

Representative Ryan D. Wilcox proposes the following substitute bill:

FIRST RESPONDER MENTAL HEALTH SERVICES

AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: Don L. Ipson

7	Cosponsors:	Sandra Hollins	Mike Schultz
8	Cheryl K. Acton	Kelly B. Miles	Casey Snider
9	Kera Birkeland	Carol Spackman Moss	Andrew Stoddard
10	Jefferson S. Burton	Stephanie Pitcher	Stephen L. Whyte
11	Joel Ferry	Judy Weeks Rohner	Brad R. Wilson
12	Matthew H. Gwynn	Angela Romero	

LONG TITLE

General Description:

This bill creates a grant program for mental health resources for first responders.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires all first responder agencies to provide mental health resources for employees, spouses, children, and retirees;
- ▶ provides for the Department of Public Safety to administer a grant program to provide mental health resources; and
- ▶ makes technical changes.



25 **Money Appropriated in this Bill:**

26 This bill appropriates in fiscal year 2023:

27 ▶ to Department of Public Safety -- Programs and Operations, as a one-time
28 appropriation:

- 29 • from the General Fund, One-time, \$5,000,000.

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **63I-2-262**, as last amended by Laws of Utah 2021, Chapters 156, 204, and 278

35 ENACTS:

36 **53-20-101**, Utah Code Annotated 1953

37 **53-20-102**, Utah Code Annotated 1953

38 **53-20-103**, Utah Code Annotated 1953

39 REPEALS:

40 **62A-15-120**, as enacted by Laws of Utah 2021, Chapter 156



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

43 Section 1. Section **53-20-101** is enacted to read:

44 **CHAPTER 20. MENTAL HEALTH RESOURCES FOR FIRST RESPONDERS**

45 **53-20-101. Definitions.**

46 As used in this chapter:

47 (1) "Crime scene investigator technician" means an individual employed by a law
48 enforcement agency to collect and analyze evidence from crime scenes and crime-related
49 incidents.

50 (2) "Department" means the Department of Public Safety.

51 (3) "First responder" means:

52 (a) a law enforcement officer, as defined in Section 53-13-103;

53 (b) an emergency medical technician, as defined in Section 26-8c-102;

54 (c) an advanced emergency medical technician, as defined in Section 26-8c-102;

55 (d) a paramedic, as defined in Section 26-8c-102;

56 (e) a firefighter, as defined in Section 34A-3-113;

57 (f) a dispatcher, as defined in Section 53-6-102;

58 (g) a correctional officer, as defined in Section 53-13-104;

59 (h) a special function officer, as defined in Section 53-13-105, employed by a local

60 sheriff;

61 (i) a search and rescue worker under the supervision of a local sheriff;

62 (j) a credentialed criminal justice system victim advocate as defined in Section

63 77-38-403 who responds to incidents with a law enforcement officer; ~~§~~ ~~→~~ ~~or~~ ~~←~~ ~~§~~

64 (k) a crime scene investigator technician ~~§~~ ~~→~~ ; or

64a **(l) a wildland firefighter** ~~←~~ ~~§~~ .

65 (4) "First responder agency" means a local district, municipality, interlocal entity, or

66 other political subdivision that employs a first responder to provide fire protection, paramedic,

67 law enforcement, or emergency services.

68 (5) "Mental health resources" means:

69 (a) an assessment to determine appropriate mental health treatment that is performed

70 by a mental health therapist;

71 (b) outpatient mental health treatment provided by a mental health therapist; or

72 (c) peer support services provided by a peer support specialist who is qualified to

73 provide peer support services under Subsection 62A-15-103(2)(h).

74 (6) "Mental health therapist" means the same as that term is defined in Section

75 58-60-102.

76 (7) "Plan" means a plan to implement or expand a program that provides mental health

77 resources to first responders for which the division awards a grant under this chapter.

78 Section 2. Section 53-20-102 is enacted to read:

79 **53-20-102. Mental health services -- Requirement to provide --- Confidentiality.**

80 (1) Every first responder agency within the state shall provide or make available mental

81 health resources to:

82 (a) all employees;

83 (b) the spouse and children of employees;

84 (c) surviving spouses of members whose death is classified as a line-of-duty death

85 under Title 49, Utah State Retirement and Insurance Benefit Act; and

86 (d) persons who have retired from the agency.

87 (2) All access by first responders and their families to mental health resources shall be
88 kept confidential.

89 Section 3. Section **53-20-103** is enacted to read:

90 **53-20-103. Grants to first responder agencies -- Rulemaking .**

91 (1) The department may award grants to first responder agencies to provide mental
92 health resources in response to a:

93 (a) request for proposal;

94 (b) request for qualifications; or

95 (c) program description that meets the criteria in Subsection (2) .

96 (2) The request for proposal, request for qualifications, or program description received
97 by the department shall require mental health providers contracted or employed by the first
98 responder agency to have training and experience in working with first responders and provide,
99 at a minimum, the following services:

100 (a) regular periodic screenings for all employees within the first responder agency;

101 (b) assessments and availability to mental health services for personnel directly
102 involved in a critical incident within 12 hours of the incident; and

103 (c) access to the mental health program for:

104 (i) spouses and children of first responders; and

105 (ii) first responders who have retired from the agency.

106 (3) An application from a first responder agency for a grant under this chapter shall
107 provide the following details:

108 (a) a proposed plan to provide mental health resources to first responders in the first
109 responder agency;

110 (b) the number of first responders to be served by the proposed plan;

111 (c) how the proposed plan will ensure timely and effective provision of mental health
112 resources to first responders in the first responder agency;

113 (d) the cost of the proposed plan; and

114 (e) the sustainability of the proposed plan.

115 (4) In evaluating a project proposal for a grant under this section, the department shall
116 consider:

117 (a) the extent to which the first responders that will be served by the proposed plan are

118 likely to benefit from the proposed plan;

119 (b) the cost of the proposed plan; and

120 (c) the viability of the proposed plan.

121 (5) A first responder agency may not apply for a grant to fund a program already in
 122 place. However, a request for proposal to fund an expansion of an already existing program
 123 shall, in addition to the requirements of Subsection (4), provide:

124 (a) the scope and cost of the agency's current program;

125 (b) the number of additional first responders the expansion will serve; and

126 (c) whether the expansion will provide services under Subsection (2) that the current
 127 program does not provide.

128 (6) The department shall prioritize grant funding for:

129 (a) counties of the 3rd, 4th, 5th, and 6th class;

130 (b) cities of the 3rd, 4th, and 5th class; and

131 (c) towns.

132 (7) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah

133 Administrative Rulemaking Act to ~~§~~ → [§] :

133a (a) set parameters for services for retirees; and

133b (b) ←~~§~~ administer this chapter.

134 Section 4. Section **63I-2-262** is amended to read:

135 **63I-2-262. Repeal dates -- Title 62A.**

136 (1) Subsection **62A-5-103.1(6)** is repealed January 1, 2023.

137 [~~2~~] Section **62A-15-120** is repealed January 1, 2025.]

138 [~~3~~] (2) Section **62A-15-122** is repealed January 2, 2025.

139 [~~4~~] (3) Title 62A, Chapter 15, Part 19, Mental Health Crisis Intervention Council, is
 140 repealed January 1, 2023.

141 Section 5. **Repealer.**

142 This bill repeals:

143 Section **62A-15-120, Mental health resources for first responders grant program.**

144 Section 6. **Appropriation.**

145 The following sums of money are appropriated for the fiscal year beginning July 1,
 146 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for
 147 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
 148 Act, the Legislature appropriates the following sums of money from the funds or accounts

149 indicated for the use and support of the government of the state of Utah.

150 ITEM 1

151 To Department of Public Safety -- Programs and Operations

152 From General Fund, One-time \$5,000,000

153 Schedule of Programs:

154 Highway Patrol - Special Services \$5,000,000

155 The Legislature intends that:

156 (1) the appropriation under this item be used to award grants under Title 53, Chapter
157 20, Mental Health Resources for First Responders; and

158 (2) under Section 63J-1-603, the one-time appropriation provided under this item not
159 lapse at the close of fiscal year 2023 and the use of any nonlapsing funds is limited to the
160 purposes described in Subsection (1) of this item.