

Senator Jacob L. Anderegg proposes the following substitute bill:

HEALTH INFORMATION SHARING ACT

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Department of Public Safety to create a database of voluntarily provided information on individuals with mental illnesses, behavioral disorders, and other neurological disorders for integration with the 911 emergency dispatch system.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Department of Public Safety to create a database;
- ▶ requires the department to create a portal on the department's website for individuals to provide certain information;
- ▶ provides that the information in the database is not available to the public;
- ▶ requires annual verification of the information;
- ▶ provides for removal of the information;
- ▶ requires the department to provide information to physicians; and
- ▶ requires physicians to provide information to patients regarding the database.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **53-20-101**, Utah Code Annotated 1953

30 **53-20-102**, Utah Code Annotated 1953

31 **53-20-103**, Utah Code Annotated 1953

32 **53-20-104**, Utah Code Annotated 1953

33 **53-20-105**, Utah Code Annotated 1953

34 **53-20-106**, Utah Code Annotated 1953



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

37 Section 1. Section **53-20-101** is enacted to read:

38 **CHAPTER 20. PUBLIC SAFETY DATABASE**

39 **53-20-101. Public safety database -- Definitions.**

40 As used in this chapter:

41 (1) "Adult" means an individual 18 years old or older.

42 (2) "Child" means an individual under 18 years old.

43 (3) "Department" means the Department of Public Safety.

44 (4) "Disability" means an individual has been diagnosed by a physician as:

45 (a) having a mental illness;

46 (b) being on the autism spectrum;

47 (c) having a substance abuse disorder; or

48 (d) having neurological and developmental disorders.

49 (5) "Physician" means the same as that term is defined in Section [26-2-2](#).

50 Section 2. Section **53-20-102** is enacted to read:

51 **53-20-102. Database creation.**

52 (1) The department shall create and maintain a database containing specific
53 information submitted to the department regarding individuals with a disability.

54 (2) The database shall be integrated with the Utah Criminal Justice Information System

55 to:

56 (a) provide a secure platform to manage the data; and

57 (b) provide public safety with accessibility for appropriate dissemination to first
58 responders.

59 Section 3. Section **53-20-103** is enacted to read:

60 **53-20-103. Database information collection -- Who may provide -- Uses --**

61 **Prohibitions.**

62 (1) The following individuals may provide information to the department:

63 (a) a parent or guardian of a child with a disability;

64 (b) a guardian or conservator of an adult with a disability;

65 (c) an individual residing with an adult with a disability; or

66 (d) the physician who provided the diagnosis.

67 (2) The department shall provide a portal on its website to facilitate gathering the
68 required information.

69 (3) If an individual listed in Subsection (1) chooses to enter the information of an
70 individual with a disability into the database, the following information shall be provided:

71 (a) legal name;

72 (b) date of birth;

73 (c) home address;

74 (d) physical description as required by the website;

75 (e) the individual's specific disability;

76 (f) proof of diagnosis from a physician;

77 (g) validation if there is a history of violence; and

78 (h) a photo.

79 (4) The information shall be stored in a database, as created in Section [53-20-102](#), that
80 is accessible to authorized public safety personnel and designed to provide a dispatcher
81 pertinent and timely information.

82 (5) Information in the database is not a public record and may not be made available to
83 the public.

84 Section 4. Section **53-20-104** is enacted to read:

85 **53-20-104. Annual verification -- Removal.**

86 (1) All information provided to the department shall be verified annually by the
87 department in a manner determined by the department, but shall consist of at least a letter

88 mailed to the address in the database entry requesting verification of the information. The letter
89 shall provide instructions for verifying an individual's information.

90 (2) If the department does not receive a response within 90 days, the address shall be
91 removed from the system at the end of the 90 day period.

92 Section 5. Section **53-20-105** is enacted to read:

93 **53-20-105. Department to provide information to physicians -- Physicians to**
94 **provide information to patients.**

95 (1) The department shall provide information regarding the database created in Section
96 53-20-102 to all physicians within the state. The information shall be in written form and
97 include:

98 (a) eligible disabilities;

99 (b) who is eligible for inclusion;

100 (c) what information is required to be provided;

101 (d) how to provide the information;

102 (e) an explanation of the database;

103 (f) how an individual may be removed from the database; and

104 (g) how the individual may receive further information.

105 (2) A physician shall provide the information provided by the department to all patients
106 who may be eligible for inclusion.

107 Section 6. Section **53-20-106** is enacted to read:

108 **53-20-106. Department to provide information and access to public safety**
109 **agencies - Training and access.**

110 (1) The department shall provide information regarding the database created in Section
111 53-20-102 to all public safety agencies within the state. The information shall be in written
112 form and include:

113 (a) an explanation of the database;

114 (b) who is eligible for inclusion;

115 (c) what information is required to be provided;

116 (d) how to provide the information; and

117 (e) how an individual may be removed from the database.

118 (2) Access to the database shall be provided to all public safety employees with a valid

119 Utah Criminal Justice Information System login.

120 (3) Information shall be disseminated in accordance with the Utah Criminal Justice

121 Information System agreement.