

1st Sub. H.B. 166

MENTAL HEALTH PROFESSIONAL LICENSING AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

JANUARY 27, 2023 4:24 PM

Representative **James A. Dunnigan** proposes the following amendments:

1. *Page 4, Line 106 through Page 5, Line 131:*

106 (3) (a) As used in this Subsection (3):

107 (i) "Prescribe" means the same as that term is defined in Section 58-17b-102.

108 (ii) "Prescription drug" means the same as that term is defined in Section 58-17b-102.

109 (b) Notwithstanding Subsection (2)(j), an individual who provides mental health
110 therapy remotely or substance use disorder counseling remotely to a client in Utah:

111 (i) may not prescribe a prescription drug for a client in Utah unless the individual is
112 licensed in Utah to prescribe the prescription drug;

113 (ii) shall, before providing mental health therapy remotely or substance use disorder
114 counseling remotely to a client in Utah, be aware of:

115 (A) how to access emergency mental health services and resources in Utah; and

116 (B) all applicable laws and rules regarding the required or permitted reporting or
117 disclosing of confidential client communications;

118 (iii) shall, within ~~{10 days}~~ **one day** after the day on which the individual first provides
119 mental

119 health therapy remotely or substance use disorder counseling remotely to a client in Utah,

120 submit to the division a signed notice, in the form required by the division, notifying the

121 division that the individual is providing therapy or counseling under the exemption in

122 Subsection (2)(j); and

123 (iv) shall obtain a license by endorsement under Section 58-60-115:

124 (A) within ~~{12}~~ **9** months after the day on which the individual first provides mental health
125 therapy remotely or substance use disorder counseling remotely to a client in Utah; or

126 (B) if at any time the individual provides mental health therapy remotely or substance
127 use disorder counseling remotely to more than one client in Utah.

128 (4) The division shall report to the Health and Human Services Interim Committee at

129 or before the committee's October 2026 meeting regarding the exemption described in

130 Subsection (2)(j), including information about any complaints the division has received

131 concerning individuals who have provided therapy or counseling under that exemption.