

MENTAL HEALTH PROTECTIONS FOR FIRST RESPONDERS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Kwan

Senate Sponsor: _____

LONG TITLE

Committee Note:

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 3 absent

General Description:

This bill extends the Mental Health Protections for First Responders Workgroup for five years.

Highlighted Provisions:

This bill:

- ▶ extends the Mental Health Protections for First Responders Workgroup until 2025.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-234, as last amended by Laws of Utah 2019, Chapter 121

ENACTS:

34A-2-107.3, Utah Code Annotated 1953



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

29 Section 1. Section **34A-2-107.3** is enacted to read:

30 **34A-2-107.3. Mental Health Protections for First Responders Workgroup.**

31 (1) There is created the Mental Health Protections for First Responders Workgroup
32 within the commission consisting of the following members:

33 (a) the commissioner or the commissioner's designee;

34 (b) one member of the Senate, appointed by the president of the Senate, and one

35 member of the House of Representatives, appointed by the speaker of the House of

36 Representatives;

37 (c) three representatives of the workers' compensation insurance industry appointed by

38 the chair, one of whom is a voting member of the employer side of the Workers' Compensation

39 Advisory Council, as follows:

40 (i) one member representing the insurance carrier designated to write coverage for the
41 residual market;

42 (ii) one member representing an insurance carrier other than the carrier described in

43 Subsection (1)(c)(i); and

44 (iii) one member representing self-insured employers;

45 (d) one member representing the Division of Risk Management;

46 (e) four representatives of first responders appointed by the chair, one of whom is a

47 voting member of the employee side of the Workers' Compensation Advisory Council;

48 (f) one representative from the Utah League of Cities and Towns;

49 (g) one representative from the Utah Association of Counties;

50 (h) one representative from the Utah Association of Special Districts;

51 (i) the director of the Division of Substance Abuse and Mental Health, or the director's

52 designee; and

53 (j) as appointed by the chair, one or more individuals with expertise in mental stress or

54 occupational medicine to serve as ex officio, nonvoting members of the workgroup.

55 (2) The commissioner or the commissioner's designee is the chair of the workgroup.

56 (3) (a) A majority of the members of the workgroup constitutes a quorum.

57 (b) The action of a majority of a quorum constitutes the action of the workgroup.

58 (4) (a) The salary and expenses of each member of the workgroup who is a legislator

59 shall be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative
60 Compensation and Expenses.

61 (b) A member of the workgroup who is not a legislator may not receive compensation,
62 benefits, per diem, or travel expenses for the member's service on the workgroup.

63 (5) The commission shall provide staff support to the workgroup.

64 (6) The workgroup shall review and make recommendations on the following issues:

65 (a) the alleviation of barriers, including financial barriers, to mental health treatment
66 for first responders inside and outside of the workers' compensation system;

67 (b) statutory requirements for compensability of mental stress claims from first
68 responders under Chapter 2, Workers' Compensation Act, and Chapter 3, Utah Occupational
69 Disease Act;

70 (c) improving a first responder's accessibility to mental health treatment; and

71 (d) any additional issue that the workgroup:

72 (i) determines is an important issue related to workers' compensation for first
73 responders; and

74 (ii) decides to review.

75 (7) The workgroup shall present a final report on the items described in Subsection (6),
76 including any legislative recommendations, to the Business and Labor Interim Committee on or
77 before September 30, 2025.

78 Section 2. Section **63I-2-234** is amended to read:

79 **63I-2-234. Repeal dates -- Title 34A.**

80 [Section [34A-2-107.2](#) is repealed January 1, 2021.]

81 Section [34A-2-107.3](#) is repealed May 15, 2025.