

Legislative Coalition for People with Disabilities Legislative Wrap-up 2013 General Session



Department of Human Services			
Appropriations	\$2,600 ongoing Utah Developmental Disabilities Council \$268,900 ongoing State Contract Provider COLA (1% increase)		
Intent Language	1. The Legislature intends that the Department of Human Services prepare proposed performance measures for all new state funding for building blocks and give this information to the Office of the Legislative Fiscal Analyst by June 30, 2013. The Department of Human Services shall provide its first report on its performance measures to the Office of the Legislative Fiscal Analyst by October 31, 2013. The Office of the Legislative Fiscal Analyst shall give this information to the legislative staff of the Health and Human Services Interim Committee.		
Division of Services for People with Disabilities			
Bill Title / Sponsor	Highlights	Position	Status
HB 400 Behavior Analyst State Certification Act – Rep. R. Menlove	This bill establishes requirements for state certification, and renewal of state certification, by the Division of Occupational and Professional Licensing (DOPL) regarding the practice of applied behavior analysis; establishes that, as part of the requirements for state certification, an individual must be certified as a board certified behavior analyst or board certified assistant behavior analyst by the	Vote not taken	Failed

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	Behavior Analyst Certification Board; provides that if an individual loses certification as a board certified behavior analyst or board certified assistant behavior analyst by the Behavior Analyst Certification Board, the individual must notify DOPL, and DOPL must revoke the individual's state certification; establishes exemptions from state certification to practice applied behavior analysis; and establishes that it is unlawful for an individual to use the title of state certified behavior analyst or state certified assistant behavior analyst if the individual is not certified by the Behavior Analyst Certification Board.		
SB 17 Sub 1 Account for People with Disabilities Amendments – Sen. M. Dayton	This bill requires a two-thirds vote of the Legislature to repeal the section creating the Account for People with Disabilities restricted account; prohibits the Legislature from using money in the Account for People with Disabilities Restricted Account to eliminate an operating deficit; and makes technical changes.	Support	Passed
SB 200 Sub 3 Local and Special Service Districts Amendments – Sen. J. Stevenson	This bill amends procurement provisions governing a political subdivision; enacts provisions prohibiting the creation of a local district in certain circumstances; enacts provisions that require the dissolution of a local district in certain circumstances; amends provisions that govern the terms of office of a local district board of trustees; permits a member of the board of trustees to continue to serve until a successor is elected or appointed; amends provisions related to the election of a local district board member; amends provisions related to compensation paid to a member of the board of trustees; prohibits a board of trustees from adopting certain bylaws or rules in certain circumstances; amends provisions governing employment of a member of the board of trustees by a local district; amends provisions related to a local district audit; authorizes a special service district to provide cemetery services; amends provisions related to filling a midterm vacancy on a local district board; enacts language related to background checks of certain public transit district employees..	Follow	Passed
SB 259 Amendments to Disability Waiting List – Sen. A. Christensen	This bill states that, beginning July 1, 2013, the Division of Services for People With Disabilities shall spend 85% of new appropriations to serve individuals based on the severity of their disability, urgency of their need, ability of a parent or guardian to provide the person with disability with adequate care and supervision, and length of time waiting for services; and 15% of new appropriations for respite care.	Support	Passed
SB 268 Human Services Background Checks – Sen. A. Christensen	This bill extends the pilot program for expedited background checks for a qualified human services applicant to 2017; requires the Office of Licensing to report to the Health and Human Services Interim Committee during the 2016 interim on the functioning of the pilot program and whether it should be modified or extended.	Support	Passed

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Appropriations	<p>\$2,543,300 ongoing Structural Imbalance in Medicaid Waiver replaces one-time funding from (FY2013)</p> <p>\$1,866,000 ongoing Mandated Additional Needs</p> <p>\$1,054,100 ongoing Youth Aging Out of DCFS Custody</p> <p>\$500,000 ongoing Disabilities Waiting List</p>		
Intent Language	<p>1.The Legislature intends the Division of Services for People with Disabilities (DSPD) use FY 2014 beginning nonlapsing funds to provide services for individuals needing emergency services, individuals needing additional waiver services, individuals who turn 18 years old and leave state custody from the divisions of Child and Family Services and Juvenile Justice Services, and individuals court ordered into DSPD services. The Legislature further intends DSPD report to the Office of the Legislative Fiscal Analyst on the use of these nonlapsing funds.</p>		
HJR 20 Master Study Resolution – Rep. B. Dee	<p>57. Economic Development and Workforce Services Issues – to study issues related to economic development and workforce services, including branding Utah for economic development, barriers to economic development, the process of accessing and receiving services from the Department of Workforce Services, a review and followup on recent audits, intergenerational poverty, a review of required reports to determine whether they can be consolidated, unemployment, and issues related to the Division of Services for People with Disabilities, including process and waiting list issues.</p>		
Division of Substance Abuse and Mental Health			
Bill Title / Sponsor	Highlights	Position	Status
HB 56 Behavioral Health Care Workforce Amendments – Rep. R. Menlove	<p>This bill permits licensed mental health therapists and substance use disorder counselors to offer therapy remotely via Internet, telephone, or other electronic means under existing authority of the Division of Occupational and Professional Licensing (DOPL); grants rulemaking authority to DOPL relating to the method that mental health professional or psychologist license applicants may complete training hours; provides that individuals licensed and in good standing to practice remote mental health therapy or substance use disorder counseling in other jurisdictions may provide short term transitional remote mental health therapy or remote substance use disorder counseling to clients or patients relocating to the state of Utah.</p>	Support	Passed
HB 57 Mental and Behavioral Health Amendments – Rep. D. Sanpei	<p>This bill requires the Division of Substance Abuse and Mental Health to promote integrated programs that address an individual’s substance abuse, mental health, and physical healthcare needs; requires local substance abuse and mental health authorities to cooperate with the Division of Substance Abuse and Mental Health in promoting the aforementioned programs; requires the Division of Substance Abuse and Mental Health to evaluate the effectiveness of integrated health programs;</p>	Support	Passed

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	requires the Division of Substance Abuse and Mental Health to review and approve each local substance abuse and mental health authority’s plan to ensure that services result in improved overall health and functioning; repeals language referring to the state board of substance abuse and mental health.		
HB 154 Suicide Prevention Programs – Rep. S. Eliason	See description under State Board of Education section	Follow	Passed
Appropriations	<p>\$2,000,000 ongoing, \$1,500,000 one-time Mental Health Early Intervention for Children/Youth</p> <p>\$870,000 ongoing Drug Courts</p> <p>\$2,000,000 one-time Local Authority Medicaid Match</p> <p>\$250,000 one-time Children’s Center –Services for Preschool Children</p> <p>\$100,000 one-time Drug Offender Reform Act (DORA) 2013 Supplemental</p> <p>\$5,000,000 one-time State Hospital (Capitol Improvement)</p> <p>\$175,000 ongoing Drug Offender Reform Act</p> <p>\$150,000 one-time Pingree School Bus</p> <p>\$70,000 one-time Alliance House – housing assistance</p>		
Intent Language	<p>1. The Legislature intends the Division of Substance Abuse and Mental Health report to the Office of the Legislative Fiscal Analyst by September 1, 2013 regarding: 1) detailed uses of the \$3,500,000 FY 2013 one-time funding provided during the 2012 General Session for the Mental Health Early Intervention Pilot Program; 2) match amounts, including in-kind efforts, provided by other entities participating in the pilot program; and 3) measurements used to determine the effectiveness of the pilot program.</p> <p>2. The Legislature intends the DORA (Drug Offender Reform Act) Oversight Committee report to the Office of the Legislative Fiscal Analyst by September 1, 2013 regarding its accomplishments in response to the strategies recommended by the Utah Criminal Justice Center to strengthen the program in its November 2011 Drug Offender Reform Act: DORA Statewide Report (and reiterated in its November 2012 report). The DORA Oversight Committees plan for adopting these strategies is outlined in its September 1, 2012 DORA Program Report to the Office of the Legislative Fiscal Analyst.</p>		
HJR 20 Master Study Resolution – Rep.	91. Community Mental Health Funding - to study access to mental health services for those without Medicaid. This has become a problem due to regulations that are leading community mental health centers to become exclusively Medicaid providers and leaves those without Medicaid few options and poor mental health care.		

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Brad Dee	<p>92. Consequences of Current Community Mental Health Funding Structure - to study the current funding structure of community mental health centers. Due to these funding structures, community mental health centers are being "forced" or incentivized to provide expensive care and provide care only to Medicaid recipients. The centers are unable to continue to provide mental health care to all of the community, which forces low income individuals to go on Medicaid, and to stay on Medicaid, to obtain services.</p> <p>106. Preferred Drug List for Mental Illness - to study a Medicaid preferred drug list for treatment of mental illness.</p>		
Department of Health			
Bill Title / Sponsor	Highlights	Position	Status
HCR 8 Concurrent Resolution on Parkinson's Disease – Rep. S. Barlow	This resolution urges the Utah Department of Health to include Parkinson's Disease in its registry of diseases; and encourages the Utah Department of Health to consider ways it may partner with interested groups to help fund a Parkinson's Disease registry.	Support	Passed
Appropriations	\$300,000 ongoing Data Security and Privacy Office		
Intent Language	<p>1. The Legislature intends that the Department of Health prepare proposed performance measures for all new state funding for building blocks and give this information to the Office of the Legislative Fiscal Analyst by June 30, 2013. The Department of Health shall provide its first report on its performance measures to the Office of the Legislative Fiscal Analyst by October 31, 2013. The Office of the Legislative Fiscal Analyst shall give this information to the legislative staff of the Health and Human Services Interim Committee.</p> <p>2. The Legislature intends that the Department of Technology Services shall use its contributed capital to pay for the costs of providing the Department of Health's request for "Credit Monitoring" in the amount of \$922,000 one-time without increasing internal service fund rates.</p>		
Division of Disease Control and Prevention			
Bill Title / Sponsor	Highlights	Position	Status
HB 414 Traumatic Head and Spinal Cord Injury Rehabilitation Fund Amendments –	This bill amends the composition of the Traumatic Spinal Cord and Brain Injury Rehabilitation Fund to include the additional fee for traumatic spinal cord and brain injury rehabilitation associated with the registration fee required to register an off-highway vehicle; and establishes a fee for traumatic spinal cord and brain injury rehabilitation that is included with the registration fee required to register an off-highway	Vote not taken	Failed

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Rep. E. Hutchings	vehicle.		
Appropriations	\$200,000 one-time Traumatic Brain Injury Fund		
Division of Family Health and Preparedness/ Bureau of Children with Special Health Care Needs			
Bill Title / Sponsor	Highlights	Position	Status
HB 81 Sub 2 Cytomegalovirus Public Health Initiative – Rep. R. Menlove	This bill directs the Department of Health to create a public education program to inform pregnant women and women who may become pregnant about the occurrence of CMV, the transmission of CMV, the birth defects that CMV can cause, methods of diagnosis, and available preventative measures; requires the Department of Health to provide this information to: licensed child care programs and their employees.	Support	Passed
HB 157 Sub 1 Children’s Hearing Aid Pilot Program – Rep. R. Edwards	This bill creates a two-year pilot program within the Department of Health to provide hearing aids to qualifying children with hearing loss; establishes the Children’s Hearing Aid Advisory Committee to advise the Department of Health regarding qualification criteria and proposed rules; creates a restricted account within the General Fund called the “Children’s Hearing Aid Pilot Program Account”; directs the Department of Health to establish a process to identify eligible children for the pilot program; grants rulemaking authority to the Department of Health over the implementation of the pilot program; requires the Department of Health to report to the Health and Human Services Interim Committee on the outcomes of the pilot program; and requires the Health and Human Services Interim Committee to determine if the pilot program should be converted to an ongoing program within the Department of Health.	Follow	Passed
HB 276 Newborn Screening for Critical Congenital Heart Defects – Rep. Paul Ray	This bill amends newborn testing requirements to include pulse oximetry for identification of critical congenital heart defects; requires the Department of Health to conduct a pilot program to determine the most appropriate methods to implement pulse oximetry screening.	Support	Passed
Appropriations	\$1,763,700 ongoing Baby Watch Early Intervention – Caseload growth \$220,000 one-time Baby Watch Early Intervention – Caseload growth \$2,000,000 Autism Treatment Account (authorized spending of monies previously donated)		
Intent Language	1. Under Section 63J-1-603 of the Utah Code, the Legislature 805 intends that up to \$220,000 of the appropriations provided for the Family Health and Preparedness line item not lapse at the close of Fiscal Year 2013. The use of any		

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	nonlapsing funds is limited to early intervention services in the baby watch program.		
HJR 20 Master Study Resolution – Rep. B. Dee	87. Autism - to study autism funding.		
Division of Medicaid and Health Financing (Medicaid/CHIP)			
Bill Title / Sponsor	Highlights	Position	Status
HB 141 Medicaid Emergency Room and Primary Care Amendments – Rep. M. Kennedy	This bill clarifies the authority of an accountable care organization that administers a plan for Medicaid or the Children’s Health Insurance Program to audit a provider for delivering nonemergent care in an emergency room; permits an accountable care organization to establish a differential payment for nonemergent care delivered in an emergency room; requires the accountable care organization to use savings from reductions of inappropriate emergency room use to improve enrollee’s access to primary care and urgent care; requires the Department of Health to develop quality measures for the appropriate use of emergency rooms and access to primary care, and to compare the accountable care organizations based on the quality measures; and directs the Department of Health to apply for waivers to the Medicaid program and the Children’s Health Insurance Program to impose higher copayments on a recipient who seeks nonemergent care in an emergency room; and allow the Medicaid program and the Children’s Health Insurance Program to development an algorithm to determine assignment of new recipients to the accountable care organization plans that have the better quality measure ratings.	Follow	Passed
HB 153 Medicaid Amendments – Rep. R. Chavez-Houck	This bill defines the Patient Protection and Affordable Care Act (PPACA); requires the Department of Health to amend the state Medicaid plan to expand Medicaid eligibility to the optional populations under PPACA; requires the department and the Department of Workforce Services to apply for an enhanced federal match rate and other funding to pay for administrative and developmental costs for the eligibility and enrollment system; and requires that General Fund savings associated with the expansion of Medicaid shall be deposited into the Medicaid Growth Reduction and Budget Stabilization Account to be used to fund the future costs of Medicaid expansion.	Support	Failed
HB 292 Sub 1 Premium Assistance Under Medicaid and CHIP – Rep. D. Sanpei	This bill directs the Utah Department of Health to seek to maximize the use of Medicaid and Children’s Health Insurance Program funds for assistance in the purchase of private health insurance coverage for Medicaid-eligible and non-Medicaid-eligible individuals.	Support	Passed

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HB 329 Medicaid Vision Amendments – Rep. R. Menlove	This bill requires the Department of Health to issue a request for proposal to provide vision services to all Medicaid populations within appropriations from the Legislature.	Support	Passed
HB 391 Sub 5 Prohibition of the Medicaid Expansion – Rep. J. Anderegg	This bill defines terms; prohibits the Department of Health or the governor from expanding the state Medicaid program to optional expansion populations unless: the Health System Reform Task Force completes a review of a statewide charity care system; the department completes a thorough analysis of the impact of Medicaid expansion in the state and makes the analysis available to the public; and the department reports to the Legislature in accordance with statutory reporting requirements.	Follow	Passed
SB 55 Sub 4 Coverage for Autism Spectrum Disorder – Sen. B. Shiozawa	This bill amends the age of the children who may participate in the Medicaid autism treatment pilot program (<i>at least two years old and less than seven years old</i>).	Support	Failed
SB 54 Licensing of Nursing Care Facility Beds – Sen. C. Bramble	This bill authorizes the department to license non-Medicaid nursing care facility beds for a facility that will have at least 100 beds; if a facility has 100 or more beds, authorizes the department to convert a limited number of non-Medicaid certified beds in the nursing care facility to Medicaid certified beds for continuity of care for patients who have exhausted personal resources and Medicare reimbursements; and extends the moratorium on licensing of non-Medicaid certified beds until July 1, 2018.	Follow	Passed
SB 227 Sub 1 Patient Information Protection Amendments – Sen. S. Urquhart	This bill requires certain health care providers that enter into a provider agreement with the state Medicaid program to purchase insurance that would cover a health data breach; and specifies certain coverage requirements that must be maintained by the provider.	Follow	Failed
Appropriations	(-\$17,400,000) ongoing reduction, (-\$40,900,000) one-time reduction Medicaid Caseload Decrease \$2,300,000 ongoing Affordable Care Act Mandatory – CHIP Expansion \$15,600,000 ongoing Affordable Care Act Mandatory – Medicaid Changes \$1,350,000 one-time Increase Accountable Care Organization Administration \$5,000,000 one-time from closing nonlapsing Appropriations Balances - Medicaid Management Information System Replacement \$922,000 one-time Credit Monitoring		
Intent Language	1. The Legislature intends that the Department of Health provide its contractor's report on the costs and benefits		

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	<p>of Medicaid optional expansion to the Office of the Legislative Fiscal Analyst as soon as it is ready. The Fiscal Analyst shall then distribute the report to all members of the Social Services Appropriations Subcommittee.</p> <p>2. The Legislature intends that to the extent possible with existing appropriations, the Department of Health shall align Supplemental Nutrition Assistance Program regulations and Medicaid regulations.</p> <p>3. Under Section 63J-1-603 of the Utah Code the Legislature intends that appropriations provided for the Childrens Health Insurance Program in Item 88 of Chapter 416 Laws of Utah 2012 not lapse at the close of Fiscal Year 2013. The use of any nonlapsing funds is limited to caseload and utilization increases.</p> <p>4. Under Section 63J-1-603 of the Utah Code the Legislature intends that all appropriations provided for Medicaid Mandatory Services in Item 10 of Chapter 14, Laws of Utah 2012 not lapse at the close of Fiscal Year 2013. The use of any nonlapsing funds is limited to the provision of Medicaid services.</p> <p>5. Under Section 63J-1-603 of the Utah Code the Legislature intends that all appropriations provided for Medicaid Optional Services in Item 11 of Chapter 14, Laws of Utah 2012 not lapse at the close of Fiscal Year 2013. The use of any nonlapsing funds is limited to the provision of Medicaid services.</p>		
<p>HJR 20 Master Study Resolution – Rep. B. Dee</p>	<p>98. Medicaid and Health Insurance for Legal Immigrant Children - to study amendments to the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage and health insurance for legal immigrant children regardless of the length of time the child has been in the United States (2012 General Session S.B. 41).</p> <p>99. Medicaid Cost Control - to study changes to the Medicaid drug program to create Medicaid drug cost savings (2012 General Session S.B. 85).</p> <p>100. Medicaid Expansion - to study issues related to Medicaid expansion.</p> <p>101. Medicaid Substitute - to study a Medicaid substitute for "charity care," including a cost/benefit analysis, how to structure the program, and how the program would be overseen.</p> <p>105. Patient Information Protection Amendments - to study a requirement that certain health care providers that enter into a provider agreement with the state Medicaid program must purchase insurance that would cover a health data breach, and a requirement that certain coverage requirements must be maintained by the provider (1st Sub. S.B. 227).</p>		
<p>State Board of Education</p>			
<p>Office of Education</p>			
<p>Bill Title / Sponsor</p>	<p>Highlights</p>	<p>Position</p>	<p>Status</p>

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<p>HB 134 Sub 1 Parental Notification Related to Student Safety – Rep. G. Froerer</p>	<p>This bill requires a school to notify a parent if the parent’s student threatens to commit suicide; or of an alleged incident of bullying, cyber-bullying, harassment, hazing, or retaliation involving the parent’s student; and requires a school to have a parent sign a statement acknowledging that the parent was notified of the suicide threat or bullying.</p>	<p>Follow</p>	<p>Failed</p>
<p>HB 154 Suicide Prevention Programs – Rep. S. Eliason</p>	<p>This bill requires the State Board of Education to designate a State Office of Education suicide prevention coordinator to oversee school district and charter school youth suicide prevention programs; establish model youth suicide prevention programs for school districts and charter schools that include certain requirements; and report the progress of implementation of programs related to youth suicide prevention to the Legislature’s Education Interim Committee; requires school districts and charter schools to implement a youth suicide prevention program for students in secondary grades; requires the Division of Substance Abuse and Mental Health to designate a state suicide prevention coordinator; requires the state suicide prevention coordinator to: coordinate suicide prevention programs and efforts statewide with multiple entities, including the State Board of Education; and report to the Legislature’s Education Interim Committee, jointly with the State Board of Education, on suicide prevention programs and coordination with the State Board of Education; provides money: to the State Board of Education and the Department of Human Services to oversee suicide prevention programs; and for resources to implement youth suicide prevention programs for school districts and charter schools.</p>	<p>Follow</p>	<p>Passed</p>
<p>HB 269 Training of School Nurses – Rep. P. Ray</p>	<p>This bill permits a school nurse to assess a child who sustains a concussion or a traumatic head injury during school hours on school property; and prohibits a school nurse from providing a written statement permitting the child to return to free play or physical education class after sustaining a concussion or a traumatic head injury unless the nurse has been trained in the evaluation and management of a head injury.</p>	<p>Support</p>	<p>Passed</p>
<p>HB 298 Parent Seminar on Youth Protection –Rep. S. Eliason</p>	<p>This bill requires school districts to offer an annual seminar to parents with information on substance abuse, bullying, mental health, and Internet safety; requires the State Board of Education to develop a curriculum and provide it to requesting school districts; and report on the program to the Education Interim Committee; requires a school district to notify charter schools located within the school district’s 20 boundaries of the parent seminar and allows a school district to opt out of providing the parent seminar if the local school board determines the seminar is not needed in its district.</p>	<p>Support</p>	<p>Passed</p>
<p>SB 71 Sub 1 Results- Based Financing for Early Childhood</p>	<p>This bill: creates the Results-based Early Education Restricted Account; creates the Results-based Early Education Board (board) to negotiate contracts with private entities to fund certain early education programs; requires the State Board of</p>	<p>Follow</p>	<p>Failed</p>

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Education – Sen. A. Osmond	Education to approve contracts of the board; requires the repayment to private entities to be conditioned on meeting performance outcomes set in the contract; requires an independent evaluation of the performance outcomes; requires the State Board of Education to staff the board; allows the board no more than \$10,000,000 of outstanding obligations or the funding of more than 3% of the total public school enrollment at any one time; details components of a high quality preschool program that may be funded through a results-based contract between the board and private entities; describes a home-based technology program that may be funded through a results-based contract between the board and private entities; and establishes reporting requirements.		
SB 184 Sub 1 Youth Suicide Prevention Revisions – Sen. Robles	This bill requires a school to notify a parent if the parent’s student threatens to commit suicide; or of an alleged incident of bullying, cyber-bullying, harassment, hazing, or retaliation involving the parent’s student; and requires a school to have a parent sign a statement acknowledging that the parent was notified of the suicide threat or bullying; and provides that a signed parental statement verifying the parent was notified of a suicide threat or bullying incident: is a private record for purposes of the Government Records Management Act; and may not be used by the school for the school's own purposes.	Follow	Failed
HJR 20 Master Study Resolution – Rep. B. Dee	27. Bullying and Hazing Amendments - to study changes to the definition of bullying and hazing (S.B. 243). 28. Bullying Prevention Programs - to study and examine bullying prevention programs with data that demonstrates verifiable results.		
Special Education Services			
Bill Title / Sponsor	Highlights	Position	Status
HB 171 Dyslexia Screening Public Schools – Rep. J. Knotwell	This bill requires the State Board of Education to develop a list of indicators that indicate whether a student may be at risk for a reading difficulty or dyslexia; requires a school district or charter school to provide a reading difficulties screening to each student to identify students who may be at risk for a reading difficulty or dyslexia; requires a school district or charter school to perform or recommend an assessment for certain students at risk for a reading difficulty or dyslexia; and requires a school district or charter school that determines that a student has a reading difficulty or dyslexia to prepare an individualized education program for the student; and administer appropriate interventions to address the student’s identified reading difficulty or dyslexia.	Follow	Failed

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SB 103 Carson Smith Scholarship Amendments – Sen. J.S. Adams	This bill requires the Legislature to annually increase the amount of money appropriated for scholarship payments by a certain amount; requires the Public Education Appropriations Subcommittee to study the requirement to annually increase appropriations for scholarship payments if the percentage of scholarship students equals or exceeds 7% of the public school students statewide in grades kindergarten through 12 who have an IEP.	Follow	Passed
Appropriations	\$242,000 ongoing Carson Smith Scholarship Amendments (SB 103) \$2,659 for special education and career and technology add-on programs/WPU \$2,899 for all other Basic School programs/WPU		
Schools for the Deaf and Blind			
Appropriations	\$215,000 ongoing Steps and Lanes (State Agency COLA)		
Intent Language	1. The Legislature intends that the Utah Schools for the Deaf and the Blind, in working with the public education fiscal analyst, study its pupil transportation contract and report to the Public Education Appropriations Subcommittee before the November 2013 Interim meeting on whether the most cost effective method of transportation is being used. 2. The Legislature intends that the Utah Schools for the Deaf and the Blind develop quantifiable performance measures associated with the programs within the “Utah Schools for the Deaf and the Blind” line item that directly tie the achievements of the various programs to the incurred costs, and report its findings to the Public Education Appropriations Subcommittee before the November 2013 Interim meeting.		
State Office of Rehabilitation			
Bill Title / Sponsor	Highlights	Position	Status
HB 251 Sunset Reauthorization-Employment Services for the Disabled	This bill removes the repeal date for a program that provides employment services to a person with a disability; requires the division to report to the Health and Human Services Interim Committee in even calendar years regarding the success and progress of the program.	Support	Passed

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HB 371 Interpreter Services for the Hearing Impaired Amendments – Rep. R. Menlove	This bill modifies provisions that establish certification requirements for certified interpreters for the hearing impaired; and provides an exemption from certification requirements for an interpreter who is providing interpreter services for certain religious entities.	Support	Passed
Appropriations	\$250,000 one-time One-Time Assistive Technology Funding \$100,000 ongoing Restoration of Assistive Technology at USU and Independent Living Centers \$50,000 one-time Restoration of Funds for Hard of Hearing Services \$100,000 ongoing Restore Independent Living Center Staff Reductions \$80,000 one-time USOR Client Service Delivery		
Intent Language	1. The Legislature intends that the Utah State Office of Rehabilitation prepare proposed performance measures for all new state funding for building blocks and give this information to the Office of the Legislative Fiscal Analyst by June 30, 2013. The Utah State Office of Rehabilitation shall provide its first report on its performance measures to the Office of the Legislative Fiscal Analyst by October 31, 2013. The Office of the Legislative Fiscal Analyst shall give this information to the legislative staff of the Health and Human Services Interim Committee.		
HJR 20 Master Study Resolution – Rep. B. Dee	79. Tax Incentives Related to Medical Device Excise Tax - to study ways to provide tax or economic development incentives to taxpayers who are subject to the federal medical device excise tax.		
Higher Education			
Bill Title / Sponsor	Highlights	Position	Status
SB 42 Sub 1 Medical School Admissions Funding – Sen. J. Valentine	This bill authorizes the University of Utah School of Medicine to increase the number of students admitted by 40 students for a total of 122 students annually; and requires that no fewer than 80% of all students admitted annually to the University of Utah School of Medicine shall: meet the qualifications of resident student for the purposes of tuition; or have graduated from a high school, college, or university located in Utah.	Support	Passed
Appropriations	\$10,000,000 ongoing, (-\$3,500,000) one-time, University of Utah Medical School Student slots (SB 42 sub 1)		

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Miscellaneous Disability Related Legislation			
Bill Title / Sponsor	Highlights	Position	Status
<p>HB 13 Protection of Children Riding in Motor Vehicles – Rep. P. Arent</p>	<p>This bill defines smoking; prohibits a person from smoking in a motor vehicle if a child who is 15 years of age or younger is a passenger in the vehicle; provides that violating the smoking prohibition is an infraction and has a maximum fine of \$45; provides that until July 1, 2014, a peace officer may not issue a citation to an individual for a violation of this section but shall issue the individual a warning informing the individual that smoking is prohibited in a motor vehicle if a child who is 15 years of age or younger is a passenger in the vehicle; provides that a court may suspend the fine for a violation if the person has not previously been convicted of smoking in a vehicle when a child is present and proves that the person has enrolled in a smoking cessation program; provides that enforcement of the smoking prohibition shall be only as a secondary action; and provides that a violation of the smoking prohibition may not be used as a basis for evidence of child abuse or neglect.</p>	<p>Support</p>	<p>Passed</p>
<p>HB 58 Sub 1 Protection of Athletes with Head Injuries Act Amendments – Rep. P. Ray</p>	<p>This bill modifies Protection of Athletes with Head Injuries Act, by amending the definition of “sporting event” to exclude as applied to a government entity, merely making available a field, facility, or other location owned, leased, or controlled by the government entity to an amateur sports organization or a child, regardless of whether the government entity charges a fee for the use; or free play or recess taking place during school hours.</p>	<p>Support</p>	<p>Passed</p>
<p>HB 160 Sub 1 Health System Reform Amendments – Rep. J. Dunnigan</p>	<p>This bill authorizes the insurance commissioner to regulate the state insurance market as it transitions to new rating practices and health plan requirements of federal law; gives insurance producers and agents the authority to sell, solicit, and negotiate health insurance on a federal health insurance exchange; permits an insurer to pass through commission payments from an insured to a producer; establishes the requirements for a navigator license; amends definitions in the Individual, Small Employer and Group Health Insurance Act; establishes separate risk pools for the individual health insurance market and the small group health insurance market; amends discontinuation and nonrenewal limitations and conditions; amends small employer participation and contribution requirements; amends provisions regarding actuarial review of rates; gives the commissioner administrative rulemaking authority to facilitate state regulation of insurers, qualified health plans, and the health insurance market when federal insurance exchanges begin operating in the state, including: rate review and approval; and creating uniform open enrollment periods for the individual health insurance market; removes</p>	<p>Information only</p>	<p>Passed</p>

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	<p>the requirement that a carrier in Utah's defined contribution arrangement market (Avenue H) must offer certain health benefit products on Avenue H; authorizes free-standing dental and vision plans on Utah's Avenue H; extends the sunset date for the Risk Adjuster Board for the defined contribution arrangement market; removes the rating parity requirement for plans offered on Avenue H; establishes regulations for stop-loss and re-insurance insurers for small employers; establishes the general insurance laws that apply to small employer stop-loss insurers; applies the regulations to stop-loss contracts issued or renewed on or after July 1, 2013; gives the commissioner administrative rulemaking authority; makes technical amendments; amends executive branch reporting requirements related to the Patient Protection and Affordable Care Act (PPACA) implementation; and reauthorizes the Health System Reform Task Force until December 30, 2015.</p>		
<p>HB 197 Earned Income Tax Credit and Related Funding – Rep. E. Hutchings</p>	<p>This bill enacts a state earned income tax credit; provides for apportionment of the tax credit; requires transfers from the General Fund into the Education Fund in the amount of tax credit claimed; grants rulemaking authority to the State Tax Commission.</p>	Support	Failed
<p>HB 283 Safety Belt Enforcement Amendments – Rep. L. Perry</p>	<p>This bill provides that a state or local law enforcement officer may only enforce the safety belt restraint requirement as a secondary action on a highway with a posted speed limit of 45 miles per hour or less.</p>	Follow	Failed
<p>HCR 10 Concurrent Resolution on the Patient Protection and Affordable Care Act and State Health Care Reform – Rep. K. Ivory</p>	<p>This resolution describes the impacts of the federal Patient Protection and Affordable Care Act (ACA) on Utah families, employers, insurers, health care providers, and the state; urges the state's Congressional delegation to continue its efforts to arrest the devastating impacts of the ACA using all means possible, including repeal of the act; urges Utah's Congressional delegation to work cooperatively with others to develop workable alternatives to the ACA; affirms the state's policy that no person in this state should be required to either sponsor or enroll in health insurance; urges the Legislature's Health Reform Task Force to continue working cooperatively with the Governor's Office to ensure that ACA implementation rules address the needs of Utah health care stakeholders; urges all stakeholders in Utah's health care system to continue working cooperatively to develop state-based health care reforms; and specifies to whom this resolution should be sent.</p>	Oppose	Passed
<p>HR 3 House Resolution Requesting Repeal of the Patient Protection and Affordable Care</p>	<p>This resolution strongly urges the United States Congress to enact legislation to repeal the health insurance tax, sections 9010 and 10905 of the Patient Protection and Affordable Care Act, and section 1406 of the Health Care and Education Reconciliation Act, to make health care more affordable for working families,</p>	Oppose	Passed

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Act – Rep. J Anderegg	individuals, and businesses.		
SB 20 State Security Standards for Personal Information – Sen. S. Reid	This bill beginning July 1, 2013, requires a health care provider who participates in the state Medicaid program or the Children’s Health Insurance Program to include in the health care provider’s notice of privacy practices that the health care provider either has, or may submit, personally identifiable information about the patient to the state’s Medicaid and Children’s Health Insurance Program eligibility database; requires the state Medicaid program and Children’s Health Insurance Program, before giving a provider access to the state’s eligibility database, to verify that the health care provider’s notice of privacy practices complies with federal and state law; gives the Department of Health administrative rulemaking authority to establish uniform language for the state requirement regarding notice of privacy practices to patients.	Follow	Passed
SB 78 Pharmacy Act Amendments – Sen. S. Adams	This bill allows a pharmacist or pharmacy intern dispensing a prescription to substitute a biosimilar product in the place of a prescribed biological product if: the United States Food and Drug Administration (FDA) has determined that the biosimilar product is interchangeable with the prescribed product; the interchangeable biosimilar product is approved to move through interstate commerce; the prescribing practitioner has not prohibited the substitution; and the substitution is not prohibited by law; requires out-of-state mail pharmacies substituting interchangeable biosimilar products in the place of prescribed biological products to notify the patient and to keep records of the substitution; prohibits the substitution of a biosimilar product for the prescribed biological product without the prescriber’s authorization unless the FDA has determined the biosimilar product to be interchangeable with the prescribed biological product; assigns no greater liability to a pharmacist or pharmacy intern who substitutes an interchangeable biosimilar product in the place of a prescribed biological product than would be incurred without the substitution; sets forth that a prescriber can prohibit the substitution of a biological product with an interchangeable biosimilar product orally or in writing; establishes requirements for the substitution of a biological product with an interchangeable biosimilar product relating to: labeling; patient notification; and record keeping.	Oppose	Passed
SB 104 Sub 2 Vulnerable Users of Highways Amendments – Sen. T Weiler	This bill defines a vulnerable user of a highway; and provides that an operator of a motor vehicle may not knowingly, intentionally, or recklessly: distract or attempt to distract a vulnerable user of a highway for a purpose unrelated to public safety; or force or attempt to force a vulnerable user of a highway off of the roadway for a purpose unrelated to public safety; provides penalties for distracting a vulnerable user of a highway or forcing a vulnerable user of a highway off of the roadway for a	Support	Passed

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	purpose unrelated to public safety.		
SB 108 Civil Rights Amendments Relating to Persons with a Disability – Sen. P. Jones	This bill includes "disability" among the characteristics protected from discrimination under civil rights provisions.	Follow	Failed
SB 114 Safety Belt Amendments – Sen. L. Robles	This bill provides that a state or local law enforcement officer may only enforce the safety belt restraint requirement as a secondary action on a highway with a posted speed limit of less than 55 miles per hour; provides that a state or local law enforcement officer may not issue a citation to a person 19 years of age or older who has been detained for the first time for a safety belt violation that is enforced as a primary offense but shall issue the person a warning informing the person that wearing a safety belt while operating or a passenger in a motor vehicle is enforced as a primary offense on a highway with a posted speed limit of 55 miles per hour or more.	Support	Failed
SB 195 Utah Charity Care Commission – Sen. S. Adams	This bill establishes the Utah Charity Care Commission as an advisory commission; creates the membership of the commission; establishes the duties of the commission; provides staffing for the commission; makes technical amendments; and sunsets the commission on December 1, 2017.	Oppose	Failed
SB 203 Sub 1 Prescription Label Information and Education Amendments – Sen. P. Jones	This bill directs DOPL to offer information on the DOPL pharmacy website encouraging prescribers, pharmacists, and pharmacy interns to include information relating to the condition the prescription is meant to treat on certain prescription drug labels; and directs prescribers to encourage pharmacists and pharmacy interns to include information relating to the condition the prescription is meant to treat on certain prescription drug labels.	Support	Passed
SB 266 Tax Revisions – Sen. J. Valentine	This bill repeals the Rural Health Care Facilities Account that adjusts for decreased local sales and use tax revenues; increases the state sales and use tax rate on food and food ingredients to the general state sales and use tax rate; provides that food and food ingredients are taxable for purposes of certain local option sales and use taxes; modifies state and local sales and use tax rates and revenue allocations; enacts a refundable state earned income tax credit and enacts a refundable income-based tax credit.	Follow	Failed
HJR 20 Master Study Resolutions. Rep. B. Dee	21. Music Therapists - to study the licensing, certification, or other state recognition of music therapists (H.B. 169). 131. Bicycle Helmet Law - to study whether Utah should have a mandatory helmet law for children under the age of 18		

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	<p>who ride bicycles.</p> <p>138. Safety Belt Amendments - to study in what circumstances a state or local law enforcement officer may take action to enforce safety belt laws, and what those actions may be (S.B. 114).</p>

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