

FIRST RESPONDER MENTAL HEALTH SERVICES

AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: Don L. Ipson

7	Cosponsors:	Jon Hawkins	Mike Schultz
8	Cheryl K. Acton	Sandra Hollins	Casey Snider
9	Kera Birkeland	Karen Kwan	Andrew Stoddard
10	Jefferson S. Burton	Rosemary T. Lesser	Elizabeth Weight
11	James A. Dunnigan	Kelly B. Miles	Stephen L. Whyte
12	Steve Eliason	Carol Spackman Moss	Brad R. Wilson
13	Joel Ferry	Stephanie Pitcher	
14	Matthew H. Gwynn	Judy Weeks Rohner	
15	Suzanne Harrison	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.

28 **Money Appropriated in this Bill:**

29 This bill appropriates in fiscal year 2023:

- 30 ▶ to Department of Public Safety -- Programs and Operations, as a one-time
- 31 appropriation:
- 32 • from the General Fund, One-time, \$5,000,000.

33 **Other Special Clauses:**

34 None

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **63I-2-262**, as last amended by Laws of Utah 2021, Chapters 156, 204, and 278

38 ENACTS:

39 **53-20-101**, Utah Code Annotated 1953

40 **53-20-102**, Utah Code Annotated 1953

41 **53-20-103**, Utah Code Annotated 1953

42 REPEALS:

43 **62A-15-120**, as enacted by Laws of Utah 2021, Chapter 156



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

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

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

48 **53-20-101. Definitions.**

49 As used in this chapter:

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

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

54 (3) "First responder" means:

- 55 (a) a law enforcement officer, as defined in Section 53-13-103;
- 56 (b) an emergency medical technician, as defined in Section 26-8c-102;
- 57 (c) an advanced emergency medical technician, as defined in Section 26-8c-102;
- 58 (d) a paramedic, as defined in Section 26-8c-102;
- 59 (e) a firefighter, as defined in Section 34A-3-113;
- 60 (f) a dispatcher, as defined in Section 53-6-102;
- 61 (g) a correctional officer, as defined in Section 53-13-104;
- 62 (h) a special function officer, as defined in Section 53-13-105, employed by a local
63 sheriff;
- 64 (i) a search and rescue worker under the supervision of a local sheriff;
- 65 (j) a credentialed criminal justice system victim advocate as defined in Section
66 77-38-403 who responds to incidents with a law enforcement officer;
- 67 (k) a crime scene investigator technician; or
- 68 (l) a wildland firefighter.
- 69 (4) "First responder agency" means a local district, municipality, interlocal entity, or
70 other political subdivision that employs a first responder to provide fire protection, paramedic,
71 law enforcement, or emergency services.
- 72 (5) "Mental health resources" means:
- 73 (a) an assessment to determine appropriate mental health treatment that is performed
74 by a mental health therapist;
- 75 (b) outpatient mental health treatment provided by a mental health therapist; or
- 76 (c) peer support services provided by a peer support specialist who is qualified to
77 provide peer support services under Subsection 62A-15-103(2)(h).
- 78 (6) "Mental health therapist" means the same as that term is defined in Section
79 58-60-102.
- 80 (7) "Plan" means a plan to implement or expand a program that provides mental health
81 resources to first responders for which the division awards a grant under this chapter.

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

83 **53-20-102. Mental health services -- Requirement to provide --- Confidentiality.**

84 (1) Every first responder agency within the state shall provide or make available mental
85 health resources to:

86 (a) all first responders;

87 (b) the spouse and children of first responders;

88 (c) surviving spouses of first responders whose death is classified as a line-of-duty
89 death under Title 49, Utah State Retirement and Insurance Benefit Act; and

90 (d) first responders who have retired from the agency.

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

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

94 **53-20-103. Grants to first responder agencies -- Rulemaking .**

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

97 (a) request for proposal;

98 (b) request for qualifications; or

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

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

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

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

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

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

- 109 (ii) first responders who have retired from the agency.
- 110 (3) An application from a first responder agency for a grant under this chapter shall
111 provide the following details:
- 112 (a) a proposed plan to provide mental health resources to first responders in the first
113 responder agency;
- 114 (b) the number of first responders to be served by the proposed plan;
- 115 (c) how the proposed plan will ensure timely and effective provision of mental health
116 resources to first responders in the first responder agency;
- 117 (d) the cost of the proposed plan; and
- 118 (e) the sustainability of the proposed plan.
- 119 (4) In evaluating a project proposal for a grant under this section, the department shall
120 consider:
- 121 (a) the extent to which the first responders that will be served by the proposed plan are
122 likely to benefit from the proposed plan;
- 123 (b) the cost of the proposed plan; and
- 124 (c) the viability of the proposed plan.
- 125 (5) A first responder agency may not apply for a grant to fund a program already in
126 place. However, a request for proposal to fund an expansion of an already existing program
127 shall, in addition to the requirements of Subsection (4), provide:
- 128 (a) the scope and cost of the agency's current program;
- 129 (b) the number of additional first responders the expansion will serve; and
- 130 (c) whether the expansion will provide services under Subsection (2) that the current
131 program does not provide.
- 132 (6) The department shall prioritize grant funding for:
- 133 (a) counties of the 3rd, 4th, 5th, and 6th class;
- 134 (b) cities of the 3rd, 4th, and 5th class; and
- 135 (c) towns.

136 (7) The department may adopt rules in accordance with Title 63G, Chapter 3, Utah
137 Administrative Rulemaking Act, to:

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

139 (b) administer this chapter.

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

141 **63I-2-262. Repeal dates -- Title 62A.**

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

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

144 [~~(3)~~] (2) Section **62A-15-122** is repealed January 2, 2025.

145 [~~(4)~~] (3) Title 62A, Chapter 15, Part 19, Mental Health Crisis Intervention Council, is
146 repealed January 1, 2023.

147 Section 5. **Repealer.**

148 This bill repeals:

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

150 Section 6. **Appropriation.**

151 The following sums of money are appropriated for the fiscal year beginning July 1,
152 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for
153 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
154 Act, the Legislature appropriates the following sums of money from the funds or accounts
155 indicated for the use and support of the government of the state of Utah.

156 ITEM 1

157 To Department of Public Safety -- Programs and Operations

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

159 Schedule of Programs:

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

161 The Legislature intends that:

162 (1) the appropriation under this item be used to award grants under Title 53, Chapter

163 20, Mental Health Resources for First Responders; and
164 (2) under Section [63J-1-603](#), the one-time appropriation provided under this item not
165 lapse at the close of fiscal year 2023 and the use of any nonlapsing funds is limited to the
166 purposes described in Subsection (1) of this item.