

## Legislative information on women's health

**Abortion Law Amendments-** This bill removes a provision requiring that all abortions performed 90 days or more after the commencement of a pregnancy be performed in a hospital; defines the term "viable"; provides that a woman who seeks to have, or obtains, an abortion for herself is not criminally liable; makes technical changes; and enacts an uncodified severability clause.

**Abortion Litigation Trust Account Amendments-** provides that money may be deposited into the account by private entities for the purpose of defending any law passed by the Legislature on or after January 1, 2009, and on or before July 1, 2014, that: challenges the legal concept that a woman has a constitutional right to an abortion; or places a restriction on the right to an abortion;

**Unborn Child Pain Prevention Act -** This bill amends provisions of the Utah Criminal Code relating to abortion.

**Amendments to Child Welfare-** This bill: amends education requirements in order to comply with the requirements of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008; amends the Child Welfare Services part of the Utah Human Services Code; and amends the Juvenile Court Act of 1996. This bill also repeals provisions relating to Foster Care Citizen Review Boards.

**Abuse or Neglect of a disabled child-** This bill amends the Utah Criminal Code relating to Abuse or Neglect of a Disabled Child.

**Background Checks for Qualifying Entities-** This bill amends the Criminal Investigations and Technical Services Act to provide for background checks of certain volunteers and of persons who provide services to vulnerable adults.

**Advance Health Care Directive Act Amendments-** This bill amends the Advance Health Care Directive Act to expand the list of health care professionals authorized to determine whether an adult lacks health care decision making capacity and to sign a life with dignity order.

**Antidiscrimination Amendments-** This bill modifies provisions related to discrimination in housing and employment including amending the Utah Antidiscrimination Act and the Utah Fair Housing Act.

**Nondiscrimination Amendments-** This bill modifies provisions related to discrimination in housing and employment including amending the Utah Antidiscrimination Act and the Utah Fair Housing Act.

**Harboring a Runaway-** This bill amends the section of the Utah Criminal Code that relates to harboring a runaway.

**Child and Vulnerable Adult Endangerment Provisions-** This bill amends Utah Criminal Code provisions relating to endangerment of a child or a vulnerable adult.

**Sex Offenders' Contact with Children-** This bill modifies the Code of Criminal Procedure and requires a registered sex offender whose offense was against a child younger than age 14 to obtain permission from a child's parent or guardian to allow a child younger than age 14 to accompany the offender.

**Amendments to Child Welfare-** This bill: amends education requirements in order to comply with the requirements of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008; amends the Child Welfare Services part of the Utah Human Services Code; and amends the Juvenile Court Act of 1996. This bill also repeals provisions relating to Foster Care Citizen Review Boards.

**Children's Justice Center Amendments-** This bill changes the appointing authority for some members of the Advisory Board or Children's Justice, adds a health professional, and removes the chairs of local advisory boards from the statewide Advisory Board.

**Criminal Homicide Abortion-** This bill amends the Utah Criminal Code by enacting the second degree felony of "criminal homicide abortion."

**Legal Immigrant Children Health Care Amendments-** This bill amends the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage and health insurance coverage to a legal immigrant child, regardless of the length of time that the child has been in the United States.

**Health Insurance and Program Amendments-** This bill amends the Insurance Code and the Children's Health Insurance Program.

**Joint Custody Amendments-** This bill requires a court to consider joint legal custody in a divorce or separation action, allows for the modification of joint custody orders, and creates specific requirements to do so.

**Parent-time Holiday and Notification Amendments-** This bill makes technical amendments to references to the parent-time statute and specifies when notice must occur for extended parent-time for a school-age child.

**Domestic Violence in Presence of a Child Amendments-** This joint resolution supports congressional action related to the Navajo Nation's ability to collect and track child support payments.

**Penalty for Violent Crime in Presence of a Child- Joint Resolution Supporting Needed Improvements in the Navajo Nation's Ability to Collect and Track Child Support Payments-** This joint resolution supports congressional action related to the Navajo Nation's ability to collect and track child support payments.

**Abuse or Neglect of a Disabled Child-** This bill amends the Utah Criminal Code relating to Abuse or Neglect of a Disabled Child.

**Health Amendments for Legal Immigrant Children-** This bill amends the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage and health insurance coverage to a legal immigrant child, regardless of the length of time that the child has been in the United States.

**Health Program Revisions-** This bill repeals the cervical cancer public awareness campaign provided by the Department of Health.

**Local Public Health Emergency Funding-** This bill modifies provisions relating to funding for emergency health expenses.

**Health Amendments for Legal Immigrant Children-** This bill exercises the option to remove the five-year residency requirement for a legal immigrant child to be eligible for coverage under Medicaid or the Utah Children's Health Insurance Program; and directs the Department of Health to amend the state Medicaid plan the Utah Children's Health Insurance Program an eligible legal immigrant child, regardless of the length of time that the child has been in the United States.

**Distribution of Tobacco Settlement Monies Amendments-** This bill changes the amounts provided to the Departments of Health and Human Services from the Tobacco Settlement Funds.

**Family Preservation Services Amendments-** This bill amends the Services to People With Disabilities chapter of the Utah Human Services Code by removing the reporting and review requirements and the repealer provisions from the Pilot Program for the Provision of Family Preservation Services.

**Schools for the Deaf and Blind Amendments-** This bill recodifies the Utah Schools for the Deaf and the Blind, including modifying provisions regarding its employees and a student's eligibility for services.

**Respite Care Assistance Fund-** This bill creates a restricted special revenue fund at the Department of Human Services for the receipt and expenditure of certain gifts and donations to be used for respite care assistance.

**Tanning Facilities Tax and Melanoma Cancer Research Fund-** This bill amends the Revenue and Taxation portion of the Utah Code to provide for a tax on tanning facilities and the creation of a Melanoma Cancer Research and Education Fund.

**Child and Vulnerable Adult Endangerment Provisions-** This bill amends Utah Criminal Code provisions relating to endangerment of a child or a vulnerable adult.

**Reporting Abuse or Neglect of the Elderly or Disabled-** This bill amends the Health Code and the Human Services Code to permit background checks for an individual who cares for an elderly or disabled person and creates a private right of action for failure to report abuse or neglect.

**Background Checks for Qualifying Entities-** This bill amends the Criminal Investigations and Technical Services Act to provide for background checks of certain volunteers and of persons who provide services to vulnerable adults.

**Family Preservation Services Amendments-** This bill amends the Services to People With Disabilities chapter of the Utah Human Services Code by removing the reporting and review requirements and the repealer provisions from the Pilot Program for the Provision of Family Preservation Services.

**Marriage License Fee Amendments-** This bill modifies a provision relating to marriage license fees.

**Joint Custody Amendments-** This bill requires a court to consider joint legal custody in a divorce or separation action, allows for the modification of joint custody orders, and creates specific requirements to do so.

**Authority of Lieutenant Governor to Perform Marriage-** This bill allows the lieutenant governor to solemnize marriages.

**Custody and Parent-time Amendments for Service Members-** This bill provides direction for custody and parent-time issues when a service member is away temporarily.

**Adoption Revisions-** This bill amends provisions of the Utah Adoption Act.

**Sexual Assault Victim Protocols** - This bill enacts Sexual Assault Victim Protocols within the Utah Health Code.

**Reporting Abuse or Neglect of the Elderly or Disabled** - This bill amends the Health Code and the Human Services Code to permit background checks for an individual who cares for an elderly or disabled person and creates a private right of action for failure to report abuse or neglect.

**Medical Language Interpreter Act** - This bill enacts the Medical Language Interpreter Act, within the Division of Occupational and Professional Licensing Act. This bill takes effect on July 1, 2009.

**Utah Substance Abuse and Anti-violence Coordinating Council Amendments-** This bill amends provisions related to the membership of the Utah Substance Abuse and Anti-Violence Coordinating Council.

**Mental Health Therapist Grant and Scholarship Act Repeal-** This bill repeals the Mental Health Therapist Grant and Scholarship Program, within the Utah Human Services Code.

**Emotional Support Animals and Psychiatric Therapy Animals-** This bill removes provisions of the Utah Code relating to emotional support animals and psychiatric therapy animals.

**Expungement of Division of Child and Family Services Records-** This bill provides that a person may petition the court for the expungement of records 11 in custody of state agencies that are related to the person's juvenile court records.

**Immigration Amendments-** This bill modifies provisions of the Identity Documents and Verification Act. This bill takes effect on July 1, 2009.

**Concurrent Resolution Requesting a Federal Waiver to Establish an Employer-sponsored Work Program-** This concurrent resolution of the Legislature urges the United States Congress to grant the state of Utah waivers to establish an employer-sponsored work program and other strategies to address illegal immigration in the state.

**Deterring Illegal Immigration-** This bill authorizes the Office of the Attorney General to administer and coordinate the operation of a multi-agency strike force to combat violent and other major felony crimes within the state associated with illegal immigration and human trafficking. This bill takes effect on July 1, 2009.

**Lawful Presence Verification for Issuance of a Driver License or Identification Card-** This bill modifies provisions of the Uniform Driver License Act. This bill takes effect on January 1, 2010, except that the amendments in Section 1023 63G-11-102 (Effective 07/01/09) take effect on July 1, 2009.

**Veterans Nursing Home Amendments-** This bill amends the Nursing Care Facility Assessment Act to allow for more than one Veterans' Nursing Home.

**Child Support - Cash Medical Support-** This bill defines the term "cash medical support" as an obligation to equally share all reasonable and necessary medical and dental expenses of children and requires the court and the Office of Recovery Services to provide cash medical support provisions in child support orders.

**Refund of Unearned Health Insurance Premiums and Medicare Supplement Insurance Premiums-** This bill amends provisions of the Insurance Code relating to the refund of unearned health insurance premiums and Medicare supplement insurance premiums.

**Controlled Substance Database Amendments-** This bill amends provisions of the Utah Controlled Substances Act relating to the controlled substance database.

**Electronic Prescribing Act-** This bill enacts the Electronic Prescribing Act within Title 58, Occupations and Professions. This bill takes effect on July 1, 2012.

**Utah Substance Abuse and Anti-violence Coordinating Council Amendments-** This bill amends provisions related to the membership of the Utah Substance Abuse and Anti-Violence Coordinating Council.

**Sex Offenders' Contact with Children-** This bill modifies the Code of Criminal Procedure and requires a registered sex offender whose offense was against a child younger than age 14 to obtain permission from a child's parent or guardian to allow a child younger than age 14 to accompany the offender.

**Sexual Assault Victim Protocols-** This bill enacts Sexual Assault Victim Protocols within the Utah Health Code.

**Sex Offender Definition Amendments-** This bill modifies the Code of Criminal Procedure regarding the definition of a sex offender.

**Aggravated Sexual Assault Amendments-** This bill modifies the elements and penalties for the crime of aggravated sexual assault.

**Amendments to Email Information Required of Registered Sex Offenders-** This bill amends the Code of Criminal Procedure and the Government Records and Access Management Act regarding sex and kidnap offender registration information that is to be made available to the public and amends the definition of an offender.

**Asset Preservation Amendments-** This bill modifies the Code of Criminal Procedure regarding the Crime Victims Restitution Act and the preservation of assets.

**Sexual Assault Victim Protocols-** This bill empowers the trial court judge hearing a criminal case to give the victim an appropriate remedy for a violation of a victim's rights.

**Victim Rights Amendments-** This bill allows the heirs of a person injured by a wrongful act to receive from the wrongdoer, as part of a settlement or judgment, specific types of damages.

**Survival Action upon Injury or Death-** This bill authorizes certain prosecutors to deposit restitution monies into an interest bearing account pending distribution to crime victims.

**Restitution Fund Account-** This bill extends the expiration date of criminal restitution orders indefinitely.

**Criminal Restitution Amendments-** This bill amends provisions of the Cohabitant Abuse Procedures Act relating to an order issued to a defendant pending trial.

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**Insurance Code and Related Amendments-** This bill modifies the Insurance Code and related provisions.

**Health Reform - Administrative Simplification-** This bill modifies the Health Code and the Insurance Code to provide standards for the exchange of information between health care providers, health care insurers, and patients regarding payment for services. This bill takes effect on May 12, 2009, except that Section 31A-22-619.5 takes effect on July 1, 2010.

**Health System Reform - Insurance Market-** This bill amends the Insurance Code and the Governor's Office of Economic Development Code to expand access to the health

insurance market, increase market flexibility, and provide greater transparency in the health insurance market.

**Health Reform - Health Insurance Coverage in State Contracts-** This bill requires certain state entities to require a contractor who contracts with the state entity to offer the contractor's employees qualified health insurance coverage during the duration of the contract if the contract is over a certain amount, and if the contract is a construction or design contract.

**Utah Sudden Cardiac Arrest Survival Act-** This bill enacts the Utah Sudden Cardiac Arrest Survival Act and amends civil liability immunity provisions relating to the act.

**Refund of Unearned Health Insurance Premiums and Medicare Supplement Insurance Premiums-** This bill amends the Health Care Facility Licensing and Inspection Act by providing measures to discourage identity theft and health insurance fraud, and to protect the accuracy of medical records.

**Health Care Patient Identity Protection-** This bill amends the Utah Controlled Substances Act and the Naturopathic Physician Practice Act to permit a naturopathic physician to, pursuant to a license issued by the Division of Occupational and Professional Licensing, prescribe or administer testosterone in specified forms for the purpose of restoring a low testosterone level to a normal level.

**Hormone Restoration Amendments-** This bill enacts the Medical Language Interpreter Act, within the Division of Occupational and Professional Licensing Act.

**Electronic Prescribing Act-** This bill amends the Insurance Code and the Children's Health Insurance Program.

**Sexual Assault Victim Protocols-** This bill amends the Vital Statistics Act and the Motor Vehicle Act.

**PROSTHETIC LIMB HEALTH INSURANCE PARITY-** This bill amends the Insurance Code to require coverage for prosthetic devices.

**ASSERTIVE COMMUNITY MENTAL HEALTH TREATMENT PILOT PROGRAM-** This bill establishes a pilot program within the Substance Abuse and Mental Health Act for the provision of assertive community treatment services to people with a severe mental disorder, who are not receiving or are transitioning out of other mental health services, and to their families.

**INSURANCE COVERAGE FOR EOSINOPHILIC GASTROINTESTINAL DISORDERS AND SHORT BOWEL SYNDROME-** This bill amends the Accident and Health Insurance part of the Insurance Code to coverage for eosinophilic gastrointestinal disorders and short bowel syndrome.

**LEGAL IMMIGRANT CHILDREN HEALTH CARE AMENDMENTS-** This bill amends the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage and health insurance coverage to a legal immigrant child, regardless of the length of time that the child has been in the United States.

**HEALTH INSURANCE AND PROGRAM AMENDMENTS-** This bill amends the Insurance Code and the Children's Health Insurance Program.

**INCOME TAX CREDIT FOR A DISABLED DEPENDENT-** This bill amends the Nonrefundable Tax Credit Act to allow a tax credit for a dependent adult with a disability or dependent child with a disability as part of the taxpayer tax credit.

**UTAH INDOOR CLEAN AIR ACT AMENDMENTS-** This bill provides an exception to the Utah Indoor Clean Air Act.

**TOBACCO TAX INCREASE-** This bill amends the Cigarette and Tobacco Tax Act by increasing the tax rates on the sale, use, storage, or distribution of tobacco products in the state for the 2009-10 fiscal 11 year and allowing the rates to fluctuate in subsequent fiscal years. This bill takes effect on July 1, 2009.

**POSTMORTEM PROCEDURES AMENDMENTS-** This bill amends provisions of the Utah Vital Statistics Act and the Division of Occupational and Professional Licensing Act relating to the signing and filing of a certificate of death, and the release, transportation, and disposition of a dead body or dead fetus.

**ANESTHESIOLOGIST ASSISTANTS-** This bill creates a new licensing chapter in the Division of Occupational and Professional Licensing for Anesthesiologist Assistants.

**CONTRACTING FOR INTER-FACILITY MEDICAL TRANSPORTS-** This bill amends the Utah Emergency Medical Services System Act.

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**SERVICES AMENDMENTS-** This bill moves the Medical Examiner's Office and the Bureau of Emergency Medical Services to the Department of Public Safety.

**GEOHERMAL POOL AMENDMENTS-** The bill amends the Health Code to provide certain exemptions from swimming pool regulations for geothermal pools and natural springs.

**REGULATION OF PRIVATE INSTRUCTION SWIMMING POOLS-** This bill amends the Utah Health Code to provide for regulation of a private instruction pool.

**BUDGET IMPLEMENTATION ADJUSTMENTS - TOBACCO SETTLEMENT FUNDS-** This bill makes adjustments in the amounts provided to the Departments of Health and Human Services, and the Administrative Office of the Courts from Tobacco Settlement Funds. This bill takes effect on July 1, 2009.

**BUDGET IMPLEMENTATION ADJUSTMENTS -TOBACCO SETTLEMENT FUNDS-** This bill makes adjustments in the amounts provided to the Departments of Health and Human Services, and the Administrative Office of the Courts from Tobacco Settlement Funds. This bill takes effect on July 1, 2009.



**SMALL EMPLOYER GROUP REINSURANCE POOL-** This bill amends the Insurance Code to establish a reinsurance pool for the small employer group health insurance and defined contribution arrangement market.

**JOINT RESOLUTION SUPPORTING EFFORTS TO INCREASE AND IMPROVE CANCER TREATMENT, SCREENING, AND RESEARCH PROGRAMS-** This resolution of the Legislature expresses support for public and private efforts to increase and improve cancer treatment, screening, and research programs.

**JOINT RESOLUTION - UTAH'S MEDICAID ASSET TEST-** This joint resolution of the Legislature recommends an interim study on whether to repeal a Medicaid asset test and how to help low income Utah families to no longer have to rely on public assistance.

**LEGISLATIVE DIRECTION TO THE PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM-** This resolution directs the Public Employees' Benefit and Insurance Program on the medical coverage premium share and increase costs issues for state employees.

**GOVERNOR'S INTERAGENCY COORDINATING COUNCIL ON HEALTH DISPARITIES AND ECONOMIC SELF-SUFFICIENCY-** This bill creates the Governor's Interagency Coordinating Council on Health Disparities and Economic Self-sufficiency.

**INSURANCE COVERAGE FOR ESSENTIAL MEDICAL SERVICES**  
This bill amends the Health Care Facility Licensing and Inspection Act and the Physician Licensing Act. This bill takes effect on July 1, 2009.

**HEALTH REFORM - MEDICAL MALPRACTICE AMENDMENTS-** This bill amends the Occupation and Professions Code to regulate the conduct of individuals providing expert medical testimony and to establish the standard of proof necessary for a malpractice claim in an emergency room.

**LOCAL HEALTH AUTHORITY FUNDING AMENDMENTS-** This bill modifies a provision relating to the funding of local health authorities. This bill takes effect January 1, 2010.

**AMENDMENTS TO PREFERRED DRUG LIST-** This bill amends the Medical Assistance Act.

**HOSPITAL EMERGENCY ROOM TASK FORCE-** This bill creates the Hospital Emergency Room Task Force. This bill is repealed on November 30, 2009.

**MEDICAID DRUG PROGRAM AMENDMENTS-** This bill modifies the Utah Health Code by amending the drug prior approval program to allow cost considerations to be used during the approval process.

**RESOLUTION SUPPORTING OBESITY AWARENESS-** This concurrent resolution of the Legislature and the Governor designates Obesity Awareness Month in Utah and urges increased medical coverage for obesity procedures.

**ADULT JOINT SUPPORT DECLARATION-** This bill creates the Adult Joint Support Act and provides situations where it may be applied.

**PARENT-TIME HOLIDAY AND NOTIFICATION AMENDMENTS-** This bill makes technical amendments to references to the parent-time statute and specifies when notice must occur for extended parent-time for a school-age child.

**ADOPTION AMENDMENTS-** This bill amends provisions of the Judicial Code relating to adoption, who may adopt, and placement for adoption.

**WRONGFUL DEATH CLAIMS-** This bill provides that wrongful death claims of children will be handled in the same manner as the wrongful death claims of adults.

**CUSTODY AND PARENT-TIME AMENDMENTS FOR SERVICE MEMBERS-** This bill provides direction for custody and parent-time issues when a service member is away temporarily.

**HEALTHY FAMILY PARTNERSHIP CONCURRENT RESOLUTION-** This concurrent resolution of the Legislature and the Governor urges that age appropriate materials on family violence prevention be available in Utah's public schools and that state government continue community partnerships to help youth prevent family and dating violence.

**ADOPTION EXCEPTION TO CUSTODY AND VISITATION FOR PERSONS OTHER THAN PARENTS-** This bill prohibits the "Custody and Visitation for Persons Other than Parents Act" from being used to seek or obtain custody or visitation of a child that has been adopted.