

Representative Norman K. Thurston proposes the following substitute bill:

UTAH HEALTH WORKFORCE ACT

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K. Thurston

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts provisions relating to Utah's health workforce.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Utah Health Workforce Advisory Council (council);
- ▶ requires the council to provide information and recommendations to government entities regarding policy decisions that affect Utah's health workforce;
- ▶ creates the Utah Health Workforce Information Center (information center);
- ▶ requires the information center to conduct research and analyze data regarding Utah's health workforce;
- ▶ moves oversight of the Utah Medical Education Council to the council;
- ▶ modifies the Utah Medical Education Council's duties, including removing data analysis duties;
- ▶ requires the Department of Commerce to work with the council and the information center to collect data regarding Utah's health workforce; and
- ▶ makes technical changes.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53B-26-202**, as last amended by Laws of Utah 2020, Chapter 365

32 **63I-1-226**, as last amended by Laws of Utah 2021, Chapters 13, 50, 64, 163, 182, 234,
33 and 417

34 **63I-1-253**, as last amended by Laws of Utah 2021, Chapters 14, 64, 106, 233, and 307

35 **63J-1-602.2**, as last amended by Laws of Utah 2021, Chapters 179, 344, 412, 421, and
36 424

37 **63J-7-102**, as last amended by Laws of Utah 2018, Chapter 415

38 ENACTS:

39 **26-69-101**, Utah Code Annotated 1953

40 **26-69-201**, Utah Code Annotated 1953

41 **26-69-202**, Utah Code Annotated 1953

42 **26-69-203**, Utah Code Annotated 1953

43 **26-69-301**, Utah Code Annotated 1953

44 **58-1-112**, Utah Code Annotated 1953

45 RENUMBERS AND AMENDS:

46 **26-69-401**, (Renumbered from 53B-24-102, as last amended by Laws of Utah 2020,
47 Chapter 335)

48 **26-69-402**, (Renumbered from 53B-24-302, as renumbered and amended by Laws of
49 Utah 2013, Chapter 28)

50 **26-69-403**, (Renumbered from 53B-24-202, as last amended by Laws of Utah 2015,
51 Chapter 258)

52 **26-69-404**, (Renumbered from 53B-24-303, as last amended by Laws of Utah 2018,
53 Chapter 354)

54 **26-69-405**, (Renumbered from 53B-24-304, as renumbered and amended by Laws of
55 Utah 2013, Chapter 28)

56 **26-69-406**, (Renumbered from 53B-24-402, as last amended by Laws of Utah 2020,

57 Chapter 335)

58 REPEALS:

59 **53B-24-101**, as enacted by Laws of Utah 2013, Chapter 28

60 **53B-24-201**, as enacted by Laws of Utah 2013, Chapter 28

61 **53B-24-301**, as enacted by Laws of Utah 2013, Chapter 28

62 **53B-24-401**, as enacted by Laws of Utah 2013, Chapter 28

63

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

65 Section 1. Section **26-69-101** is enacted to read:

66 **CHAPTER 69. UTAH HEALTH WORKFORCE ACT**

67 **Part 1. General Provisions**

68 **26-69-101. Definitions.**

69 As used in this chapter:

70 (1) "Council" means the Utah Health Workforce Advisory Council created in Section
71 26-69-103.

72 (2) "Health sector" means any place of employment where the primary function is the
73 delivery of health care services.

74 (3) (a) "Health workforce" means the individuals, collectively and by profession, who
75 deliver health care services or assist in the delivery of health care services.

76 (b) "Health workforce" includes any health care professional who does not work in the
77 health sector and any non-health care professional who works in the health sector.

78 Section 2. Section **26-69-201** is enacted to read:

79 **Part 2. Utah Health Workforce Advisory Council**

80 **26-69-201. Utah Health Workforce Advisory Council creation and membership.**

81 (1) There is created within the department the Utah Health Workforce Advisory
82 Council.

83 (2) The council shall be comprised of at least 14 but not more than 19 members.

84 (3) The following are members of the council:

85 (a) the executive director or that individual's designee;

86 (b) the executive director of the Department of Workforce Services or that individual's
87 designee;

88 (c) the commissioner of higher education of the Utah System of Higher Education or
89 that individual's designee;

90 (d) the state superintendent of the State Board of Education or that individual's
91 designee;

92 (e) the executive director of the Department of Commerce or that individual's designee;

93 (f) the director of the Division of Multicultural Affairs or that individual's designee;

94 (g) the director of the Utah Substance Use and Mental Advisory Council or that
95 individual's designee;

96 (h) the chair of the Utah Indian Health Advisory Board; and

97 (i) the chair of the Utah Medical Education Council created in Section [26-69-402](#).

98 (4) The executive director shall appoint at least five but not more than ten additional
99 members that represent diverse perspectives regarding Utah's health workforce.

100 (5) (a) A member appointed by the executive director under Subsection (4) shall serve
101 a four-year term.

102 (b) Notwithstanding Subsection (5)(a) for the initial appointments of members
103 described in Subsection (4) the executive director shall appoint at least three but not more than
104 five members to a two-year appointment to ensure that approximately half of the members
105 appointed by the executive director rotate every two years.

106 (6) The executive director or the executive director's designee shall chair the council.

107 Section 3. Section **26-69-202** is enacted to read:

108 **26-69-202. Council and executive director duties.**

109 (1) The council shall:

110 (a) meet at least once each quarter;

111 (b) study and provide recommendations to an entity described in Subsection (2)
112 regarding:

113 (i) health workforce supply;

114 (ii) health workforce employment trends and demand;

115 (iii) options for training and educating the health workforce;

116 (iv) the implementation or improvement of strategies that entities in the state are using
117 or may use to address health workforce needs including:

118 (A) shortages;

- 119 (B) recruitment; and
- 120 (C) retention; and
- 121 (v) other Utah health workforce priorities as determined by the council;
- 122 (c) provide guidance to an entity described in Subsection (2) regarding health
123 workforce related matters;
- 124 (d) review and comment on legislation relevant to Utah's health workforce; and
- 125 (e) advise the Utah Board of Higher Education and the Legislature on the status and
126 needs of the health workforce who are in training.
- 127 (2) The council shall provide information described in Subsections (1)(b) and (c) to:
- 128 (a) the Legislature;
- 129 (b) the department;
- 130 (c) the Department of Workforce Services;
- 131 (d) the Department of Commerce;
- 132 (e) the Utah Medical Education Council; and
- 133 (f) any other entity the council deems appropriate upon the entity's request.
- 134 (3) (a) The Utah Medical Education Council created in Section [26-69-402](#) is a
135 subcommittee of the council.
- 136 (b) The council may establish subcommittees to support the work of the council.
- 137 (c) A member of the council shall chair a subcommittee created by the council.
- 138 (d) Except for the Utah Medical Education Council, the chair of the subcommittee may
139 appoint any individual to the subcommittee.
- 140 (4) For any report created by the council or a subcommittee of the council that pertains
141 to any duty described in Subsection (1), the council shall:
- 142 (a) provide the report to:
- 143 (i) the department; and
- 144 (ii) any appropriate legislative committee; and
- 145 (b) post the report on the council's website.
- 146 (5) The executive director shall:
- 147 (a) ensure the council has adequate staff to support the council and any subcommittee
148 created by the council; and
- 149 (b) provide any available information upon the council's request if:

150 (i) that information is necessary for the council to fulfill a duty described in Subsection
151 (1); and

152 (ii) the department has access to the information.

153 Section 4. Section **26-69-203** is enacted to read:

154 **26-69-203. Members serve without pay -- Reimbursement for expenses.**

155 A member of the council or a subcommittee created by the council may not receive
156 compensation or benefits for the member's service but may receive per diem and travel
157 expenses as allowed in:

158 (1) Section [63A-3-106](#);

159 (2) Section [63A-3-107](#); and

160 (3) rules made by the Division of Finance according to Sections [63A-3-106](#) and
161 [63A-3-107](#).

162 Section 5. Section **26-69-301** is enacted to read:

163 **Part 3. Utah Health Workforce Information Center**

164 **26-69-301. Utah Health Workforce Information Center.**

165 (1) There is created within the department the Utah Health Workforce Information
166 Center.

167 (2) The information center shall:

168 (a) under the guidance of the council, work with the Department of Commerce to
169 collect data described in Section [58-1-112](#);

170 (b) analyze data from any available source regarding Utah's health workforce including
171 data collected by the Department of Commerce under Section [58-1-112](#);

172 (c) send a report to the council regarding any analysis of health workforce data;

173 (d) conduct research on Utah's health workforce as directed by the council;

174 (e) notwithstanding the provisions of Subsection [35A-4-312](#)(3), receive information
175 obtained by the Department of Workforce Services under the provisions of Section [35A-4-312](#)
176 for purposes consistent with the information center's duties, including identifying changes in
177 Utah's health workforce numbers, types, and geographic distribution;

178 (f) work with the Utah System of Higher Education to identify and obtain relevant data
179 and information regarding Utah's health workforce;

180 (g) project the demand for individuals to enter health care professions, including the

181 nursing profession in accordance with Section 53B-26-202;

182 (h) subject to Section 26-3-7, share data with any appropriate person as determined by
183 the information center; and

184 (i) conduct research and provide analysis for any state agency as approved by the
185 executive director or the executive director's designee.

186 (3) Notwithstanding any other provision of state law, the information center is
187 authorized to obtain data from any state agency if:

188 (a) the council and the information center deem receiving the data necessary to perform
189 a duty listed under Subsection (2) or 26-69-202(1); and

190 (b) the information center's access to the data will not:

191 (i) violate any federal statute or federal regulation; or

192 (ii) violate a condition a state agency must follow:

193 (A) to participate in a federal program; or

194 (B) to receive federal funds.

195 Section 6. Section **26-69-401**, which is renumbered from Section 53B-24-102 is
196 renumbered and amended to read:

197 **Part 4. Utah Medical Education Council**

198 ~~[53B-24-102].~~ **26-69-401. Definitions.**

199 As used in this chapter:

200 (1) "Accredited clinical education program" means a clinical education program for a
201 health care profession that is accredited by the Accreditation Council on Graduate Medical
202 Education.

203 (2) "Accredited clinical training program" means a clinical training program that is
204 accredited by an entity recognized within medical education circles as an accrediting body for
205 medical education, advanced practice nursing education, physician assistance education, doctor
206 of pharmacy education, dental education, or registered nursing education.

207 (3) "Centers for Medicare and Medicaid Services" means the Centers for Medicare and
208 Medicaid Services within the United States Department of Health and Human Services.

209 ~~[(4) "Council" means the Medical Education Council created under Section~~
210 ~~53B-24-302.]~~

211 ~~[(5)]~~ (4) "Health care professionals in training" means medical students and residents,

212 advance practice nursing students, physician assistant students, doctor of pharmacy students,
213 dental students, and registered nursing students.

214 ~~[(6)]~~ (5) "Program" means the Medical Education Program created under Section
215 ~~[53B-24-202]~~ 26-69-403.

216 (6) "UMEC" means the Utah Medical Education Council created in Section 26-69-402.
217 Section 7. Section **26-69-402**, which is renumbered from Section 53B-24-302 is
218 renumbered and amended to read:

219 ~~[53B-24-302]~~. **26-69-402. Utah Medical Education Council.**

220 ~~[(1) There is created the Medical Education Council consisting of the following~~
221 ~~members appointed by the governor:]~~

222 (1) (a) There is created the Utah Medical Education Council, which is a subcommittee
223 of the Utah Health Workforce Advisory Council.

224 (b) The membership of UMEC shall consist of the following appointed by the
225 governor:

226 ~~[(a)]~~ (i) the dean of the school of medicine at the University of Utah;

227 ~~[(b) a person]~~ (ii) an individual who represents graduate medical education at the
228 University of Utah;

229 ~~[(c) a person]~~ (iii) an individual from each institution, other than the University of
230 Utah, that sponsors an accredited clinical education program;

231 ~~[(d) a person]~~ (iv) an individual from the health care insurance industry; and

232 ~~[(e)]~~ (v) (A) three members of the general public who are not employed by or affiliated
233 with any institution that offers, sponsors, or finances health care or medical education;
234 ~~[however,]~~ and

235 (B) if the number of individuals appointed under Subsection (1)(b)(iii) is more than
236 two, the governor may appoint an additional member of the public under this Subsection
237 ~~[(1)(e)]~~ (1)(b)(v) for each ~~[person]~~ individual the governor appoints ~~[that increases the total~~
238 ~~number of persons appointed]~~ under Subsection ~~[(1)(e)]~~ (1)(b)(iii) beyond two.

239 (2) Except as provided in ~~[Subsection (1)(a) and (b)]~~ Subsections (1)(b)(i) and (ii), no
240 two council members may be employed by or affiliated with the same:

241 (a) institution of higher education;

242 (b) state agency outside of higher education; or

243 (c) private entity.

244 (3) The dean of the school of medicine at the University of Utah:

245 (a) shall chair ~~[the council]~~ UMEC;

246 (b) may not be counted in determining the existence of a quorum; and

247 (c) may only cast a vote on a matter before the council if the vote of the other council

248 members results in a tied vote.

249 (4) ~~[The council]~~ UMEC shall annually elect a vice chair from ~~[among the members of~~

250 ~~the council]~~ UMEC's members.

251 (5) (a) Consistent with Subsection (6)(b), a majority of the ~~[council]~~ members

252 constitute a quorum.

253 (b) The action of a majority of a quorum is the action of ~~[the council]~~ UMEC.

254 (6) (a) Except as provided in Subsection (6)(b), members are appointed to four-year

255 terms of office.

256 (b) Notwithstanding Subsection (6)(a), the governor shall, at the time of the initial

257 appointment, adjust the length of terms to ensure that the terms of council members are

258 staggered so that approximately half of the ~~[council is]~~ members are appointed every two years.

259 (c) If a vacancy occurs in the membership for any reason, the replacement shall be

260 appointed by the governor for the unexpired term in the same manner as the original

261 appointment was made.

262 (7) A member may not receive compensation or benefits for the member's service, but

263 may receive per diem and travel expenses in accordance with:

264 (a) Section [63A-3-106](#);

265 (b) Section [63A-3-107](#); and

266 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and

267 [63A-3-107](#).

268 (8) The council shall provide staff for UMEC.

269 Section 8. Section ~~26-69-403~~, which is renumbered from Section 53B-24-202 is

270 renumbered and amended to read:

271 ~~[53B-24-202].~~ **26-69-403. Medical Education Program.**

272 (1) There is created a Medical Education Program to be administered by ~~[the Medical~~

273 ~~Education Council]~~ UMEC in cooperation with the Division of Finance.

274 (2) The program shall be funded from money received for graduate medical education
275 from:

276 (a) the federal Centers for Medicare and Medicaid Services or other federal agency;

277 (b) state appropriations; and

278 (c) donation or private contributions.

279 (3) All funding for this program shall be nonlapsing.

280 (4) Program money may only be expended if:

281 (a) approved by [~~the council~~] UMEC; and

282 (b) used for graduate medical education in accordance with Subsection

283 [~~53B-24-303(7)~~] 26-69-404(4).

284 Section 9. Section ~~26-69-404~~, which is renumbered from Section 53B-24-303 is
285 renumbered and amended to read:

286 [~~53B-24-303~~]. 26-69-404. Duties of UMEC.

287 [~~The council~~] UMEC shall:

288 [~~(1) submit an application in accordance with federal law for a demonstration project to~~
289 ~~the Centers for Medicare and Medicaid Services before December 31, 1997, for the purpose of~~
290 ~~receiving and disbursing federal funds for direct and indirect graduate medical education~~
291 ~~expenses;]~~

292 [~~(2)~~] (1) seek private and public contributions for the program;

293 [~~(3) study and recommend options for financing graduate medical education to the~~
294 ~~board and the Legislature;]~~

295 [~~(4) advise the board and the Legislature on the status and needs of health care~~
296 ~~professionals in training;]~~

297 [(5)] (2) determine the method for reimbursing institutions that sponsor health care
298 professionals in training;

299 [(6)] (3) determine the number and type of positions for health care professionals in
300 training for which program money may be used;

301 [(7)] (4) distribute program money for graduate medical education in a manner that:

302 (a) prepares postgraduate medical residents, as defined by the accreditation council on
303 graduate medical education, for inpatient, outpatient, hospital, community, and geographically
304 diverse settings;

305 (b) encourages the coordination of interdisciplinary clinical training among health care
306 professionals in training;

307 (c) promotes stable funding for the clinical training of health care professionals in
308 training; and

309 (d) only funds accredited clinical training programs; and

310 ~~[(8) project the demand for individuals to enter a nursing profession as described in~~
311 ~~Section [53B-26-202](#).]~~

312 (5) advise on the implementation of the program.

313 Section 10. Section **26-69-405**, which is renumbered from Section 53B-24-304 is
314 renumbered and amended to read:

315 ~~[[53B-24-304](#)].~~ **26-69-405. Powers of council.**

316 ~~[The council]~~ UMEC may:

317 ~~[(1) conduct surveys, with the assistance of the Division of Occupational and~~
318 ~~Professional Licensing within the Department of Commerce, to assess and meet changing~~
319 ~~market and education needs;]~~

320 ~~[(2) notwithstanding the provisions of Subsection [35A-4-312](#)(3), receive information~~
321 ~~obtained by the Division of Workforce Information and Payment Services under the provisions~~
322 ~~of Section [35A-4-312](#) for purposes consistent with the council's duties as identified under~~
323 ~~Section [53B-24-303](#), including identifying changes in the medical and health care workforce~~
324 ~~numbers, types, and geographic distribution;]~~

325 ~~[(3)]~~ (1) appoint advisory committees of broad representation on interdisciplinary
326 clinical education, workforce mix planning and projections, funding mechanisms, and other
327 topics as is necessary;

328 ~~[(4)]~~ (2) use federal money for necessary administrative expenses to carry out its duties
329 and powers as permitted by federal law;

330 ~~[(5)]~~ (3) distribute program money in accordance with Subsection [~~[53B-24-303](#)(7)]~~
331 ~~[26-69-404](#)(4); and~~

332 ~~[(6)]~~ (4) as is necessary to carry out [its] UMEC's duties under Section [~~[53B-24-303](#)~~:
333 ~~(a) hire employees; and (b) [26-69-404](#)~~, adopt rules in accordance with Title 63G, Chapter 3,
334 Utah Administrative Rulemaking Act.

335 Section 11. Section **26-69-406**, which is renumbered from Section 53B-24-402 is

336 renumbered and amended to read:

337 ~~[53B-24-402].~~ **26-69-406. Rural residency training program.**

338 (1) As used in this section:

339 (a) "Physician" means:

340 (i) ~~[a person]~~ an individual licensed to practice medicine under Title 58, Chapter 67,
341 Utah Medical Practice Act or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

342 (ii) ~~[a person]~~ an individual licensed to practice dentistry under Title 58, Chapter 69,
343 Dentist and Dental Hygienist Practice Act.

344 (b) "Rural residency training program" means an accredited clinical training program
345 ~~[which]~~ that places a physician into a rural county for a part or all of the physician's clinical
346 training.

347 (2) ~~[(a)]~~ Subject to appropriations from the Legislature, ~~[the council]~~ UMEC shall
348 establish a pilot program to place physicians into rural residency training programs.

349 ~~[(b) The program shall sunset in accordance with Section 63I-1-253.]~~

350 Section 12. Section **53B-26-202** is amended to read:

351 **53B-26-202. Nursing initiative -- Reporting requirements -- Proposals -- Funding.**

352 (1) Every even-numbered year, ~~[the Medical Education Council created in Section~~
353 ~~53B-24-302]~~ the Utah Health Workforce Information Center created in Section 26-69-301
354 shall:

355 (a) project the demand, by license classification, for individuals to enter a nursing
356 profession in each region;

357 (b) receive input from at least one medical association in developing the projections
358 described in Subsection (1)(a); and

359 (c) report the projections described in Subsection (1)(a) to:

360 (i) the board; and

361 (ii) the Higher Education Appropriations Subcommittee.

362 (2) To receive funding under this section, on or before January 5, an eligible program
363 shall submit to the Higher Education Appropriations Subcommittee, through the budget
364 process for the board, as applicable, a proposal that describes:

365 (a) a program of instruction offered by the eligible program that is responsive to a
366 projection described in Subsection (1)(a);

- 367 (b) the following information about the eligible program:
- 368 (i) expected student enrollment;
- 369 (ii) attainment rates;
- 370 (iii) job placement rates; and
- 371 (iv) passage rates for exams required for licensure for a nursing profession;
- 372 (c) the instructional cost per full-time equivalent student enrolled in the eligible
- 373 program;
- 374 (d) financial or in-kind contributions to the eligible program from:
- 375 (i) the health care industry; or
- 376 (ii) an institution; and
- 377 (e) a funding request, including justification for the request.
- 378 (3) The Higher Education Appropriations Subcommittee shall:
- 379 (a) review a proposal submitted under this section using the following criteria:
- 380 (i) the proposal:
- 381 (A) contains the elements described in Subsection (2);
- 382 (B) expands the capacity to meet the projected demand described in Subsection (1)(a);
- 383 and
- 384 (C) has health care industry or institution support; and
- 385 (ii) the program of instruction described in the proposal:
- 386 (A) is cost effective;
- 387 (B) has support from the health care industry or an institution; and
- 388 (C) has high passage rates on exams required for licensure for a nursing profession;
- 389 (b) determine the extent to which to fund the proposal; and
- 390 (c) make an appropriation recommendation to the Legislature on the amount of money
- 391 determined under Subsection (3)(b) to the eligible program's institution.
- 392 (4) An institution that receives funding under this section shall use the funding to
- 393 increase the number of students enrolled in the eligible program for which the institution
- 394 receives funding.
- 395 (5) [~~On or before November 1, 2020, and annually thereafter,~~] On or before November
- 396 1 of each year, the board shall report to the Higher Education Appropriations Subcommittee on
- 397 the elements described in Subsection (2) for each eligible program funded under this section.

398 Section 13. Section **58-1-112** is enacted to read:

399 **58-1-112. Data collection.**

400 (1) As used in this section:

401 (a) "Council" means the Utah Health Workforce Advisory Council created in Section
402 26-69-201.

403 (b) "Information center" means the Utah Health Workforce Information Center created
404 in Section 26-69-301.

405 (2) (a) In accordance with Subsection 26-69-301(2)(a), the department shall work with
406 the information center to identify relevant data pertaining to a profession described in
407 Subsection (3).

408 (b) The data should focus on:

409 (i) identifying workforce shortages;

410 (ii) identifying labor market indicators;

411 (iii) determining the educational background of a licensee; and

412 (iv) determining whether Utah is retaining a stable health workforce.

413 (c) After the council approves data to be collected, the department shall request the
414 data from a licensee when a licensee applies for a license or renews the licensee's license.

415 (d) The department shall send the obtained data to the information center.

416 (e) A licensee may not be denied a license for failing to provide the data described in
417 Subsection (2)(c) to the department.

418 (3) (a) The department shall prioritize data collection for each profession licensed
419 under:

420 (i) Chapter 31b, Nurse Practice Act;

421 (ii) Chapter 60, Mental Health Professional Practice Act;

422 (iii) Chapter 61, Psychologist Licensing Act;

423 (iv) Chapter 67, Utah Medical Practice Act;

424 (v) Chapter 68, Utah Osteopathic Medical Practice Act;

425 (vi) Chapter 69, Dentist and Dental Hygienist Practice Act; or

426 (vii) Chapter 70a, Utah Physician Assistant Act.

427 (b) After the department has collected data for each profession described in Subsection
428 (3)(a), the department shall collect data for each profession licensed under:

- 429 (i) Chapter 5a, Podiatric Physician Licensing Act;
 - 430 (ii) Chapter 17b, Pharmacy Practice Act;
 - 431 (iii) Chapter 24b, Physical Therapy Practice Act;
 - 432 (iv) Chapter 40, Recreational Therapy Practice Act;
 - 433 (v) Chapter 41, Speech-Language Pathology and Audiology Licensing Act;
 - 434 (vi) Chapter 42a, Occupational Therapy Practice Act;
 - 435 (vii) Chapter 44a, Nurse Midwife Practice Act;
 - 436 (viii) Chapter 54, Radiologic Technologist, Radiologist Assistant, and Radiology
 - 437 Practical Technician Licensing Act; or
 - 438 (ix) Chapter 57, Respiratory Care Practices Act.
 - 439 (c) The department shall collect data in accordance with this section for any
 - 440 health-related occupation or profession that is regulated by the department and is not described
 - 441 in Subsection (3)(a) or (b) if:
 - 442 (i) funding is available;
 - 443 (ii) the council has identified a need for the data; and
 - 444 (iii) data has been collected for each profession described in Subsections (3)(a) and
 - 445 (3)(b).
- 446 Section 14. Section **63I-1-226** is amended to read:
- 447 **63I-1-226. Repeal dates, Title 26.**
- 448 (1) Subsection **26-1-7(1)(f)**, related to the Residential Child Care Licensing Advisory
 - 449 Committee, is repealed July 1, 2024.
 - 450 (2) Subsection **26-1-7(1)(h)**, related to the Primary Care Grant Committee, is repealed
 - 451 July 1, 2025.
 - 452 (3) Section **26-1-7.5**, which creates the Utah Health Advisory Council, is repealed July
 - 453 1, 2025.
 - 454 (4) Section **26-1-40** is repealed July 1, 2022.
 - 455 (5) Section **26-1-41** is repealed July 1, 2026.
 - 456 (6) Section **26-7-10** is repealed July 1, 2025.
 - 457 (7) Subsection **26-7-11(5)**, regarding reports to the Legislature, is repealed July 1,
 - 458 2028.
 - 459 (8) Section **26-7-14** is repealed December 31, 2027.

460 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
461 1, 2025.

462 (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,
463 is repealed July 1, 2026.

464 (11) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed
465 July 1, 2025.

466 (12) Subsection 26-15c-104(3), relating to a limitation on the number of
467 microenterprise home kitchen permits that may be issued, is repealed on July 1, 2022.

468 (13) Subsection 26-18-2.6(9), which addresses reimbursement for dental hygienists, is
469 repealed July 1, 2028.

470 (14) Section 26-18-27 is repealed July 1, 2025.

471 (15) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,
472 2027.

473 (16) Subsection 26-18-418(2), the language that states "and the Behavioral Health
474 Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.

475 (17) Section 26-33a-117 is repealed on December 31, 2023.

476 (18) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

477 (19) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
478 2024.

479 (20) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed
480 July 1, 2024.

481 (21) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.

482 (22) Section 26-39-201, which creates the Residential Child Care Licensing Advisory
483 Committee, is repealed July 1, 2024.

484 (23) Section 26-40-104, which creates the Utah Children's Health Insurance Program
485 Advisory Council, is repealed July 1, 2025.

486 (24) Section 26-50-202, which creates the Traumatic Brain Injury Advisory
487 Committee, is repealed July 1, 2025.

488 (25) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
489 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

490 (26) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is repealed

491 July 1, 2026.

492 (27) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1,
493 2026.

494 (28) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July 1,
495 2024.

496 (29) Section 26-69-406 is repealed July 1, 2025.

497 Section 15. Section **63I-1-253** is amended to read:

498 **63I-1-253. Repeal dates, Titles 53 through 53G.**

499 (1) Section **53-2a-105**, which creates the Emergency Management Administration
500 Council, is repealed July 1, 2022.

501 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
502 Board, are repealed July 1, 2022.

503 (3) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed
504 July 1, 2023.

505 (4) Subsection **53-6-203(1)(b)(ii)**, regarding being 19 years old at certification, is
506 repealed July 1, 2027.

507 (5) Subsection **53-13-104(6)(a)**, regarding being 19 years old at certification, is
508 repealed July 1, 2027.

509 (6) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is
510 repealed July 1, 2024.

511 (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

512 (8) Section **53B-17-1203**, which creates the SafeUT and School Safety Commission, is
513 repealed January 1, 2025.

514 (9) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

515 ~~[(10) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is repealed July~~
516 ~~1, 2025.]~~

517 ~~[(H)]~~ (10) Subsection **53C-3-203(4)(b)(vii)**, which provides for the distribution of
518 money from the Land Exchange Distribution Account to the Geological Survey for test wells
519 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

520 ~~[(I)]~~ (11) Section **53E-3-515** is repealed January 1, 2023.

521 ~~[(J)]~~ (12) In relation to a standards review committee, on January 1, 2023:

522 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
523 recommendations of a standards review committee established under Section 53E-4-203" is
524 repealed; and

525 (b) Section 53E-4-203 is repealed.

526 [(14)] (13) Subsections 53E-3-503(5) and (6), which create coordinating councils for
527 youth in custody, are repealed July 1, 2027.

528 [(15)] (14) Section 53E-4-402, which creates the State Instructional Materials
529 Commission, is repealed July 1, 2022.

530 [(16)] (15) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory
531 Commission, is repealed July 1, 2023.

532 [~~(17)~~] [~~Subsection 53E-8-204(4), which creates the advisory council for the Utah~~
533 ~~Schools for the Deaf and the Blind, is repealed July 1, 2021.~~]

534 [(18)] (16) Section 53F-2-420, which creates the Intensive Services Special Education
535 Pilot Program, is repealed July 1, 2024.

536 [(19)] (17) Section 53F-5-203 is repealed July 1, 2024.

537 [(20)] (18) Section 53F-5-212 is repealed July 1, 2024.

538 [(21)] (19) Section 53F-5-213 is repealed July 1, 2023.

539 [(22)] (20) Section 53F-5-214, in relation to a grant for professional learning, is
540 repealed July 1, 2025.

541 [(23)] (21) Section 53F-5-215, in relation to an elementary teacher preparation grant, is
542 repealed July 1, 2025.

543 [(24)] (22) Subsection 53F-9-203(7), which creates the Charter School Revolving
544 Account Committee, is repealed July 1, 2024.

545 [(25)] (23) Section 53F-9-501 is repealed January 1, 2023.

546 [(26)] (24) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
547 Commission, are repealed January 1, 2025.

548 [(27)] (25) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class
549 C misdemeanor, is repealed July 1, 2022.

550 Section 16. Section 63J-1-602.2 is amended to read:

551 **63J-1-602.2. List of nonlapsing appropriations to programs.**

552 Appropriations made to the following programs are nonlapsing:

- 553 (1) The Legislature and the Legislature's committees.
- 554 (2) The State Board of Education, including all appropriations to agencies, line items,
555 and programs under the jurisdiction of the State Board of Education, in accordance with
556 Section [53F-9-103](#).
- 557 (3) The Percent-for-Art Program created in Section [9-6-404](#).
- 558 (4) The LeRay McAllister Critical Land Conservation Program created in Section
559 [11-38-301](#).
- 560 (5) Dedicated credits accrued to the Utah Marriage Commission as provided under
561 Subsection [17-16-21\(2\)\(d\)\(ii\)](#).
- 562 (6) The Trip Reduction Program created in Section [19-2a-104](#).
- 563 (7) The Division of Wildlife Resources for the appraisal and purchase of lands under
564 the Pelican Management Act, as provided in Section [23-21a-6](#).
- 565 (8) The emergency medical services grant program in Section [26-8a-207](#).
- 566 (9) The primary care grant program created in Section [26-10b-102](#).
- 567 (10) Sanctions collected as dedicated credits from Medicaid provider under Subsection
568 [26-18-3\(7\)](#).
- 569 (11) The Utah Health Care Workforce Financial Assistance Program created in Section
570 [26-46-102](#).
- 571 (12) The Rural Physician Loan Repayment Program created in Section [26-46a-103](#).
- 572 (13) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).
- 573 (14) The Medical Education Program created in Section [26-69-403](#).
- 574 [~~14~~] (15) Funds that the Department of Alcoholic Beverage Control retains in
575 accordance with Subsection [32B-2-301](#) (9)(a) or (b).
- 576 [~~15~~] (16) The General Assistance program administered by the Department of
577 Workforce Services, as provided in Section [35A-3-401](#).
- 578 [~~16~~] (17) The Utah National Guard, created in Title 39, Militia and Armories.
- 579 [~~17~~] (18) The State Tax Commission under Section [41-1a-1201](#) for the:
- 580 (a) purchase and distribution of license plates and decals; and
- 581 (b) administration and enforcement of motor vehicle registration requirements.
- 582 [~~18~~] (19) The Search and Rescue Financial Assistance Program, as provided in
583 Section [53-2a-1102](#).

584 ~~[(19)]~~ (20) The Motorcycle Rider Education Program, as provided in Section 53-3-905.

585 ~~[(20)]~~ (21) The Utah Board of Higher Education for teacher preparation programs, as
586 provided in Section 53B-6-104.

587 ~~[(21) The Medical Education Program administered by the Medical Education Council,
588 as provided in Section 53B-24-202.]~~

589 (22) The Division of Services for People with Disabilities, as provided in Section
590 62A-5-102.

591 (23) The Division of Fleet Operations for the purpose of upgrading underground
592 storage tanks under Section 63A-9-401.

593 (24) The Utah Seismic Safety Commission, as provided in Section 63C-6-104.

594 (25) Appropriations to the Division of Technology Services for technology innovation
595 as provided under Section 63A-16-903.

596 (26) The Office of Administrative Rules for publishing, as provided in Section
597 63G-3-402.

598 (27) The Colorado River Authority of Utah, created in Title 63M, Chapter 14,
599 Colorado River Authority of Utah Act.

600 (28) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act,
601 as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.

602 (29) Appropriations to fund the Governor's Office of Economic Opportunity's Rural
603 Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural
604 Employment Expansion Program.

605 (30) Appropriations to fund programs for the Jordan River Recreation Area as
606 described in Section 65A-2-8.

607 (31) The Division of Human Resource Management user training program, as provided
608 in Section 63A-17-106.

609 (32) A public safety answering point's emergency telecommunications service fund, as
610 provided in Section 69-2-301.

611 (33) The Traffic Noise Abatement Program created in Section 72-6-112.

612 (34) The money appropriated from the Navajo Water Rights Negotiation Account to
613 the Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a
614 settlement of federal reserved water right claims.

615 (35) The Judicial Council for compensation for special prosecutors, as provided in
616 Section 77-10a-19.

617 (36) A state rehabilitative employment program, as provided in Section 78A-6-210.

618 (37) The Utah Geological Survey, as provided in Section 79-3-401.

619 (38) The Bonneville Shoreline Trail Program created under Section 79-5-503.

620 (39) Adoption document access as provided in Sections 78B-6-141, 78B-6-144, and
621 78B-6-144.5.

622 (40) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
623 Defense Commission.

624 (41) The program established by the Division of Facilities Construction and
625 Management under Section 63A-5b-703 under which state agencies receive an appropriation
626 and pay lease payments for the use and occupancy of buildings owned by the Division of
627 Facilities Construction and Management.

628 Section 17. Section 63J-7-102 is amended to read:

629 **63J-7-102. Scope and applicability of chapter.**

630 (1) Except as provided in Subsection (2), and except as otherwise provided by a statute
631 superseding provisions of this chapter by explicit reference to this chapter, the provisions of
632 this chapter apply to each agency and govern each grant received on or after May 5, 2008.

633 (2) This chapter does not govern:

634 (a) a grant deposited into a General Fund restricted account;

635 (b) a grant deposited into a Trust and Agency Fund as defined in Section 51-5-4;

636 (c) a grant deposited into an Enterprise Fund as defined in Section 51-5-4;

637 (d) a grant made to the state without a restriction or other designated purpose that is
638 deposited into the General Fund as free revenue;

639 (e) a grant made to the state that is restricted only to "education" and that is deposited
640 into the Education Fund or Uniform School Fund as free revenue;

641 (f) in-kind donations;

642 (g) a tax, fees, penalty, fine, surcharge, money judgment, or other money due the state
643 when required by state law or application of state law;

644 (h) a contribution made under Title 59, Chapter 10, Part 13, Individual Income Tax
645 Contribution Act;

- 646 (i) a grant received by an agency from another agency or political subdivision;
- 647 (j) a grant to the Utah Dairy Commission created in Section [4-22-103](#);
- 648 (k) a grant to the Heber Valley Historic Railroad Authority created in Section
- 649 [63H-4-102](#);
- 650 (l) a grant to the Utah State Railroad Museum Authority created in Section [63H-5-102](#);
- 651 (m) a grant to the Utah Housing Corporation created in Section [63H-8-201](#);
- 652 (n) a grant to the Utah State Fair Corporation created in Section [63H-6-103](#);
- 653 (o) a grant to the Utah State Retirement Office created in Section [49-11-201](#);
- 654 (p) a grant to the School and Institutional Trust Lands Administration created in
- 655 Section [53C-1-201](#);
- 656 (q) a grant to the Utah Communications Authority created in Section [63H-7a-201](#);
- 657 (r) a grant to the Medical Education Program created in Section [~~[53B-24-202](#)~~]
- 658 [26-69-403](#);
- 659 (s) a grant to the Utah Capital Investment Corporation created in Section [63N-6-301](#);
- 660 (t) a grant to the Utah Charter School Finance Authority created in Section [53G-5-602](#);
- 661 (u) a grant to the State Building Ownership Authority created in Section [63B-1-304](#); or
- 662 (v) a grant to the Military Installation Development Authority created in Section
- 663 [63H-1-201](#).

664 (3) An agency need not seek legislative review or approval of grants under Part 2,
665 Grant Approval Requirements, if:

- 666 (a) the governor has declared a state of emergency; and
- 667 (b) the grant is donated to the agency to assist victims of the state of emergency under
- 668 Subsection [53-2a-204](#)(1).

669 Section 18. **Repealer.**

670 This bill repeals:

671 Section [53B-24-101](#), **Title.**

672 Section [53B-24-201](#), **Title.**

673 Section [53B-24-301](#), **Title.**

674 Section [53B-24-401](#), **Title.**

675 Section 19. **Effective date.**

676 This bill takes effect on July 1, 2022.