

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, October 20, 1999 - 9:00 a.m. -- Room 405 State Capitol

Members Present:

Sen. Robert F. Montgomery, Senate Chair
Rep. Carl R. Saunders, House Chair
Sen. D. Edgar Allen
Sen. Paula F. Julander
Sen. Peter C. Knudson
Rep. Trisha S. Beck
Rep. Jackie Biskupski
Rep. Mary Carlson
Rep. Margaret Dayton
Rep. Kory M. Holdaway
Rep. Bryan D. Holladay
Rep. Rebecca D. Lockhart
Rep. Karen W. Morgan
Rep. Jack A. Seitz
Rep. A. Lamont Tyler
Rep. Richard L. Walsh

Members Excused:

Sen. Steven L. Poulton

Staff Present:

Mr. Mark D. Andrews
Research Analyst
Ms. Janetha W. Hancock
Associate General Counsel
Mr. R. Chet Loftis
Associate General Counsel
Ms. L. Kaye Clark
Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to Order and Approval of August 18 Minutes – Chair Saunders called the meeting to order at 9:05 a.m. and welcomed the members of the committee.

Rep. Tyler requested that the minutes be amended on page 4, item 5, as follows:
"Representative Tyler informed the committee that he has filed legislation ~~dealing with penalties~~ that will implement the recommendations of the task force."

MOTION: Sen. Knudson moved to approve the minutes of the August 18, 1999 meeting as amended. The motion passed unanimously. Sen. Julander and Reps. Beck, Lockhart, Morgan, and Walsh were absent for the vote.

2. Reports

Report #10: Review of Foster Care and Child Protective Services Cases by the Department of Human Services – Mr. Craig Monson, Office of Compliance, Department of Human Services (DHS), explained the various ways that DHS reviews the work done by the Division of Child and Family Services (DCFS).

Mr. Brad McGarry, Department of Human Services, presented a summary of *Bureau of Services Review Report 1999 – A System Review of the Division of Child and Family Services*.

He discussed the results of the review that included 583 general child protective services case records, 644 home-based case records, and 298 foster care case records. He explained that a qualitative review component is being developed for next year's review in an attempt to determine DCFS system performance and actual "outcomes" to families who receive services from DCFS.

Ms. Robin Arnold-Williams, Department of Human Services, responded to questions, including general questions regarding foster care and removal of children from their homes.

Report #13: Financial Assistance — Utah Medical Assistance Program and Primary Care Grants to Public and Nonprofit Entities – Ms. Iona Thraen, Division of Health Systems Improvement distributed *Annual Report of the State Primary Care Grants Program for Medically Underserved Populations*. She informed the committee that she will present a summary of the report and respond to questions at a future meeting. Ms. Thraen then introduced Marilyn Haynes-Brokopp, the new director of the Bureau of Primary Care and Rural Health.

Mr. Dave Gessel, Utah Hospital Association, commented that the association has concerns regarding the UMAP program.

3. Tobacco Settlement

Status of State-Specific Finality – Mr. Mark Andrews reported that California and New York have reached state-specific finality and Virginia is close to finality. He said the initial settlement payment will likely be available by December 31, 1999.

Mr. Spencer Pratt, Office of the Legislative Fiscal Analyst, reviewed the expected settlement payment schedule.

Recommendations for Action – Ms. Beverly May, American Cancer Society, introduced Mr. Matt Meyers, National Center for Campaign for Tobacco Free Kids, and Mr. Greg Connolly, Tobacco Control Program, Massachusetts Department of Health. The handouts *Effective Tobacco Prevention Programs*, *Massachusetts Tobacco Control Program Accomplishments*, and *Draft Status on the Massachusetts Tobacco Control Campaign* were distributed to the committee.

Mr. Meyers said that studies show that prevention programs significantly reduce tobacco use. He identified the following five tested components of an effective program, and said that "rigorous evaluation" should also be added to any program: 1) a mass media public education campaign; 2) community-based programs; 3) school-based programming; 4) enforcement of existing laws; and 5) assistance to persons who wish to cease smoking. He said that in order for a program to be effective, it must: 1) be sustained over a period of time; 2) be well funded; 3) have consistent financial support from year to year; and 4) be designed with the target population in

mind. Mr. Meyers reviewed the results of programs used in other states, and urged the committee to implement a similarly designed prevention program.

Mr. Greg Connolly reviewed tobacco prevention programs that have been implemented by the State of Massachusetts and the funding of those programs. The committee viewed several television advertisements produced by the Massachusetts Department of Health. Mr. Connolly commented that these programs are cost effective and urged the committee to fund similar tobacco prevention programs.

Mr. Meyers and Mr. Connolly responded to questions from the committee regarding funding of tobacco prevention and cessation programs, and Mr. Meyers agreed to provide the committee with a written summary of the information presented.

Review of Proposed Tobacco Settlement Legislation – Rep. Morgan reviewed draft legislation "Use of Settlement Proceeds for Tobacco Prevention."

Sen. Allen reviewed draft legislation "Tobacco Prevention and Treatment Endowment."

Chair Montgomery presented draft legislation "Tobacco Settlement Accounts for Health and Education."

Rep. Morgan, Sen. Allen, and Chair Montgomery responded to questions regarding their proposed legislation.

MOTION: Rep. Beck moved that the sponsors of the tobacco legislation work together to compile one piece of draft legislation and present that at the November interim meeting.

SUBSTITUTE MOTION: Sen. Montgomery moved that each piece of legislation be held until the November interim meeting, and that, prior to that time, committee members provide input to the respective sponsors. The motion passed unanimously. Rep. Lockhart was absent for the vote.

4. Report #11: Adoption Assistance Agreements – Ms. Robin Arnold-Williams, Executive Director of the Department of Human Services, presented the revised version of *Legislative Report Funding of Adoption Support Services*. She informed the committee that H.B. 97 (1999) requires the Division of Child and Family Services (DCFS) to report on funding services provided to adopted children who were previously in the custody of the State and to their adoptive families.

Mr. Leroy Franke, adoption specialist, Department of Human Services, reviewed portions of the report. He highlighted initiatives that DCFS is working on in an attempt to assist families who have adopted children previously in state custody and the recommendations of the report.

Chair Saunders commented that it would be appropriate for the committee to review any legislation that the department would wish to recommend and invited the department to find a sponsor.

Ms. Arnold-Williams suggested that the committee may want to refer the issue of reimbursement to families who assume guardianship to the Child Welfare Legislative Oversight Panel and indicated that there may be some serious and long-term impacts related to decisions made in that area. She also indicated that she was unsure of the position that Utah's Office of Health Care Financing would take with regard to carving out adopted children from the capitated payment program for mental health services.

5. Report #9: Office of the Public Guardian – Implementation Plan – Mr. Travis Wall, Director, Office of Public Guardian, Department of Human Services, reviewed *Implementation Plan for the Utah Office of Public Guardian*. He commented that developing a new public agency is a serious endeavor and should be approached with care and thought. He reported that the plan will be finalized in mid-November.

6. Insurance Coverage of Mental Health Services – Update – Mr. John Braun, Assistant Commissioner, Department of Insurance, explained that during the 1999 General Session, Rep. Buffmire sponsored legislation dealing with mental health parity. After the session, legislative leadership requested that the Utah Health Insurance Association and the Salt Lake Area Chamber of Commerce study parity issues. He noted that both groups have met and studied parity. Mr. Braun compared the following programs under consideration: 1) full parity, including Rep. Buffmire's legislation; 2) the serious mental illness model; and 3) the catastrophic model. He reported that no consensus has been reached by the groups working on this issue. Mr. Braun agreed to provide a written comparison of the programs being studied.

Mr. Frank Pignanelli, Co-chair, Salt Lake Area Chamber of Commerce Mental Health Task Force, reported that the task force is working on a proposal that addresses the needs of those who suffer from mental illness and the needs of small businesses. He indicated that although he could have a proposal for November, it would not have the consensus of the various interests at that time.

Ms. Nancy Lyon, Utah Health Insurance Association, urged the committee to proceed with caution on this issue. She said that some member companies in her association are very much opposed to government intervention.

Mr. Val Bateman, Utah Medical Association, reviewed a resolution that was passed at a recent convention of the Utah Medical Association regarding parity.

7. Clean-up Standards for Methamphetamine Labs – Rep. Tyler reviewed draft legislation, "Standards for Illegal Drug Lab Decontamination," that implements the recommendations of a task force created to deal with the clean-up of meth labs. Rep. Tyler discussed funding for the bill.

Captain Youngberg, Criminal Investigations Bureau, Department of Public Safety, distributed *Report to the Legislature on Illegal Drug Lab Decontamination: Public Safety Standards and Programs*.

MOTION: Rep. Tyler moved to adopt the draft legislation, "Standards for Illegal Drug Lab Decontamination," as a committee bill. The motion passed unanimously. Sen. Julander and Rep. Carlson were absent for the vote.

Ms. Helen Goddard, Director, Division of Aging, Department of Human Services, voiced concerns with regard to the elderly population, and stated that she would like to see any related funds used to provide low-interest loans or otherwise help seniors who cannot afford the costs associated with a contaminated property.

Ms. Hancock distributed a handout, *Penalties for Involvement in Clandestine Drug Labs*, that lists the current penalties in statute related to involvement with clandestine drug labs.

8. Other Business – Chair Saunders reminded the committee that legislation is being drafted to modify some of the statutory requirements for reports made to the committee. He asked committee members to provide any recommendations for changes by the November interim meeting.

9. Adjourn

MOTION: Rep. Seitz moved to adjourn the meeting at 12:05 p.m. The motion passed unanimously.

