

Representative Raymond P. Ward proposes the following substitute bill:

HEALTH CARE AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to the use of public funds for contraceptives.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Health to apply for certain grants under Title X of the Public Health Service Act; and
- ▶ allows a health care provider to accept Title X funding under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26-1-41, Utah Code Annotated 1953

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

Section 1. Section **26-1-41** is enacted to read:

26-1-41. Title X grant funding -- Application -- Prioritization of funds --



26 **Accepting Title X grant funding.**

27 (1) Before June 1, 2020, the department shall, for purposes of grants offered under
28 Title X of the Public Health Service Act, 42 U.S.C. Sec. 300 et seq., shall:

29 (a) determine whether the requirements of 42 C.F.R. Sec. 59.5(a)(4) pertaining to
30 providing certain services to a minor without parental consent may be waived; and

31 (b) if the department determines that the requirement described in Subsection (1)(a)
32 may be waived, request a waiver of the requirement described in Subsection (1)(a).

33 (2) The department shall submit an application to the United States Department of
34 Health and Human Services for a grant under Title X of the Public Health Service Act, 42
35 U.S.C. Sec. 300 et seq.

36 (3) For any grant funding received by the department under Subsection (2), the
37 department shall:

38 (a) prioritize entities that efficiently provide family planning services to low income
39 women; and

40 (b) for entities that meet the criteria described in Subsection (3)(a), give positive
41 consideration to an entity that:

42 (i) expands the availability of family planning services, prenatal and postnatal care in
43 low-income, rural, and under-served areas of the state;

44 (ii) provides support for a woman to carry a pregnancy to term;

45 (iii) emphasizes the health and viability of the fetus; or

46 (iv) provides education and maternity support.

47 (4) Notwithstanding Sections [76-7-322](#), [76-7-323](#), and [76-7-325](#), a health care provider
48 may accept funds and provide services under Title X of the Public Health Service Act, 42
49 U.S.C. Sec. 300 et seq., if the health care provider:

50 (a) accepts funding from the state Medicaid program;

51 (b) complies with 42 U.S.C. Sec. 1396d(a)(xvii)(4)(c); and

52 (c) agrees to comply with the requirements of 42 U.S.C. Sec. 1396d(a)(xvii)(4)(c) with
53 respect to the funds received under Title X of the Public Health Service Act, 42 U.S.C. Sec.
54 300 et seq.