

# TELEHEALTH MENTAL HEALTH PROGRAM

## 2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor: Evan J. Vickers

## LONG TITLE

### **Committee Note:**

The Health and Human Services Interim Committee recommended this bill.

Legislative Vote: 15 voting for 0 voting against 2 absent

### **General Description:**

12 This bill modifies provisions relating to a program for providing telehealth mental  
13 health services.

## Highlighted Provisions:

15 This bill:

16           ▶ removes the sunset date from provisions requiring the Division of Substance Abuse  
17 and Mental Health within the Department of Human Services to award a grant for a  
18 telehealth mental health pilot program and provisions describing the program as a  
19 pilot program; and

20 ▶ makes technical and conforming changes

## **Money Appropriated in this Bill:**

22 None

## Other Special Clauses:

24 None

## Utah Code Sections Affected:

26 AMENDS:

27 **62A-15-114**, as enacted by Laws of Utah 2018, Chapter 74



28        **63I-1-262**, as last amended by Laws of Utah 2020, Chapters 154, 303, 304, and 358

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

31        Section 1. Section **62A-15-114** is amended to read:

32        **62A-15-114. Telehealth Mental Health Grant Program.**

33        (1) As used in this section:

34        (a) "Grant" means a grant awarded by the division under this section to a person to  
35 develop and implement a project.

36        (b) "Project" means a telehealth mental health [pilot] project for which the division  
37 awards a grant under this section.

38        (c) "Public school" means:

39        (i) a school district;  
40        (ii) a school under the control of a school district;  
41        (iii) a charter school; or  
42        (iv) the Utah Schools for the Deaf and the Blind.

43        (d) "Telehealth mental health services" means mental health services provided  
44 remotely through the use of telecommunications technology.

45        (e) "Utah State Hospital" means the Utah State Hospital established in Section  
46 **62A-15-601**.

47        (2) (a) [On or before July 1, 2018, the] The division shall issue a project proposal  
48 request in accordance with this section to award a grant to:

49        (i) one or more local authorities to develop and implement one or more projects in one  
50 or more public schools in the state; or

51        (ii) the Utah State Hospital to develop and implement one or more projects in the state.

52        (b) An application for a project described in Subsection (2)(a) shall be submitted  
53 jointly by:

54        (i) a public school or the Utah State Hospital; and  
55        (ii) a provider of telehealth mental health services.

56        [ (c) The division shall award all grants under this section before December 31, 2018.]

57        [ (d) A project shall run for two years.]

58        [ (3) The purpose of the telehealth mental health pilot program is to:]

59 [ (a) determine how telehealth mental health services can best be used in the state to:]

60 [ (i) increase access to mental health services by public school students; ]

61 [ (ii) increase the timeliness and effectiveness of mental health crisis intervention

62 services for public school students; ]

63 [ (iii) reduce the cost associated with providing mental health services to public school  
64 students; and ]

65 [ (iv) increase access to mental health services by public school students in underserved  
66 areas of the state; ]

67 [ (b) identify best practices for providing telehealth mental health services to public  
68 school students in the state; and ]

69 [ (c) identify the best methods of using telecommunications technology to provide  
70 mental health services to public school students remotely. ]

71 [ (4) ] (3) Persons who apply for a grant under this section shall:

72 (a) identify the population to which the proposed project will provide telehealth mental  
73 health services;

74 (b) explain how the population described in Subsection [ (4) ] (3)(a):

75 (i) is currently underserved; and

76 (ii) will benefit from the provision of telehealth mental health services;

77 (c) provide details regarding:

78 (i) how the proposed project will provide the telehealth mental health services;

79 (ii) the projected costs of providing the telehealth mental health services;

80 (iii) the sustainability of the proposed project; and

81 (iv) the methods that the proposed project will use to:

82 (A) protect the privacy of students and patients;

83 (B) collect nonidentifying data relating to the proposed project; and

84 (C) provide transparency on the costs and operation of the proposed project; and

85 (d) provide other information requested by the division to ensure that the proposed  
86 project satisfies the criteria described in Subsection [ (5) ] (4).

87 [ (5) ] (4) In evaluating a proposal for a grant, the division shall consider:

88 [ (a) the extent to which the proposed project will fulfill the purposes described in

89 Subsection (3); ]

90 [b] (a) the extent to which the population that will be served by the proposed project  
91 is:

92 (i) currently underserved; and  
93 (ii) likely to benefit from the proposed project;  
94 [c] (b) the cost of the proposed project;  
95 [d] (c) the viability and innovation of the proposed project; and  
96 [e] (d) the extent to which the proposed project will yield useful data to evaluate the  
97 effectiveness of the proposed project.

98 [e] (5) (a) Within six months after the day on which the division awards a grant, the  
99 division shall report to the Health and Human Services Interim Committee regarding:

100 (i) each person who received a grant; and  
101 (ii) the details of each project.  
102 (b) Within six months after the day on which a project concludes, the division shall  
103 report to the Health and Human Services Interim Committee regarding:  
104 (i) the success of each project;  
105 (ii) data gathered in relation to each project;  
106 (iii) knowledge gained from each project relating to the provision of telehealth mental  
107 health services;  
108 (iv) proposals for the future use of telehealth mental health services in the state;  
109 (v) obstacles encountered in the provision of telehealth mental health services; and  
110 (vi) changes needed in the law to overcome obstacles to providing telehealth mental  
111 health services.

112 Section 2. Section **63I-1-262** is amended to read:

113 **63I-1-262. Repeal dates, Title 62A.**

114 (1) Subsections **62A-1-120**(8)(g), (h), and (i) relating to completion of premarital  
115 counseling or education under Section **30-1-34** are repealed July 1, 2023.  
116 (2) Section **62A-3-209** is repealed July 1, 2023.  
117 (3) Section **62A-4a-202.9** is repealed December 31, 2021.  
118 (4) Section **62A-4a-213** is repealed July 1, 2024.  
119 (5) Sections **62A-5a-101**, **62A-5a-102**, **62A-5a-103**, and **62A-5a-104**, which create the  
120 Coordinating Council for Persons with Disabilities, are repealed July 1, 2022.

121 [6] Section 62A-15-114 is repealed December 31, 2021.]

122 [7] (6) Subsections 62A-15-116(1) and [4] 5, the language that states "In  
123 consultation with the Behavioral Health Crisis Response Commission, established in Section  
124 63C-18-202," is repealed January 1, 2023.

125 [8] (7) Section 62A-15-118 is repealed December 31, 2023.

126 [9] (8) Subsections 62A-15-605(3)(h) and (4) relating to the study of long-term needs  
127 for adult beds in the state hospital are repealed July 1, 2022.

128 [10] (9) Section 62A-15-605, which creates the Forensic Mental Health Coordinating  
129 Council, is repealed July 1, 2023.

130 [11] (10) Subsections 62A-15-1100(1) and 62A-15-1101(9), in relation to the Utah  
131 Substance Use and Mental Health Advisory Council, are repealed January 1, 2023.

132 [12] (11) In relation to the Behavioral Health Crisis Response Commission, on July  
133 1, 2023:

134 (a) Subsections 62A-15-1301(2) and 62A-15-1401(1) are repealed;

135 (b) Subsection 62A-15-1302(1)(b), the language that states "and in consultation with  
136 the commission" is repealed;

137 (c) [Section] Subsection 62A-15-1303(1), the language that states "In consultation with  
138 the commission," is repealed;

139 (d) Subsection 62A-15-1402(2)(a), the language that states "With recommendations  
140 from the commission," is repealed; and

141 (e) Subsection 62A-15-1702(6) is repealed.