

ATTACHMENT B:
UTAH CODE ANNOTATED, 26-10b
ACCESS TO HEALTH CARE

26-10b-101. Definitions.

As used in this chapter:

- (1) "Committee" means the Primary Care Grant Committee created in Section 26-1-7 and described in Section 26-10b-106.
- (2) "Community based organization":
 - (a) means a private entity; and
 - (b) includes for profit and not for profit entities.
- (3) "Cultural competence" means a set of congruent behaviors, attitudes, and policies that come together in a system, agency, or profession and enables that system, agency, or profession to work effectively in cross-cultural situations.
- (4) "Executive director" means the executive director of the department.
- (5) "Health literacy" means the degree to which an individual has the capacity to obtain, process, and understand health information and services needed to make appropriate health decisions.
- (6) "Institutional capacity" means the ability of a community based organization to implement public and private contracts.
- (7) "Medically underserved population" means the population of an urban or rural area or a population group that the committee determines has a shortage of primary health care.
- (8) "Primary care grant" means a grant awarded by the department under Subsection 26-10b-102(1).
- (9) (a) "Primary health care" means:
 - (i) basic and general health care services given when a person seeks assistance to screen for or to prevent illness and disease, or for simple and common illnesses and injuries; and
 - (ii) care given for the management of chronic diseases.
- (b) "Primary health care" includes:
 - (i) services of physicians, nurses, physician's assistants, and dentists licensed to practice in this state under Title 58, Occupations and Professions;
 - (ii) diagnostic and radiologic services;
 - (iii) preventive health services including perinatal services, well-child services, and other services that seek to prevent disease or its consequences;
 - (iv) emergency medical services;
 - (v) preventive dental services; and
 - (vi) pharmaceutical services.
- (10) "Program" means the primary care grant program created under this chapter.

Amended by Chapter 384, 2014 General Session

26-10b-102. Department to award grants -- Applications.

- (1) Within appropriations specified by the Legislature for this purpose, the

department may, in accordance with the recommendation of the committee, award a grant to a public or nonprofit entity to provide primary health care to a medically underserved population.

(2) When awarding a grant under Subsection (1), the department shall, in accordance with the committee's recommendation, consider:

- (a) the content of a grant application submitted to the department;
 - (b) whether an application is submitted in the manner and form prescribed by the department; and
 - (c) the criteria established in Section 26-10b-103.
- (3) The application for a grant under Subsection (2)(a) shall contain:
- (a) a requested award amount;
 - (b) a budget; and
 - (c) a narrative plan of the manner in which the applicant intends to provide the primary health care described in Subsection (1).

Amended by Chapter 384, 2014 General Session

26-10b-103. Content of grant applications.

An applicant for a grant under this chapter shall include, in an application:

- (1) a statement of specific, measurable objectives, and the methods the applicant will use to assess the achievement of those objectives;
- (2) the precise boundaries of the area the applicant will serve, including a description of the medically underserved population the applicant will serve using the grant;
- (3) the results of a need assessment that demonstrates that the population the applicant will serve has a need for the services provided by the applicant;
- (4) a description of the personnel responsible for carrying out the activities of the grant along with a statement justifying the use of any grant funds for the personnel;
- (5) evidence that demonstrates the applicant's existing financial and professional assistance and any attempts by the applicant to obtain financial and professional assistance;
- (6) a list of services the applicant will provide;
- (7) the schedule of fees, if any, the applicant will charge;
- (8) the estimated number of individuals the applicant will serve with the grant award; and
- (9) any other information required by the department in consultation with the committee.

Amended by Chapter 384, 2014 General Session

26-10b-104. Process and criteria for awarding primary care grants.

- (1) The department shall review and rank applications based on the criteria in this section and transmit the applications to the committee for review.
- (2) The committee shall, after reviewing the applications transferred to the committee under Subsection (1), make recommendations to the executive director.
- (3) The executive director shall, in accordance with the committee's recommendations, decide which applications to award grants under Subsection 26-10b-102(1).

(4) The department shall establish rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the application form, the process, and the criteria the department will use in reviewing, ranking, and awarding grants and contracts under this chapter.

(5) When reviewing, ranking, and awarding a primary care grant under Subsection 26-10b-102(1), the department shall consider the extent to which an applicant:

(a) demonstrates that the area or a population group the applicant will serve under the application has a shortage of primary health care and that the primary health care will be located so that it provides assistance to the greatest number of individuals in the population group;

(b) utilizes other sources of funding, including private funding, to provide primary health care;

(c) demonstrates the ability and expertise to serve a medically underserved population;

(d) agrees to submit a report to the committee annually; and

(e) meets other criteria determined by the department in consultation with the committee.

(6) The department may use up to 5% of the funds appropriated by the Legislature to the primary care grant program under this chapter to pay the costs of administering the program.

Amended by Chapter 384, 2014 General Session

26-10b-106. Primary Care Grant Committee.

(1) The Primary Care Grant Committee created in Section 26-1-7 shall:

(a) review grant applications forwarded to the committee by the department under Subsection 26-10b-104(1);

(b) recommend, to the executive director, grant applications to award under Subsection 26-10b-102(1);

(c) evaluate:

(i) the need for primary health care in different areas of the state;

(ii) how the program is addressing those needs; and

(iii) the overall effectiveness and efficiency of the program;

(d) review annual reports from primary care grant recipients;

(e) meet as necessary to carry out its duties, or upon a call by the committee chair or by a majority of committee members; and

(f) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that govern the committee, including the committee's grant selection criteria.

(2) The committee shall consist of:

(a) as chair, the executive director or an individual designated by the executive director; and

(b) six members appointed by the governor to serve up to two consecutive, two-year terms of office, including:

(i) four licensed health care professionals; and

(ii) two community advocates who are familiar with a medically underserved population and with health care systems, where at least one is familiar with a rural

medically underserved population.

(3) The executive director may remove a committee member:

(a) if the member is unable or unwilling to carry out the member's assigned responsibilities; or

(b) for a rational reason.

(4) A committee member may not be compensated for the member's service, except a committee member may be reimbursed for reasonable travel expenses related to the member's committee responsibilities.

Enacted by Chapter 384, 2014 General Session

26-10b-107. Community education and outreach contracts.

(1) The department may, as funding permits, contract with community based organizations for the purpose of developing culturally and linguistically appropriate programs and services for low income and medically underserved populations to accomplish one or more of the following:

(a) to educate individuals:

(i) to use private and public health care coverage programs, products, services, and resources in a timely, effective, and responsible manner;

(ii) to pursue preventive health care, health screenings, and disease management; and

(iii) to locate health care programs and services;

(b) to assist individuals to develop:

(i) personal health management;

(ii) self-sufficiency in daily care; and

(iii) life and disease management skills;

(c) to support translation of health materials and information;

(d) to facilitate an individual's access to primary care and providers, including mental health services; and

(e) to measure and report empirical results of the pilot project.

(2) When awarding a contract for community based services under Subsection (1), the department shall consider the extent to which the applicant:

(a) demonstrates that the area or a population group to be served under the application is a medically underserved population and that the services will be located to provide assistance to the greatest number of individuals residing in the area or included in the population group;

(b) utilizes other sources of funding, including private funding, to provide the services described in Subsection (1);

(c) demonstrates the ability and expertise to serve medically underserved populations, including individuals with limited English-speaking ability, single heads of households, the elderly, individuals with low income, and individuals with a chronic disease;

(d) meets other criteria determined by the department; and

(e) demonstrates the ability to empirically measure and report the results of all contract supported activities.

(3) The department may only award a contract under Subsection (1):

(a) in accordance with Title 63G, Chapter 6a, Utah Procurement Code;

(b) that contains the information described in Section 26-10b-103, relating to grants; and

(c) that complies with Subsections (4) and (5).

(4) An applicant under this chapter shall demonstrate to the department that the applicant will not deny services to a person because of the person's inability to pay for the services.

(5) Subsection (4) does not preclude an applicant from seeking payment from the person receiving services, a third party, or a government agency if:

(a) the applicant is authorized to charge for the services; and

(b) the person, third party, or government agency is under legal obligation to pay for the services.

(6) The department shall maximize the use of federal matching funds received for services under Subsection (1) to fund additional contracts under Subsection (1).

Enacted by Chapter 384, 2014 General Session