

SUICIDE PREVENTION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

This bill amends and creates programs to address suicide.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates a reporting requirement regarding youth suicides;
- ▶ allows the Utah medical examiner to obtain certain information;
- ▶ changes a program that helps Utah residents purchase a firearm safe from a coupon program to a rebate program;
- ▶ requires the Division of Substance Abuse and Mental Health to administer a program to provide training to health care organizations related to reducing suicides;
- ▶ eliminates a grant application requirement for an individual to receive funds for clean-up and bereavement services; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2022:

- ▶ to the Department of Human Services -- Division of Substance Abuse and Mental Health, as an ongoing appropriation:
 - from the General Fund, \$350,000.

Other Special Clauses:

None

30 **Utah Code Sections Affected:**

31 AMENDS:

- 32 **26-33a-109**, as last amended by Laws of Utah 2020, Chapter 90
- 33 **53-5-707**, as last amended by Laws of Utah 2019, Chapter 440
- 34 **62A-15-103**, as last amended by Laws of Utah 2020, Chapter 193
- 35 **62A-15-1501**, as enacted by Laws of Utah 2019, Chapter 447
- 36 **62A-15-1502**, as enacted by Laws of Utah 2019, Chapter 447
- 37 **63I-2-226**, as last amended by Laws of Utah 2020, Chapters 154, 187, 215, and 354
- 38 **76-10-526**, as last amended by Laws of Utah 2019, Chapters 386 and 440

39 ENACTS:

- 40 **26-4-6.1**, Utah Code Annotated 1953
- 41 **62A-15-120**, Utah Code Annotated 1953

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

44 Section 1. Section **26-4-6.1** is enacted to read:

45 **26-4-6.1. Youth suicide report.**

46 (1) Before September 30, 2021, the medical examiner shall report to the Health and
47 Human Services Interim Committee regarding:

48 (a) any data obtained from the past 10 years pertaining to youth suicides in the state,
49 including any demographic data the medical examiner has obtained;

50 (b) insights learned from studying and investigating youth suicide;

51 (c) possible explanations for why youth in the state die by suicide; and

52 (d) recommendations to inform public health and legislative policy for reducing youth
53 suicide in the future.

54 (2) The medical examiner may not disclose data described in Subsection (1)(a) if the
55 medical examiner determines that disclosing specific data would lead to harm.

56 Section 2. Section **26-33a-109** is amended to read:

57 **26-33a-109. Exceptions to prohibition on disclosure of identifiable health data.**

- 58 (1) The committee may not disclose any identifiable health data unless:
- 59 (a) the individual has authorized the disclosure;
- 60 (b) the disclosure is to the department or a public health authority in accordance with
- 61 Subsection (2); or
- 62 (c) the disclosure complies with the provisions of:
- 63 (i) Subsection (3);
- 64 (ii) insurance enrollment and coordination of benefits under Subsection
- 65 [26-33a-106.1\(1\)\(d\)](#); or
- 66 (iii) risk adjusting under Subsection [26-33a-106.1\(1\)\(b\)](#).
- 67 (2) The committee may disclose identifiable health data to the department or a public
- 68 health authority under Subsection (1)(b) if:
- 69 (a) the department or the public health authority has clear statutory authority to possess
- 70 the identifiable health data; and
- 71 (b) the disclosure is solely for use ~~[in]~~:
- 72 (i) in the Utah Statewide Immunization Information System operated by the
- 73 department; ~~[or]~~
- 74 (ii) in the Utah Cancer Registry operated by the University of Utah, in collaboration
- 75 with the department~~[-];~~ or
- 76 (iii) by the medical examiner, as defined in Section [26-4-2](#), or the medical examiner's
- 77 designee.
- 78 (3) The committee shall consider the following when responding to a request for
- 79 disclosure of information that may include identifiable health data:
- 80 (a) whether the request comes from a person after that person has received approval to
- 81 do the specific research or statistical work from an institutional review board; and
- 82 (b) whether the requesting entity complies with the provisions of Subsection (4).
- 83 (4) A request for disclosure of information that may include identifiable health data
- 84 shall:
- 85 (a) be for a specified period; or

86 (b) be solely for bona fide research or statistical purposes as determined in accordance
87 with administrative rules adopted by the department in accordance with Title 63G, Chapter 3,
88 Utah Administrative Rulemaking Act, which shall require:

89 (i) the requesting entity to demonstrate to the department that the data is required for
90 the research or statistical purposes proposed by the requesting entity; and

91 (ii) the requesting entity to enter into a written agreement satisfactory to the department
92 to protect the data in accordance with this chapter or other applicable law.

93 (5) A person accessing identifiable health data pursuant to Subsection (4) may not
94 further disclose the identifiable health data:

95 (a) without prior approval of the department; and

96 (b) unless the identifiable health data is disclosed or identified by control number only.

97 (6) Identifiable health data that has been designated by a data supplier as being subject
98 to regulation under 42 C.F.R. Part 2, Confidentiality of Substance Use Disorder Patient
99 Records, may only be used or disclosed in accordance with applicable federal regulations.

100 Section 3. Section **53-5-707** is amended to read:

101 **53-5-707. Concealed firearm permit -- Fees -- Concealed Weapons Account.**

102 (1) (a) An applicant for a concealed firearm permit shall pay a fee of \$25 at the time of
103 filing an application.

104 (b) A nonresident applicant shall pay an additional \$10 for the additional cost of
105 processing a nonresident application.

106 (c) The bureau shall waive the initial fee for an applicant who is a law enforcement
107 officer under Section [53-13-103](#).

108 (d) Concealed firearm permit renewal fees for active duty service members and the
109 spouse of an active duty service member shall be waived.

110 (2) The renewal fee for the permit is \$20. A nonresident shall pay an additional \$5 for
111 the additional cost of processing a nonresidential renewal.

112 (3) The replacement fee for the permit is \$10.

113 (4) (a) The late fee for the renewal permit is \$7.50.

114 (b) As used in this section, "late fee" means the fee charged by the bureau for a renewal
115 submitted on a permit that has been expired for more than 30 days but less than one year.

116 (5) (a) There is created a restricted account within the General Fund known as the
117 "Concealed Weapons Account."

118 (b) The account shall be funded from fees collected under this section and Section
119 [53-5-707.5](#).

120 (c) Funds in the account may only be used to cover costs relating to:

121 (i) the issuance of concealed firearm permits under this part; or

122 (ii) the programs described in [~~Subsections~~] Subsection [62A-15-103\(3\)](#) and
123 [~~76-10-526(15) and~~] Section [62A-15-1101](#).

124 (6) (a) The bureau may collect any fees charged by an outside agency for additional
125 services required by statute as a prerequisite for issuance of a permit.

126 (b) The bureau shall promptly forward any fees collected under Subsection (6)(a) to the
127 appropriate agency.

128 (7) The bureau shall make an annual report in writing to the Legislature's Law
129 Enforcement and Criminal Justice Interim Committee on the amount and use of the fees
130 collected under this section and Section [53-5-707.5](#).

131 Section 4. Section **62A-15-103** is amended to read:

132 **62A-15-103. Division -- Creation -- Responsibilities.**

133 (1) (a) There is created the Division of Substance Abuse and Mental Health within the
134 department, under the administration and general supervision of the executive director.

135 (b) The division is the substance abuse authority and the mental health authority for
136 this state.

137 (2) The division shall:

138 (a) (i) educate the general public regarding the nature and consequences of substance
139 abuse by promoting school and community-based prevention programs;

140 (ii) render support and assistance to public schools through approved school-based
141 substance abuse education programs aimed at prevention of substance abuse;

- 142 (iii) promote or establish programs for the prevention of substance abuse within the
143 community setting through community-based prevention programs;
- 144 (iv) cooperate with and assist treatment centers, recovery residences, and other
145 organizations that provide services to individuals recovering from a substance abuse disorder,
146 by identifying and disseminating information about effective practices and programs;
- 147 (v) except as provided in Section [62A-15-103.5](#), make rules in accordance with Title
148 63G, Chapter 3, Utah Administrative Rulemaking Act, to develop, in collaboration with public
149 and private programs, minimum standards for public and private providers of substance abuse
150 and mental health programs licensed by the department under Title 62A, Chapter 2, Licensure
151 of Programs and Facilities;
- 152 (vi) promote integrated programs that address an individual's substance abuse, mental
153 health, physical health, and criminal risk factors;
- 154 (vii) establish and promote an evidence-based continuum of screening, assessment,
155 prevention, treatment, and recovery support services in the community for individuals with
156 substance use disorder and mental illness that addresses criminal risk factors;
- 157 (viii) evaluate the effectiveness of programs described in this Subsection (2);
- 158 (ix) consider the impact of the programs described in this Subsection (2) on:
- 159 (A) emergency department utilization;
- 160 (B) jail and prison populations;
- 161 (C) the homeless population; and
- 162 (D) the child welfare system; and
- 163 (x) promote or establish programs for education and certification of instructors to
164 educate persons convicted of driving under the influence of alcohol or drugs or driving with
165 any measurable controlled substance in the body;
- 166 (b) (i) collect and disseminate information pertaining to mental health;
- 167 (ii) provide direction over the state hospital including approval of the state hospital's
168 budget, administrative policy, and coordination of services with local service plans;
- 169 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative

170 Rulemaking Act, to educate families concerning mental illness and promote family
171 involvement, when appropriate, and with patient consent, in the treatment program of a family
172 member; and

173 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
174 Rulemaking Act, to direct that an individual receiving services through a local mental health
175 authority or the Utah State Hospital be informed about and, if desired by the individual,
176 provided assistance in the completion of a declaration for mental health treatment in
177 accordance with Section [62A-15-1002](#);

178 (c) (i) consult and coordinate with local substance abuse authorities and local mental
179 health authorities regarding programs and services;

180 (ii) provide consultation and other assistance to public and private agencies and groups
181 working on substance abuse and mental health issues;

182 (iii) promote and establish cooperative relationships with courts, hospitals, clinics,
183 medical and social agencies, public health authorities, law enforcement agencies, education and
184 research organizations, and other related groups;

185 (iv) promote or conduct research on substance abuse and mental health issues, and
186 submit to the governor and the Legislature recommendations for changes in policy and
187 legislation;

188 (v) receive, distribute, and provide direction over public funds for substance abuse and
189 mental health services;

190 (vi) monitor and evaluate programs provided by local substance abuse authorities and
191 local mental health authorities;

192 (vii) examine expenditures of local, state, and federal funds;

193 (viii) monitor the expenditure of public funds by:

194 (A) local substance abuse authorities;

195 (B) local mental health authorities; and

196 (C) in counties where they exist, a private contract provider that has an annual or
197 otherwise ongoing contract to provide comprehensive substance abuse or mental health

198 programs or services for the local substance abuse authority or local mental health authority;
199 (ix) contract with local substance abuse authorities and local mental health authorities
200 to provide a comprehensive continuum of services that include community-based services for
201 individuals involved in the criminal justice system, in accordance with division policy, contract
202 provisions, and the local plan;

203 (x) contract with private and public entities for special statewide or nonclinical
204 services, or services for individuals involved in the criminal justice system, according to
205 division rules;

206 (xi) review and approve each local substance abuse authority's plan and each local
207 mental health authority's plan in order to ensure:

208 (A) a statewide comprehensive continuum of substance abuse services;
209 (B) a statewide comprehensive continuum of mental health services;
210 (C) services result in improved overall health and functioning;
211 (D) a statewide comprehensive continuum of community-based services designed to
212 reduce criminal risk factors for individuals who are determined to have substance abuse or
213 mental illness conditions or both, and who are involved in the criminal justice system;

214 (E) compliance, where appropriate, with the certification requirements in Subsection
215 (2)(j); and

216 (F) appropriate expenditure of public funds;

217 (xii) review and make recommendations regarding each local substance abuse
218 authority's contract with the local substance abuse authority's provider of substance abuse
219 programs and services and each local mental health authority's contract with the local mental
220 health authority's provider of mental health programs and services to ensure compliance with
221 state and federal law and policy;

222 (xiii) monitor and ensure compliance with division rules and contract requirements;
223 and

224 (xiv) withhold funds from local substance abuse authorities, local mental health
225 authorities, and public and private providers for contract noncompliance, failure to comply

226 with division directives regarding the use of public funds, or for misuse of public funds or
227 money;

228 (d) ensure that the requirements of this part are met and applied uniformly by local
229 substance abuse authorities and local mental health authorities across the state;

230 (e) require each local substance abuse authority and each local mental health authority,
231 in accordance with Subsections 17-43-201(5)(b) and 17-43-301(6)(a)(ii), to submit a plan to
232 the division on or before May 15 of each year;

233 (f) conduct an annual program audit and review of each local substance abuse authority
234 and each local substance abuse authority's contract provider, and each local mental health
235 authority and each local mental health authority's contract provider, including:

236 (i) a review and determination regarding whether:

237 (A) public funds allocated to the local substance abuse authority or the local mental
238 health authorities are consistent with services rendered by the authority or the authority's
239 contract provider, and with outcomes reported by the authority's contract provider; and

240 (B) each local substance abuse authority and each local mental health authority is
241 exercising sufficient oversight and control over public funds allocated for substance use
242 disorder and mental health programs and services; and

243 (ii) items determined by the division to be necessary and appropriate; [~~and~~]

244 (g) define "prevention" by rule as required under Title 32B, Chapter 2, Part 4,
245 Alcoholic Beverage and Substance Abuse Enforcement and Treatment Restricted Account Act;

246 (h) (i) train and certify an adult as a peer support specialist, qualified to provide peer
247 supports services to an individual with:

248 (A) a substance use disorder;

249 (B) a mental health disorder; or

250 (C) a substance use disorder and a mental health disorder;

251 (ii) certify a person to carry out, as needed, the division's duty to train and certify an
252 adult as a peer support specialist;

253 (iii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative

254 Rulemaking Act, that:

- 255 (A) establish training and certification requirements for a peer support specialist;
- 256 (B) specify the types of services a peer support specialist is qualified to provide;
- 257 (C) specify the type of supervision under which a peer support specialist is required to
- 258 operate; and
- 259 (D) specify continuing education and other requirements for maintaining or renewing
- 260 certification as a peer support specialist; and

261 (iv) make rules in accordance with Title 63G, Chapter 3, Utah Administrative

262 Rulemaking Act, that:

263 (A) establish the requirements for a person to be certified to carry out, as needed, the

264 division's duty to train and certify an adult as a peer support specialist; and

265 (B) specify how the division shall provide oversight of a person certified to train and

266 certify a peer support specialist;

267 (i) except as provided in Section [62A-15-103.5](#), establish by rule, in accordance with

268 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, minimum standards and

269 requirements for the provision of substance use disorder and mental health treatment to an

270 individual who is incarcerated or who is required to participate in treatment by a court or by the

271 Board of Pardons and Parole, including:

272 (i) collaboration with the Department of Corrections and the Utah Substance Use and

273 Mental Health Advisory Council to develop and coordinate the standards, including standards

274 for county and state programs serving individuals convicted of class A and class B

275 misdemeanors;

276 (ii) determining that the standards ensure available treatment, including the most

277 current practices and procedures demonstrated by recognized scientific research to reduce

278 recidivism, including focus on the individual's criminal risk factors; and

279 (iii) requiring that all public and private treatment programs meet the standards

280 established under this Subsection (2)(i) in order to receive public funds allocated to the

281 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice

282 for the costs of providing screening, assessment, prevention, treatment, and recovery support;

283 (j) except as provided in Section 62A-15-103.5, establish by rule, in accordance with
284 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the requirements and procedures
285 for the certification of licensed public and private providers, including individuals licensed by
286 the Division of Occupational and Professional Licensing, programs licensed by the department,
287 and health care facilities licensed by the Department of Health, who provide, as part of their
288 practice, substance use disorder and mental health treatment to an individual involved in the
289 criminal justice system, including:

290 (i) collaboration with the Department of Corrections, the Utah Substance Use and
291 Mental Health Advisory Council, and the Utah Association of Counties to develop, coordinate,
292 and implement the certification process;

293 (ii) basing the certification process on the standards developed under Subsection (2)(i)
294 for the treatment of an individual involved in the criminal justice system; and

295 (iii) the requirement that a public or private provider of treatment to an individual
296 involved in the criminal justice system shall obtain certification on or before July 1, 2016, and
297 shall renew the certification every two years, in order to qualify for funds allocated to the
298 division, the Department of Corrections, or the Commission on Criminal and Juvenile Justice
299 on or after July 1, 2016;

300 (k) collaborate with the Commission on Criminal and Juvenile Justice to analyze and
301 provide recommendations to the Legislature regarding:

302 (i) pretrial services and the resources needed to reduce recidivism;

303 (ii) county jail and county behavioral health early-assessment resources needed for an
304 offender convicted of a class A or class B misdemeanor; and

305 (iii) the replacement of federal dollars associated with drug interdiction law
306 enforcement task forces that are reduced;

307 (l) (i) establish performance goals and outcome measurements for all treatment
308 programs for which minimum standards are established under Subsection (2)(i), including
309 recidivism data and data regarding cost savings associated with recidivism reduction and the

310 reduction in the number of inmates, that are obtained in collaboration with the Administrative
311 Office of the Courts and the Department of Corrections; and

312 (ii) collect data to track and determine whether the goals and measurements are being
313 attained and make this information available to the public;

314 (m) in the division's discretion, use the data to make decisions regarding the use of
315 funds allocated to the division, the Administrative Office of the Courts, and the Department of
316 Corrections to provide treatment for which standards are established under Subsection (2)(i);

317 (n) annually, on or before August 31, submit the data collected under Subsection (2)(k)
318 to the Commission on Criminal and Juvenile Justice, which shall compile a report of findings
319 based on the data and provide the report to the Judiciary Interim Committee, the Health and
320 Human Services Interim Committee, the Law Enforcement and Criminal Justice Interim
321 Committee, and the related appropriations subcommittees; and

322 (o) consult and coordinate with the Department of Health and the Division of Child
323 and Family Services to develop and manage the operation of a program designed to reduce
324 substance abuse during pregnancy that includes:

325 (i) providing education and resources to health care providers and individuals in the
326 state regarding prevention of substance abuse during pregnancy;

327 (ii) providing training to health care providers in the state regarding screening of a
328 pregnant woman or pregnant minor to identify a substance abuse disorder; and

329 (iii) providing referrals to pregnant women or pregnant minors in need of substance use
330 treatment services to a facility that has the capacity to provide the treatment services.

331 (3) In addition to the responsibilities described in Subsection (2), the division shall,
332 within funds appropriated by the Legislature for this purpose, implement and manage the
333 operation of a firearm safety and suicide prevention program, in consultation with the Bureau
334 of Criminal Identification created in Section [53-10-201](#), including:

335 (a) coordinating with the Department of Health, local mental health and substance
336 abuse authorities, a nonprofit behavioral health advocacy group, and a representative from a
337 Utah-based nonprofit organization with expertise in the field of firearm use and safety that

338 represents firearm owners, to:

339 (i) produce and periodically review and update a firearm safety brochure and other
340 educational materials with information about the safe handling and use of firearms that
341 includes:

342 (A) information on safe handling, storage, and use of firearms in a home environment;

343 (B) information about at-risk individuals and individuals who are legally prohibited
344 from possessing firearms;

345 (C) information about suicide prevention awareness; and

346 (D) information about the availability of firearm safety packets;

347 (ii) procure cable-style gun locks for distribution pursuant to this section;

348 (iii) produce a firearm safety packet that includes the firearm safety brochure and the
349 cable-style gun lock described in this Subsection (3); and

350 (iv) create a suicide prevention education course that:

351 (A) provides information for distribution regarding firearm safety education;

352 (B) incorporates current information on how to recognize suicidal behaviors and
353 identify individuals who may be suicidal; and

354 (C) provides information regarding crisis intervention resources;

355 (b) distributing, free of charge, the firearm safety packet to the following persons, who
356 shall make the firearm safety packet available free of charge:

357 (i) health care providers, including emergency rooms;

358 (ii) mobile crisis outreach teams;

359 (iii) mental health practitioners;

360 (iv) other public health suicide prevention organizations;

361 (v) entities that teach firearm safety courses;

362 (vi) school districts for use in the seminar, described in Section 53G-9-702, for parents
363 of students in the school district; and

364 (vii) firearm dealers to be distributed in accordance with Section 76-10-526;

365 (c) creating and administering a ~~[redeemable coupon program described in this~~

366 Subsection (3) and Section ~~76-10-526~~ that includes: (i) producing a redeemable coupon] rebate
367 program that includes a rebate that offers between \$10 and \$200 off the purchase price of a
368 firearm safe from a participating firearms dealer or a person engaged in the business of selling
369 firearm safes in Utah, by a Utah resident [~~who has filed an application for a concealed firearm~~
370 ~~permit, and~~];

371 [~~(ii) collecting the receipts described in Section 76-10-526 from the participating~~
372 ~~dealers and persons and reimbursing the dealers and persons;~~]

373 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
374 making rules that establish procedures for:

375 (i) producing and distributing the suicide prevention education course and the firearm
376 safety brochures and packets;

377 (ii) procuring the cable-style gun locks for distribution; and

378 (iii) administering the [~~redeemable coupon~~] rebate program; and

379 (e) reporting to the Health and Human Services Interim Committee regarding
380 implementation and success of the firearm safety program and suicide prevention education
381 course at or before the November meeting each year.

382 (4) (a) The division may refuse to contract with and may pursue legal remedies against
383 any local substance abuse authority or local mental health authority that fails, or has failed, to
384 expend public funds in accordance with state law, division policy, contract provisions, or
385 directives issued in accordance with state law.

386 (b) The division may withhold funds from a local substance abuse authority or local
387 mental health authority if the authority's contract provider of substance abuse or mental health
388 programs or services fails to comply with state and federal law or policy.

389 (5) (a) Before reissuing or renewing a contract with any local substance abuse authority
390 or local mental health authority, the division shall review and determine whether the local
391 substance abuse authority or local mental health authority is complying with the oversight and
392 management responsibilities described in Sections ~~17-43-201~~, ~~17-43-203~~, ~~17-43-303~~, and
393 ~~17-43-309~~.

394 (b) Nothing in this Subsection (5) may be used as a defense to the responsibility and
395 liability described in Section 17-43-303 and to the responsibility and liability described in
396 Section 17-43-203.

397 (6) In carrying out the division's duties and responsibilities, the division may not
398 duplicate treatment or educational facilities that exist in other divisions or departments of the
399 state, but shall work in conjunction with those divisions and departments in rendering the
400 treatment or educational services that those divisions and departments are competent and able
401 to provide.

402 (7) The division may accept in the name of and on behalf of the state donations, gifts,
403 devises, or bequests of real or personal property or services to be used as specified by the
404 donor.

405 (8) The division shall annually review with each local substance abuse authority and
406 each local mental health authority the authority's statutory and contract responsibilities
407 regarding:

- 408 (a) use of public funds;
- 409 (b) oversight of public funds; and
- 410 (c) governance of substance use disorder and mental health programs and services.

411 (9) The Legislature may refuse to appropriate funds to the division upon the division's
412 failure to comply with the provisions of this part.

413 (10) If a local substance abuse authority contacts the division under Subsection
414 17-43-201(10) for assistance in providing treatment services to a pregnant woman or pregnant
415 minor, the division shall:

- 416 (a) refer the pregnant woman or pregnant minor to a treatment facility that has the
417 capacity to provide the treatment services; or
- 418 (b) otherwise ensure that treatment services are made available to the pregnant woman
419 or pregnant minor.

420 (11) The division shall employ a school-based mental health specialist to be housed at
421 the State Board of Education who shall work with the State Board of Education to:

422 (a) provide coordination between a local education agency and local mental health
423 authority;

424 (b) recommend evidence-based and evidence informed mental health screenings and
425 intervention assessments for a local education agency; and

426 (c) coordinate with the local community, including local departments of health, to
427 enhance and expand mental health related resources for a local education agency.

428 Section 5. Section **62A-15-120** is enacted to read:

429 **62A-15-120. Suicide technical assistance program.**

430 (1) As used in this section, "technical assistance" means training for the prevention of
431 suicide.

432 (2) (a) Before July 1, 2021, and each subsequent July 1, the division shall solicit
433 applications from health care organizations to receive technical assistance provided by the
434 division.

435 (b) The division shall approve at least one but not more than six applications each year.

436 (c) The division shall determine which applicants receive the technical assistance
437 before December 31 of each year.

438 (3) An application for technical assistance under this section shall:

439 (a) identify the population to whom the health care organization will provide suicide
440 prevention services;

441 (b) identify how the health care organization plans to implement the skills and
442 knowledge gained from the technical assistance;

443 (c) identify the health care organization's current resources used for the prevention of
444 suicide;

445 (d) explain how the population described in Subsection (3)(a) will benefit from the
446 health care organization receiving technical assistance;

447 (e) provide details regarding:

448 (i) how the health care organization will provide timely and effective suicide
449 prevention services;

450 (ii) any existing or planned contracts or partnerships between the health care
451 organization and other persons that are related to suicide prevention;
452 (iii) the methods the health care organization will use to:
453 (A) protect the privacy of each individual to whom the health care organization
454 provides suicide prevention services; and
455 (B) collect non-identifying data; and
456 (f) provide other information requested by the division for the division to evaluate the
457 application.
458 (4) In evaluating an application for technical assistance, the division shall consider:
459 (a) the extent to which providing technical assistance to the health care organization
460 will fulfill the purpose of preventing suicides in the state;
461 (b) the extent to which the population described in Subsection (3)(a) is likely to benefit
462 from the health care organization receiving the technical assistance;
463 (c) the cost of providing the technical assistance to the health care organization; and
464 (d) the extent to which any of the following are likely to benefit the health care
465 organization's ability to assist in preventing suicides in the state:
466 (i) existing or planned contracts or partnerships between the applicant and other
467 persons to develop and implement other initiatives; or
468 (ii) additional funding sources available to the applicant for suicide prevention
469 services.
470 (5) Before June 30, 2022, and each subsequent June 30, the division shall submit a
471 written report to the Health and Human Services Interim Committee regarding each health care
472 organization the division provided technical assistance to in the preceding year under this
473 section.
474 (6) Before June 30, 2024, the division shall submit a written report to the Health and
475 Human Services Interim Committee regarding:
476 (a) data gathered in relation to providing technical assistance to a health care
477 organization;

- 478 (b) knowledge gained relating to providing technical assistance;
- 479 (c) recommendations for the future regarding how the state can better prevent suicides;
- 480 and
- 481 (d) obstacles encountered when providing technical assistance.

482 Section 6. Section **62A-15-1501** is amended to read:

483 **62A-15-1501. Definitions.**

484 As used in this part:

485 (1) "Account" means the Survivors of Suicide Loss Account created in Section
486 62A-15-1502.

487 (2) (a) "Cohabitant" means an individual who lives with another individual.

488 (b) "Cohabitant" does not include a relative.

489 ~~[(2)]~~ (3) "Relative" means father, mother, husband, wife, son, daughter, sister, brother,
490 grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin,
491 mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

492 Section 7. Section **62A-15-1502** is amended to read:

493 **62A-15-1502. Survivors of Suicide Loss Account.**

494 (1) There is created a restricted account within the General Fund known as the
495 "Survivors of Suicide Loss Account."

496 (2) The division shall administer the account in accordance with this part.

497 (3) The account shall consist of:

498 (a) money appropriated to the account by the Legislature; and

499 (b) interest earned on money in the account.

500 (4) Upon appropriation, the division shall award grants from the account to ~~[(a)] a~~
501 ~~relative, legal guardian, or cohabitant of an individual who dies by suicide as reimbursement~~
502 ~~for costs incurred by the relative, legal guardian, or cohabitant for mental health treatment or~~
503 ~~therapy as a result of the suicide; and (b)] a person who provides, for no or minimal cost:~~

504 ~~[(+)]~~ (a) clean-up of property affected or damaged by an individual's suicide, as
505 reimbursement for the costs incurred for the clean-up; and

506 [(i)] (b) bereavement services to a relative, legal guardian, or cohabitant of an
 507 individual who dies by suicide.

508 [(5) The division shall establish a grant application and review process for the
 509 expenditure of money from the account.]

510 [(6) The grant application and review process shall describe:]

511 [(a) requirements to complete the grant application;]

512 [(b) requirements for receiving funding;]

513 [(c) criteria for the approval of a grant application; and]

514 [(d) support offered by the division to complete a grant application.]

515 [(7) Upon receipt of a grant application, the division shall:]

516 [(a) review the grant application for completeness;]

517 [(b) make a determination regarding the grant application;]

518 [(c) inform the grant applicant of the division's determination regarding the grant
 519 application; and]

520 [(d) if approved, award grants from the account to the grant applicant.]

521 [(8)] (5) Before November 30 of each year, the division shall report to the Health and
 522 Human Services Interim Committee regarding the status of the account and expenditures made
 523 from the account.

524 Section 8. Section **63I-2-226** is amended to read:

525 **63I-2-226. Repeal dates, Title 26.**

526 (1) Subsection [26-1-7\(1\)\(c\)](#), in relation to the Air Ambulance Committee, is repealed
 527 July 1, 2024.

528 (2) Section [26-4-6.1](#) is repealed January 1, 2022.

529 [(2)] (3) Subsection [26-7-8\(3\)](#) is repealed January 1, 2027.

530 [(3)] (4) Section [26-8a-107](#) is repealed July 1, 2024.

531 [(4)] (5) Subsection [26-8a-203\(3\)\(a\)\(i\)](#) is repealed January 1, 2023.

532 [(5)] (6) Section [26-8a-211](#) is repealed July 1, 2023.

533 [(6)] (7) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection

534 26-8a-602(1)(a) is amended to read:

535 "(a) provide the patient or the patient's representative with the following information
536 before contacting an air medical transport provider:

537 (i) which health insurers in the state the air medical transport provider contracts with;

538 (ii) if sufficient data is available, the average charge for air medical transport services
539 for a patient who is uninsured or out of network; and

540 (iii) whether the air medical transport provider balance bills a patient for any charge
541 not paid by the patient's health insurer; and".

542 [~~7~~] (8) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.

543 [~~8~~] (9) Subsection 26-18-411(8), related to reporting on the health coverage
544 improvement program, is repealed January 1, 2023.

545 [~~9~~] (10) Subsection 26-18-420(5), related to reporting on coverage for in vitro
546 fertilization and genetic testing, is repealed July 1, 2030.

547 [~~10~~] (11) Subsection 26-21-28(2)(b) is repealed January 1, 2021.

548 [~~11~~] (12) In relation to the Air Ambulance Committee, July 1, 2024, Subsection
549 26-21-32(1)(a) is amended to read:

550 "(a) provide the patient or the patient's representative with the following information
551 before contacting an air medical transport provider:

552 (i) which health insurers in the state the air medical transport provider contracts with;

553 (ii) if sufficient data is available, the average charge for air medical transport services
554 for a patient who is uninsured or out of network; and

555 (iii) whether the air medical transport provider balance bills a patient for any charge
556 not paid by the patient's health insurer; and".

557 [~~12~~] (13) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.

558 [~~13~~] (14) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance
559 Program, is repealed July 1, 2027.

560 [~~14~~] (15) Subsection 26-55-107(8) is repealed January 1, 2021.

561 [~~15~~] (16) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

562 [~~(16)~~] (17) Subsection 26-61-202(5) is repealed January 1, 2022.

563 Section 9. Section 76-10-526 is amended to read:

564 **76-10-526. Criminal background check prior to purchase of a firearm -- Fee --**
565 **Exemption for concealed firearm permit holders and law enforcement officers.**

566 (1) For purposes of this section, "valid permit to carry a concealed firearm" does not
567 include a temporary permit issued under Section 53-5-705.

568 (2) (a) To establish personal identification and residence in this state for purposes of
569 this part, a dealer shall require an individual receiving a firearm to present one photo
570 identification on a form issued by a governmental agency of the state.

571 (b) A dealer may not accept a driving privilege card issued under Section 53-3-207 as
572 proof of identification for the purpose of establishing personal identification and residence in
573 this state as required under this Subsection (2).

574 (3) (a) A criminal history background check is required for the sale of a firearm by a
575 licensed firearm dealer in the state.

576 (b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms
577 Licensee.

578 (4) (a) An individual purchasing a firearm from a dealer shall consent in writing to a
579 criminal background check, on a form provided by the bureau.

580 (b) The form shall contain the following information:

581 (i) the dealer identification number;

582 (ii) the name and address of the individual receiving the firearm;

583 (iii) the date of birth, height, weight, eye color, and hair color of the individual
584 receiving the firearm; and

585 (iv) the social security number or any other identification number of the individual
586 receiving the firearm.

587 (5) (a) The dealer shall send the information required by Subsection (4) to the bureau
588 immediately upon its receipt by the dealer.

589 (b) A dealer may not sell or transfer a firearm to an individual until the dealer has

590 provided the bureau with the information in Subsection (4) and has received approval from the
591 bureau under Subsection (7).

592 (6) The dealer shall make a request for criminal history background information by
593 telephone or other electronic means to the bureau and shall receive approval or denial of the
594 inquiry by telephone or other electronic means.

595 (7) When the dealer calls for or requests a criminal history background check, the
596 bureau shall:

597 (a) review the criminal history files, including juvenile court records, to determine if
598 the individual is prohibited from purchasing, possessing, or transferring a firearm by state or
599 federal law;

600 (b) inform the dealer that:

601 (i) the records indicate the individual is prohibited; or

602 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;

603 (c) provide the dealer with a unique transaction number for that inquiry; and

604 (d) provide a response to the requesting dealer during the call for a criminal
605 background check, or by return call, or other electronic means, without delay, except in case of
606 electronic failure or other circumstances beyond the control of the bureau, the bureau shall
607 advise the dealer of the reason for the delay and give the dealer an estimate of the length of the
608 delay.

609 (8) (a) The bureau may not maintain any records of the criminal history background
610 check longer than 20 days from the date of the dealer's request, if the bureau determines that
611 the individual receiving the firearm is not prohibited from purchasing, possessing, or
612 transferring the firearm under state or federal law.

613 (b) However, the bureau shall maintain a log of requests containing the dealer's federal
614 firearms number, the transaction number, and the transaction date for a period of 12 months.

615 (9) (a) If the criminal history background check discloses information indicating that
616 the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or
617 transferring a firearm, the bureau shall inform the law enforcement agency in the jurisdiction

618 where the individual resides.

619 (b) A law enforcement agency that receives information from the bureau under
620 Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that
621 includes:

622 (i) based on the information the bureau provides to the law enforcement agency under
623 Subsection (9)(a), the number of cases that involve an individual who is prohibited from
624 purchasing, possessing, or transferring a firearm as a result of a conviction for an offense
625 involving domestic violence; and

626 (ii) of the cases described in Subsection (9)(b)(i):

627 (A) the number of cases the law enforcement agency investigates; and

628 (B) the number of cases the law enforcement agency investigates that result in a
629 criminal charge.

630 (c) The bureau shall:

631 (i) compile the information from the reports described in Subsection (9)(b);

632 (ii) omit or redact any identifying information in the compilation; and

633 (iii) submit the compilation to the Law Enforcement and Criminal Justice Interim
634 Committee before November 1 of each year.

635 (10) If an individual is denied the right to purchase a firearm under this section, the
636 individual may review the individual's criminal history information and may challenge or
637 amend the information as provided in Section 53-10-108.

638 (11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah
639 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all
640 records provided by the bureau under this part are in conformance with the requirements of the
641 Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

642 (12) (a) A dealer shall collect a criminal history background check fee for the sale of a
643 firearm under this section.

644 (b) The fee described under Subsection (12)(a) remains in effect until changed by the
645 bureau through the process described in Section 63J-1-504.

646 (c) (i) The dealer shall forward at one time all fees collected for criminal history
647 background checks performed during the month to the bureau by the last day of the month
648 following the sale of a firearm.

649 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover
650 the cost of administering and conducting the criminal history background check program.

651 (13) An individual with a concealed firearm permit issued under Title 53, Chapter 5,
652 Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee
653 required in this section for the purchase of a firearm if:

654 (a) the individual presents the individual's concealed firearm permit to the dealer prior
655 to purchase of the firearm; and

656 (b) the dealer verifies with the bureau that the individual's concealed firearm permit is
657 valid.

658 (14) (a) A law enforcement officer, as defined in Section [53-13-103](#), is exempt from
659 the background check fee required in this section for the purchase of a personal firearm to be
660 carried while off-duty if the law enforcement officer verifies current employment by providing
661 a letter of good standing from the officer's commanding officer and current law enforcement
662 photo identification.

663 (b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a
664 personal firearm once in a 24-month period.

665 ~~[(15) (a) A dealer or a person engaged in the business of selling firearm safes in Utah
666 may participate in the redeemable coupon program described in this Subsection (15) and
667 Subsection [62A-15-103\(3\)](#).]~~

668 ~~[(b) A participating dealer or person shall:]~~

669 ~~[(i) apply the coupon only toward the purchase of a gun safe;]~~

670 ~~[(ii) collect the receipts from the purchase of a firearm safe using the redeemable
671 coupons and send the receipts to the Division of Substance Abuse and Mental Health for
672 redemption; and]~~

673 ~~[(iii) make the firearm safety brochure described in Subsection [62A-15-103\(3\)](#)~~

674 ~~available to a customer free of charge.]~~

675 ~~[(16)]~~ (15) A dealer engaged in the business of selling, leasing, or otherwise
676 transferring any firearm shall:

677 (a) make the firearm safety brochure described in Subsection 62A-15-103(3) available
678 to a customer free of charge; and

679 (b) at the time of purchase, distribute a cable-style gun lock provided to the dealer
680 under Subsection 62A-15-103(3) to a customer purchasing a shotgun, short barreled shotgun,
681 short barreled rifle, rifle, or another firearm that federal law does not require be accompanied
682 by a gun lock at the time of purchase.

683 Section 10. **Appropriation.**

684 The following sums of money are appropriated for the fiscal year beginning July 1,
685 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for
686 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
687 Act, the Legislature appropriates the following sums of money from the funds or accounts
688 indicated for the use and support of the government of the state of Utah.

689 ITEM 1

690 To Department of Human Services -- Division of Substance Abuse and Mental Health

691 From General Fund \$350,000

692 Schedule of Programs:

693 Community Mental Health Services \$350,000

694 The Legislature intends that the Division of Substance Abuse and Mental Health
695 expend appropriations provided under this item for providing suicide prevention training to
696 health care organizations under Section 62A-15-120.