

**MINUTES OF THE  
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**  
Wednesday, August 16, 2000 - 2:00 p.m. -- Room 405 State Capitol

**Members Present:**

Rep. Carl R. Saunders, House Chair  
Sen. D. Edgar Allen  
Sen. Paula F. Julander  
Sen. Peter C. Knudson  
Rep. Mary Carlson  
Rep. Margaret Dayton  
Rep. Kory M. Holdaway  
Rep. Rebecca D. Lockhart  
Rep. Karen W. Morgan  
Rep. Jack A. Seitz  
Rep. A. Lamont Tyler  
Rep. Richard L. Walsh

**Members Excused:**

Sen. Robert F. Montgomery, Senate Chair  
Sen. Steven L. Poulton  
Rep. Trisha S. Beck  
Rep. Jackie Biskupski  
Rep. Jordan Tanner

**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 July 12, 2000 Minutes** – Chair Saunders called the meeting to order at 2:20 p.m.

**MOTION:** Rep. Walsh moved to approve the minutes of the July 12, 2000 meeting. The motion passed unanimously.

**2. Use of Tobacco Settlement Monies** – Chair Saunders explained that S.B.15, “Use of Tobacco Settlement Revenues,” requires each agency receiving tobacco settlement monies to report to the interim committee annually. The following speakers provided information regarding how these funds have been allocated:

Dr. George Delavan, Department of Health, reviewed information regarding the current funding awards contained in the handout “Utah Department of Health Tobacco Funding Distribution.” He reported that an advisory committee developed the funding priorities and award criteria for the target areas of media, community prevention activities, and cessation.

Ms. Christine Chalkley, Bureau of Health Education, discussed the impact of the reduction in federal funds. She reported that H.B. 293 significantly restricted the number of sting operations that can be conducted.

Mr. Loftis explained that the court is still holding 25% of the tobacco settlement funds in escrow pending a resolution of the private attorneys fees issue. He also reported that the private attorneys and the state have recently participated in arbitration regarding money made available by the tobacco industry to pay private attorneys under the terms of the settlement agreement. See handout "Update of Tobacco Settlement."

Ms. Chalkley responded to questions from the committee including questions related to the need for a unified program to achieve maximum results and avoid duplication. She noted that all grant recipients will meet in September and agreed to provide the committee with a report on the outcome of that meeting.

Mr. Rick Schwermer, Administrative Office of the Courts, discussed the allocation of the \$1.3 million from the tobacco settlement funds directed to the drug courts. See handout "Overview of SFY 2001 Utah Drug Court Funding."

Mr. Patrick Fleming, Division of Substance Abuse, reviewed the requests for funding for drug courts. See handout "SFY 2001 Utah Drug Court Funding Proposals."

At this point in the meeting, Rep. Seitz took over as committee chairman.

Mr. Michael Sibbett, State Board of Pardons and Parole, reported that the Drug Court Pilot Project is in place in Weber and Davis Counties. He said the goal of the project is to reduce the number of persons returning to prison due to drug use. He noted Utah is studying Canada's program because of its success rate.

Ms. Kim Wirthlin, University of Utah Health Sciences Center, reported that the center has not yet received tobacco settlement funds. She requested that the director of the new Addiction Research Education Center be invited to make a presentation at the October meeting.

**3. Safe Abandonment of Infants** – Rep. Patrice Arent explained that the draft legislation "Provision for Legal Abandonment of a Newborn" provides a process for parents to safely abandon their unwanted infants, but does not encourage abandonment of infants.

Ms. Hancock reviewed provisions in the bill providing a process for: 1) safe abandonment and relinquishment of a newborn child by a parent or a parent's designee, 2) hospitals and fire stations to receive those children, and 3) the Division of Child and Family Services to care for the child and petition for termination of parental rights and adoption. She noted that the bill provides a limited affirmative defense to any potential criminal liability.

Mr. Richard Anderson, Division of Child and Family Services, stated that the division supports this type of legislation.

Ms. Katie Gregory, Utah Children, encouraged the committee to continue to study this issue.

Mr. Dave Gessall, Utah Hospital Association, stated that this is a complex issue with legal, policy, and funding implications and requires further study.

Ms. Dee Rowland, Catholic Diocese, supports this type of legislation. She discussed a case of abandonment in Moab.

Rep. Arent requested that committee members and interested parties contact her with any further input on this issue.

**4. Follow-up on Annual Reports** – Ms. Marilyn Haynes Brokopp and Mr. Don Beckwith, both with the Department of Health, responded to questions from the committee regarding the medical financial assistance annual reports.

**5. Pharmaceutical Costs** – Mr. Loftis stated that pharmaceuticals are the fastest growing component of national health expenditures. He reviewed information contained in the handout “Overview of Pharmaceutical Issues,” including rising pharmaceutical expenditures, reasons for increased expenditures, potential offsets, the problem of the elderly, and the problem of the state as purchaser. He also provided additional written information for the committee to review.

Ms. Myrle Meyers, Johnson & Johnson, distributed the handout “Why Do Prescription Drugs Cost So Much . . . and Other Questions About Your Medicines.”

Ms. Mary Ann Jordan, citizen, cautioned against government interference in the free enterprise system.

Mr. Michael Deily, Division of Health Care Finance, discussed issues related to the increasing pharmaceutical spending in Utah’s Medicaid program.

Mr. John Nielson, Intermountain Health Care, responded to questions regarding the use of formularies to control pharmaceutical costs.

The committee requested that staff 1) research what other states and countries including Canada are doing to lower pharmaceutical costs, 2) investigate ways the state can further control pharmaceutical prices, and 3) present that information at a future meeting.

**6. Other Business** – No other business was discussed.

**7. Adjourn**

**MOTION:** Rep. Carlson moved to adjourn the meeting at 4:25 p.m. The motion passed unanimously.