

COURT-APPOINTED THERAPISTS AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses immunity for court-appointed therapists.

Highlighted Provisions:

This bill:

- ▶ provides that court-appointed therapists are immune from civil liability for damages or injury in certain circumstances;
- ▶ provides an exception to immunity for court-appointed therapists; and
- ▶ addresses other immunity and protection provided by state or federal law.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-4-518, Utah Code Annotated 1953

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

Section 1. Section **78B-4-518** is enacted to read:

78B-4-518. Immunity for court-appointed therapist.

(1) As used in this section, "court-appointed therapist" means a mental health



28 professional ordered by a court to provide psychotherapeutic treatment to an individual, a
29 couple, or a family.

30 (2) (a) A court-appointed therapist is immune from civil liability for damages or any
31 injury resulting from providing psychotherapeutic treatment in accordance with a court order.

32 (b) A court-appointed therapist is not immune from civil liability under Subsection
33 (2)(a) if the court-appointed therapist violates Title 58, Chapter 1, Part 5, Unlawful and
34 Unprofessional Conduct - Penalties.

35 (3) The immunity provided in Subsection (2) is in addition to any other immunity or
36 protection that may apply under state or federal law.