

Rehabilitation Services Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Anthony E. Loubet

LONG TITLE**General Description:**

This bill modifies provisions related to the Brain and Spinal Cord Injury Advisory Committee.

Highlighted Provisions:

This bill:

- clarifies the appointment process for members of the Brain and Spinal Cord Injury Advisory Committee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26B-1-417, as repealed and reenacted by Laws of Utah 2024, Chapter 289

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

Section 1. Section **26B-1-417** is amended to read:

26B-1-417 . Brain and Spinal Cord Injury Advisory Committee -- Membership --

Duties.

(1) There is created the Brain and Spinal Cord Injury Advisory Committee within the department.

(2)(a) The advisory committee shall be composed of the following members:

(i) an individual employed with the Department of Health and Human Services;

(ii) an individual who has experienced a neurological condition;

(iii) an individual who has experienced a brain injury;

(iv) an individual who has experienced a spinal cord injury;

(v) a parent of a child who has a neurological condition;

(vi) a parent or caretaker of an individual who has experienced a brain or spinal cord

- 32 injury;
- 33 (vii) a professional who:
- 34 (A) provides services to adults who have experienced brain or spinal cord injuries;
- 35 and
- 36 (B) does not receive a financial benefit from the fund described in Section
- 37 26B-1-318;
- 38 (viii) a professional who:
- 39 (A) provides services to children who have a neurological condition; and
- 40 (B) does not receive a financial benefit from the fund described in Section
- 41 26B-1-318;
- 42 (ix) an individual licensed as a speech-language pathologist under Title 58, Chapter
- 43 41, Speech[-] _Language Pathology and Audiology Licensing Act, who works with
- 44 individuals who have experienced a brain injury;
- 45 (x) a representative of an association that advocates for individuals with brain injuries;
- 46 (xi) a member of the House of Representatives appointed by the speaker of the House
- 47 of Representatives; and
- 48 (xii) a member of the Senate appointed by the president of the Senate.
- 49 (b) Except for members described in [~~Subsection~~] Subsections (xi) and (xii), the
- 50 executive director shall appoint members of the advisory committee.
- 51 (3)(a) [~~The~~] Except as provided in Subsection (3)(f), the term of advisory committee
- 52 members shall be four years.
- 53 (b) If a vacancy occurs in the committee membership for any reason, a replacement shall
- 54 be appointed for the unexpired term in the same manner as the original appointment.
- 55 [~~(b)~~] (c) The committee shall elect a chairperson from the membership.
- 56 [~~(e)~~] (d) A majority of the committee constitutes a quorum at any meeting, and, if a
- 57 quorum is present at an open meeting, the action of the majority of members shall be
- 58 the action of the advisory committee.
- 59 [~~(d)~~] (e) The terms of the advisory committee shall be staggered so that approximately
- 60 half of the committee members appointed under Subsections [~~(2)(b), (d), and (f)~~] shall
- 61 serve an initial two-year term and members appointed under Subsections (2)(e), (e),
- 62 and (g) shall serve four-year terms. Thereafter, members appointed to the advisory
- 63 committee shall serve four-year terms.] (2)(a)(i) through x are appointed every two
- 64 years.
- 65 (f) The executive director may shorten an appointment to comply with Subsection (3)(e).

- 66 (4) The advisory committee shall comply with the procedures and requirements of:
67 (a) Title 52, Chapter 4, Open and Public Meetings Act; and
68 (b) Title 63G, Chapter 2, Government Records Access and Management Act.
- 69 (5)(a) A member who is not a legislator may not receive compensation or benefits for
70 the member's service, but, at the executive director's discretion, may receive per diem
71 and travel expenses as allowed in:
72 (i) Section 63A-3-106;
73 (ii) Section 63A-3-107; and
74 (iii) rules adopted by the Division of Finance according to Sections 63A-3-106 and
75 63A-3-107.
- 76 (b) Compensation and expenses of a member who is a legislator are governed by Section
77 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
- 78 (6) The advisory committee shall:
79 (a) establish priorities and criteria for the advisory committee to follow in
80 recommending distribution of money from the Brain and Spinal Cord Injury Fund
81 created in Section 26B-1-318;
82 (b) identify, evaluate, and review the quality of care:
83 (i) available to:
84 (A) individuals with spinal cord and brain injuries; or
85 (B) children with non-progressive neurological conditions; and
86 (ii) that is provided through qualified charitable clinics, as defined in Section
87 26B-1-318; and
88 (c) explore, evaluate, and review other possible funding sources and make a
89 recommendation to the Legislature regarding sources that would provide adequate
90 funding for the advisory committee to accomplish its responsibilities under this
91 section.
- 92 (7) Operating expenses for the advisory committee, including the committee's staff, shall be
93 paid for only with money from the Brain and Spinal Cord Injury Fund created in Section
94 26B-1-318.

95 Section 2. **Effective Date.**

96 This bill takes effect on May 7, 2025.