
133	Schedule of Programs:
134	Community Supports Waiver Services \$250,000
135	The Legislature intends that the Division of Services for People with Disabilities use the
136	appropriation under this item to provide overnight respite care services in accordance with
137	Section 26B-6-414.
138	Section 5. Effective date.
139	(1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.
140	(2) The actions affecting Section 63I-2-226 (Effective 07/01/24) take effect on July 1,

141 <u>2024.</u>