Representative Steve Eliason proposes the following substitute bill:

SUICIDE PREVENTION AMENDMENTS
2019 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Steve Eliason
Senate Sponsor: Don L. Ipson
LONG TITLE
General Description:
This bill relates to suicide prevention and mental health treatment.
Highlighted Provisions:
This bill:
 defines terms;
 expands the scope of suicide prevention programs in a school;
 requires the Division of Occupational and Professional Licensing, in conjunction
with the Division of Substance Abuse and Mental Health, to create a suicide
prevention web-accessible video;
 requires certain primary care providers to view the suicide prevention
web-accessible video in order to renew a medical license;
 establishes the Survivors of Suicide Loss Account;
 establishes the Psychiatric Consultation Program Account;
 provides immunity from civil liability for an individual who provides assistance to
another individual who has expressed suicide ideation or taken suicidal action; and
 makes technical changes.
Money Appropriated in this Bill:
This bill appropriates in fiscal year 2020:

26	 to General Fund Restricted Survivors of Suicide Loss Account, as an ongoing
27	appropriation:
28	• from General Fund, \$83,000.
29	 to Department of Human Services Division of Substance Abuse and Mental
30	Health, as an ongoing appropriation:
31	• from General Fund Survivors of Suicide Loss Account, \$83,000.
32	 to General Fund Restricted Psychiatric Consultation Program Account, as an
33	ongoing appropriation
34	• from General Fund, \$350,000.
35	 to Department of Human Services Division of Substance Abuse and Mental
36	Health, as an ongoing appropriation:
37	• from General Fund Psychiatric Consultation Program Account, \$350,000.
38	 to Department of Human Services Division of Substance Abuse and Mental
39	Health, as an ongoing appropriation:
40	• from General Fund, \$900,000.
41	 to Governor's Office Suicide Prevention Suicide Prevention, as a one-time
42	appropriation:
43	• from General Fund, One-time, \$1,500,000.
44	Other Special Clauses:
45	None
46	Utah Code Sections Affected:
47	AMENDS:
48	53G-9-702, as last amended by Laws of Utah 2018, Chapter 414 and renumbered and
49	amended by Laws of Utah 2018, Chapter 3
50	58-31b-305, as last amended by Laws of Utah 2018, Third Special Session, Chapter 1
51	58-67-303, as last amended by Laws of Utah 2017, Chapter 299
52	58-68-303, as last amended by Laws of Utah 2017, Chapter 299
53	58-70a-304, as last amended by Laws of Utah 2001, Chapter 268
54	ENACTS:
55	58-1-601, Utah Code Annotated 1953
56	62A-15-1501, Utah Code Annotated 1953

57	62A-15-1502, Utah Code Annotated 1953
58	62A-15-1601, Utah Code Annotated 1953
59	62A-15-1602, Utah Code Annotated 1953
60	78B-4-516, Utah Code Annotated 1953
61	
62	Be it enacted by the Legislature of the state of Utah:
63	Section 1. Section 53G-9-702 is amended to read:
64	53G-9-702. Youth suicide prevention programs required in secondary schools
65	State Board of Education to develop model programs Reporting requirements.
66	(1) As used in the section:
67	(a) "Board" means the State Board of Education.
68	(b) "Intervention" means an effort to prevent a student from attempting suicide.
69	(c) "Postvention" means mental health intervention after a suicide attempt or death to
70	prevent or contain contagion.
71	(d) "Program" means a youth suicide prevention program described in Subsection (2).
72	(e) "Public education suicide prevention coordinator" means an individual designated
73	by the board as described in Subsection (3).
74	(f) "Secondary grades":
75	(i) means grades 7 through 12; and
76	(ii) if a middle or junior high school includes grade 6, includes grade 6.
77	(g) "State suicide prevention coordinator" means the state suicide prevention
78	coordinator described in Section 62A-15-1101.
79	(2) In collaboration with the public education suicide prevention coordinator, a school
80	district or charter school, in the secondary grades of the school district or charter school, shall
81	implement a youth suicide prevention program, which, in collaboration with the training,
82	programs, and initiatives described in Section 53G-9-607, shall include programs and training
83	to address:
84	(a) bullying and cyberbullying, as those terms are defined in Section 53G-9-601;
85	(b) prevention of youth suicide;
86	(c) increased risk of suicide among youth who are not accepted by family for any
87	reason, including lesbian, gay, bisexual, transgender, or questioning youth;

88	[(c)] <u>(d)</u> youth suicide intervention;
89	[(d)] (e) postvention for family, students, and faculty;
90	[(c)] <u>(f)</u> underage drinking of alcohol;
91	[(f)] (g) methods of strengthening the family; and
92	[(g)] (h) methods of strengthening a youth's relationships in the school and community.
93	(3) The board shall:
94	(a) designate a public education suicide prevention coordinator; and
95	(b) in collaboration with the Department of Heath and the state suicide prevention
96	coordinator, develop model programs to provide to school districts and charter schools:
97	(i) program training; and
98	(ii) resources regarding the required components described in Subsection (2)(b).
99	(4) The public education suicide prevention coordinator shall:
100	(a) oversee the youth suicide prevention programs of school districts and charter
101	schools;
102	(b) coordinate prevention and postvention programs, services, and efforts with the state
103	suicide prevention coordinator; and
104	(c) award grants in accordance with Section 53F-5-206.
105	(5) A public school suicide prevention program may allow school personnel to ask a
106	student questions related to youth suicide prevention, intervention, or postvention.
107	(6) (a) Subject to legislative appropriation, the board may distribute money to a school
108	district or charter school to be used to implement evidence-based practices and programs, or
109	emerging best practices and programs, for preventing suicide in the school district or charter
110	school.
111	(b) The board shall distribute money under Subsection (6)(a) so that each school that
112	enrolls students in grade 7 or a higher grade receives an allocation of at least \$1,000.
113	(c) (i) A school shall use money allocated to the school under Subsection (6)(b) to
114	implement evidence-based practices and programs, or emerging best practices and programs,
115	for preventing suicide.
116	(ii) Each school may select the evidence-based practices and programs, or emerging
117	best practices and programs, for preventing suicide that the school implements.
118	(7) (a) The board shall provide a written report, and shall orally report to the

119	Legislature's Education Interim Committee, by the October 2015 meeting, jointly with the
120	public education suicide prevention coordinator and the state suicide prevention coordinator,
121	on:
122	(i) the progress of school district and charter school youth suicide prevention programs,
123	including rates of participation by school districts, charter schools, and students;
124	(ii) the board's coordination efforts with the Department of Health and the state suicide
125	prevention coordinator;
126	(iii) the public education suicide prevention coordinator's model program for training
127	and resources related to youth suicide prevention, intervention, and postvention;
128	(iv) data measuring the effectiveness of youth suicide programs;
129	(v) funds appropriated to each school district and charter school for youth suicide
130	prevention programs; and
131	(vi) five-year trends of youth suicides per school, school district, and charter school.
132	(b) School districts and charter schools shall provide to the board information that is
133	necessary for the board's report to the Legislature's Education Interim Committee as required in
134	Subsection (7)(a).
134 135	Subsection (7)(a). Section 2. Section 58-1-601 is enacted to read:
135	Section 2. Section 58-1-601 is enacted to read:
135 136	Section 2. Section 58-1-601 is enacted to read: Part 6. Suicide Prevention Training for Primary Care Providers
135 136 137	Section 2. Section 58-1-601 is enacted to read: Part 6. Suicide Prevention Training for Primary Care Providers <u>58-1-601.</u> Suicide prevention video Primary care providers.
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149 <u>Health created in Section 62A-15-103, shall:</u>

150	(a) create a series of suicide prevention videos that:
151	(i) are web-accessible;
152	(ii) are each no longer than 15 minutes in length; and
153	(iii) include information about:
154	(A) individuals at-risk for suicide; and
155	(B) suicide prevention and intervention; and
156	(b) provide, on the division's website, educational materials or courses that relate to
157	suicide prevention that a primary care provider may complete at no cost and apply toward
158	continuing competency requirements required by division rule.
159	(3) The division shall, in accordance with Title 63G, Chapter 3, Utah Administrative
160	Rulemaking Act, make rules that establish procedures for:
161	(a) producing the suicide prevention videos described in Subsection (2); and
162	(b) providing access to the videos to each primary care provider.
163	Section 3. Section 58-31b-305 is amended to read:
164	58-31b-305. Term of license Expiration Renewal.
165	(1) (a) The division shall issue each license or certification under this chapter in
166	accordance with a two-year renewal cycle established by rule.
167	(b) The division may by rule extend or shorten a renewal period by as much as one year
168	to stagger the renewal cycles [it] the division administers.
169	(2) The division shall renew the license of a licensee who, at the time of renewal:
170	(a) completes and submits an application for renewal in a form prescribed by the
171	division;
172	(b) pays a renewal fee established by the division under Section 63J-1-504; [and]
173	(c) views a suicide prevention video described in Section 58-1-601 and submits proof
174	in the form required by the division; and
175	[(c)] (d) meets continuing competency requirements as established by rule.
176	(3) In addition to the renewal requirements under Subsection (2), a person licensed as
177	an advanced practice registered nurse shall be currently certified by a program approved by the
178	division in collaboration with the board and submit evidence satisfactory to the division of that
179	qualification or if licensed prior to July 1, 1992, meet the requirements established by rule.
180	(4) In addition to the requirements described in Subsections (2) and (3), an advanced

181	practice registered nurse licensee specializing in psychiatric mental health nursing who, as of
182	the day on which the division originally issued the licensee's license had not completed the
183	division's clinical practice requirements in psychiatric and mental health nursing, shall, to
184	qualify for renewal:
185	(a) if renewing less than two years after the day on which the division originally issued
186	the license, demonstrate satisfactory progress toward completing the clinical practice
187	requirements; or
188	(b) have completed the clinical practice requirements.
189	(5) Each license or certification automatically expires on the expiration date shown on
190	the license or certification unless renewed in accordance with Section 58-1-308.
191	(6) The division shall accept and apply toward an hour requirement that the division
192	establishes under Subsection (2)[(c)](d) continuing education that an advanced practice
193	registered nurse completes in accordance with Section 26-61a-106.
194	Section 4. Section 58-67-303 is amended to read:
195	58-67-303. Term of license Expiration Renewal.
196	(1) (a) Except as provided in Section 58-67-302.7, the division shall issue each license
197	under this chapter in accordance with a two-year renewal cycle established by division rule.
198	(b) The division may by rule extend or shorten a renewal period by as much as one year
199	to stagger the renewal cycles [it] the division administers.
200	(2) At the time of renewal, the licensee shall [show compliance with]:
201	(a) view a suicide prevention video described in Section <u>58-1-601</u> and submit proof in
202	the form required by the division;
203	[(a)] (b) show compliance with continuing education renewal requirements; and
204	[(b)] (c) show compliance with the requirement for designation of a contact person and
205	alternate contact person for access to medical records and notice to patients as required by
206	Subsections 58-67-304(1)(b) and (c).
207	(3) Each license issued under this chapter expires on the expiration date shown on the
208	license unless renewed in accordance with Section 58-1-308.
209	(4) An individual may not be licensed as an associate physician for more than a total of
210	four years.
211	Section 5. Section 58-68-303 is amended to read:

212	58-68-303. Term of license Expiration Renewal.
213	(1) (a) The division shall issue each license under this chapter in accordance with a
214	two-year renewal cycle established by division rule.
215	(b) The division may by rule extend or shorten a renewal period by as much as one year
216	to stagger the renewal cycles [it] the division administers.
217	(2) At the time of renewal, the licensee shall [show compliance with]:
218	(a) view a suicide prevention video described in Section 58-1-601 and submit proof in
219	the form required by the division;
220	[(a)] (b) show compliance with continuing education renewal requirements; and
221	[(b)] (c) show compliance with the requirement for designation of a contact person and
222	alternate contact person for access to medical records and notice to patients as required by
223	Subsections 58-68-304(1)(b) and (c).
224	(3) Each license issued under this chapter expires on the expiration date shown on the
225	license unless renewed in accordance with Section 58-1-308.
226	(4) An individual may not be licensed as an associate physician for more than a total of
227	four years.
228	Section 6. Section 58-70a-304 is amended to read:
229	58-70a-304. License renewal Continuing education.
230	(1) Prior to license renewal, each licensee shall, during each two-year licensure cycle or
231	other cycle defined by division rule[,]:
232	(a) view a suicide prevention video described in Section 58-1-601 and submit proof in
233	the form required by the division; and
234	(b) complete qualified continuing professional education requirements as defined by
235	division rule made in collaboration with the board.
236	(2) If a renewal period is extended or shortened under Section 58-70a-303, the
237	continuing education hours required for license renewal under this section are increased or
238	decreased proportionally.
239	Section 7. Section 62A-15-1501 is enacted to read:
240	Part 15. Survivors of Suicide Loss Program
241	<u>62A-15-1501.</u> Definitions.
242	As used in this part:

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243	(1) "Account" means the Survivors of Suicide Loss Account created in Section
244	<u>62A-15-1502.</u>
245	(2) "Relative" means father, mother, husband, wife, son, daughter, sister, brother,
246	grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin,
247	mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.
248	Section 8. Section 62A-15-1502 is enacted to read:
249	62A-15-1502. Survivors of Suicide Loss Account.
250	(1) There is created a restricted account within the General Fund known as the
251	"Survivors of Suicide Loss Account."
252	(2) The division shall administer the account in accordance with this part.
253	(3) The account shall consist of:
254	(a) money appropriated to the account by the Legislature; and
255	(b) interest earned on money in the account.
256	(4) Upon appropriation, the division shall award grants from the account to:
257	(a) a relative, legal guardian, or cohabitant of an individual who dies by suicide as
258	reimbursement for costs incurred by the relative, legal guardian, or cohabitant for mental health
259	treatment or therapy as a result of the suicide; and
260	(b) a person who provides, for no or minimal cost:
261	(i) clean-up of property affected or damaged by an individual's suicide, as
262	reimbursement for the costs incurred for the clean-up; and
263	(ii) bereavement services to a relative, legal guardian, or cohabitant of an individual
264	who dies by suicide.
265	(5) The division shall establish a grant application and review process for the
266	expenditure of money from the account.
267	(6) The grant application and review process shall describe:
268	(a) requirements to complete the grant application;
269	(b) requirements for receiving funding;
270	(c) criteria for the approval of a grant application; and
271	(d) support offered by the division to complete a grant application.
272	(7) Upon receipt of a grant application, the division shall:
273	(a) review the grant application for completeness;

274	(b) make a determination regarding the grant application;
275	(c) inform the grant applicant of the division's determination regarding the grant
276	application; and
277	(d) if approved, award grants from the account to the grant applicant.
278	(8) Before November 30 of each year, the division shall report to the Health and
279	Human Services Interim Committee regarding the status of the account and expenditures made
280	from the account.
281	Section 9. Section 62A-15-1601 is enacted to read:
282	Part 16. Psychiatric Consultation Program
283	<u>62A-15-1601.</u> Definitions.
284	As used in this part:
285	(1) "Account" means the Psychiatric Consultation Program Account created in Section
286	<u>62A-15-1602.</u>
287	(2) "Health care facility" means a facility that provides licensed health care programs
288	and services and employs at least two psychiatrists, at least one of whom is a child psychiatrist.
289	(3) "Nurse practitioner" means an individual who is licensed to practice as an advanced
290	practice registered nurse under Title 58, Chapter 31b, Nurse Practice Act.
291	(4) "Physician" means an individual licensed to practice as a physician or osteopath
292	under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah
293	Osteopathic Medical Practice Act.
294	(5) "Physician assistant" means an individual who is licensed to practice as a physician
295	assistant under Title 58, Chapter 70a, Physician Assistant Act.
296	(6) "Primary care provider" means a nurse practitioner, physician, or physician
297	assistant.
298	(7) "Psychiatrist" means an individual who:
299	(a) is licensed as a physician under Title 58, Chapter 67, Utah Medical Practice Act, or
300	Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and
301	(b) is board eligible for a psychiatry specialization recognized by the American Board
302	of Medical Specialists or the American Osteopathic Association's Bureau of Osteopathic
303	Specialists.
304	(8) "Telehealth psychiatric consultation" means a consultation regarding a patient's

305	mental health care, including diagnostic clarification, medication adjustment, or treatment
306	planning, between a primary care provider and a psychiatrist that is completed through the use
307	of electronic or telephonic communication.
308	Section 10. Section 62A-15-1602 is enacted to read:
309	62A-15-1602. Psychiatric Consultation Program Account.
310	(1) There is created a restricted account within the General Fund known as the
311	"Psychiatric Consultation Program Account."
312	(2) The division shall administer the account in accordance with this part.
313	(3) The account shall consist of:
314	(a) money appropriated to the account by the Legislature; and
315	(b) interest earned on money in the account.
316	(4) Upon appropriation, the division shall award grants from the account to one or
317	more health care facilities to implement a program that provides a primary care provider access
318	to a telehealth psychiatric consultation when evaluating a patient for or providing a patient
319	mental health treatment.
320	(5) The division may award and distribute grant money to a health care facility only if
321	the health care facility:
322	(a) is located in the state; and
323	(b) submits an application in accordance with Subsection (6).
324	(6) An application for a grant under this section shall include:
325	(a) the number of psychiatrists employed by the health care facility;
326	(b) the health care facility's plan to implement the telehealth psychiatric consultation
327	program described in Subsection (4);
328	(c) the estimated cost to implement the telehealth psychiatric consultation program
329	described in Subsection (4);
330	(d) any plan to use one or more funding sources in addition to a grant under this section
331	to implement the telehealth psychiatric consultation program described in Subsection (4);
332	(e) the amount of grant money requested to fund the telehealth psychiatric consultation
333	program described in Subsection (4); and
334	(f) any existing or planned contract or partnership between the health care facility and
335	another person to implement the telehealth psychiatric consultation program described in

336	Subsection (4).
337	(7) A health care facility that receives grant money under this section shall file a report
338	with the division before October 1 of each year that details for the immediately preceding
339	calendar year:
340	(a) the type of services provided in the telehealth psychiatric program and the
341	effectiveness of the services;
342	(b) the total amount expended from the grant money; and
343	(c) the intended use for grant money that has not been expended.
344	(8) Before November 30 of each year, the division shall report to the Health and
345	Human Services Interim Committee regarding:
346	(a) the status of the account and expenditures made from the account; and
347	(b) a summary of any report provided to the division under Subsection (7).
348	Section 11. Section 78B-4-516 is enacted to read:
349	78B-4-516. Immunity for providing assistance in a suicide emergency.
350	(1) As used in this section:
351	(a) "Emergency care" means assistance or advice offered to avoid, mitigate, or attempt
352	to mitigate the effects of a suicide emergency.
353	(b) "Suicide emergency" means an occurrence that reasonably indicates an individual is
354	at risk of dying or attempting to die by suicide.
355	(2) A person who provides emergency care at or near the scene of, or during, a suicide
356	emergency, gratuitously and in good faith, is not liable for any civil damages or penalties as a
357	result of any act or omission by the person providing the emergency care, unless the person is
358	grossly negligent or caused the suicide emergency.
359	Section 12. Appropriation.
360	The following sums of money are appropriated for the fiscal year beginning on July 1,
361	2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
362	fiscal year 2020.
363	Subsection (12)(a). Restricted Fund and Account Transfers. The Legislature
364	authorizes the Division of Finance to transfer the following amounts between the following
365	funds or accounts as indicated. Expenditures and outlays from the funds to which the money is
366	transferred must be authorized by an appropriation.

367	ITEM 1
368	To General Fund Restricted Survivors of Suicide Loss Account
369	From General Fund \$83,000
370	Schedule of Programs:
371	General Fund Restricted Survivors of Suicide
372	Loss Account \$83,000
373	ITEM 2
374	To General Fund Restricted Psychiatric Consultation Program Account
375	From General Fund \$350,000
376	Schedule of Programs:
377	General Fund Restricted Psychiatric Consultation
378	Program Account \$350,000
379	Subsection (12)(b). Operating and Capital Budgets. Under the terms and conditions
380	of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following
381	sums of money from the funds or accounts indicated for the use and support of the government
382	of the state of Utah.
383	ITEM 3
384	To Department of Human Services Division of Substance
385	Abuse and Mental Health
386	From General Fund Restricted Survivors of Suicide Loss Account \$83,000
387	Schedule of Programs:
388	Community Mental Health Services \$83,000
389	The Legislature intends that under Section 63J-1-603, appropriations provided under
390	this item not lapse at the close of fiscal year 2020 and the use of any nonlapsing funds is
391	limited to the purpose described under Section 62A-15-1502.
392	ITEM 4
393	To Department of Human Services Division of Substance Abuse and Mental Health
394	From General Fund Restricted Psychiatric Consultation
395	Program Account \$350,000
396	Schedule of Programs:
397	Community Mental Health Services \$350,000

398	The Legislature intends that under Section 63J-1-603, appropriations provided under
399	this item not lapse at the close of fiscal year 2020 and the use of any nonlapsing funds is
400	limited to the purpose described under Section 62A-15-1602.
401	ITEM 5
402	To Department of Human Services Division of Substance Abuse and Mental Health
403	From General Fund \$900,000
404	Schedule of Programs:
405	Community Mental Health Services \$900,000
406	The Legislature intends that:
407	(1) appropriations provided under this item be used for suicide prevention,
408	intervention, and postvention, including:
409	(a) suicide prevention and intervention training and education for health care providers
410	and individuals in the community;
411	(b) development of suicide prevention resources and tools and delivery of the resources
412	and tools to individuals in the community; and
413	(c) providing postvention support and information relating to coping and problem
414	solving skills to individuals in the community impacted by suicide loss; and
415	(2) under Section 63J-1-603, appropriations provided under this item not lapse at the
416	close of fiscal year 2020 and the use of any nonlapsing funds is limited to the purpose
417	described under this item.
418	ITEM 6
419	To Governor's Office Suicide Prevention
420	From General Fund, One-time \$1,500,000
421	Schedule of Programs:
422	Suicide Prevention \$1,500,000
423	The Legislature intends that:
424	(1) subject to Subsection (2) of this item, the appropriations provided under this item
425	be used to award grants under Section 62A-15-1103;
426	(2) the amount of appropriations under this item used to award grants under Section
427	62A-15-1103 may not exceed the total amount of private gifts, grants, and bequests of personal
428	property made to the Governor's Suicide Prevention Fund under Section 62A-15-1103 after

- 429 <u>October 31, 2018; and</u>
- 430 (3) subject to Section 63J-1-603, appropriations provided under this item not lapse at
- 431 the close of fiscal year 2020 and the use of any nonlapsing funds is, subject to Subsection (2) of
- 432 this item, limited to the purpose described in Subsection (1) of this item.