

**MINUTES OF THE
HEALTH AND HUMAN SERVICES STANDING COMMITTEE
ROOM 223, STATE CAPITOL BUILDING**

February 19, 2003

MEMBERS PRESENT: Rep. Mike Thompson, Chair
 Rep. Steven R. Mascaro, Vice-Chair
 Rep. Calvin G. Bird
 Rep. Judy Ann Buffmire
 Rep. D. Gregg Buxton
 Rep. Marda Dillree
 Rep. Patricia W. Jones
 Rep. Brad Last
 Rep. David Litvack
 Rep. Rebecca Lockhart

STAFF PRESENT: Mark Andrews, Policy Analyst
 Betty M. Bushman, House Secretary
 Catherine DuPont, Associate General Counsel

OTHERS PRESENT: (List of visitors on file)

Chair Thompson called the meeting to order at 4:45 p.m.

MOTION: Representative Litvack moved to approve the minutes of the February 17, 2003 committee meeting. The motion passed unanimously with Representative Bird, Representative Dillree, Representative Jones, and Representative Last absent for the vote.

H.B. 218 Provision for Emergency Medical Services (*P. Wallace*)

Representative Wallace presented the bill to the committee with proposed amendments.

MOTION: Representative Mascaro moved to amend the bill as follows:

1. Page 2, Line 40: After "a" insert "i"
2. Page 2, Line 41: Delete ":",
3. Page 2, Line 42: Delete "i"

4. Page 2, Line 48: After "(ii)" insert "no later than 3 business days after the municipality files a petition for annexation in accordance with Section 10-2-403," and after "annexation to" insert ":(A)"
5. Page 2, Line 49: After "annexation" insert " ; and (B) the department"

The motion passed unanimously with Representative Dillree absent for the vote.

Representative Wallace explained the bill to the committee.

Mr. Jared Miles, President - Gold Cross Service, Inc. spoke in opposition to the bill.

MOTION: Representative Mascaro moved to pass the bill out favorably as amended. The motion passed unanimously with Representative Dillree absent for the vote.

H.B. 109 Informed Consent for Electroconvulsive Treatment and Reporting Requirements (*K. Bryson*)

Consideration of the bill, which had been introduced to the committee in the meeting of February 13, 2003, continued. Representative Bryson presented the bill to the committee and proposed a substitute to the bill.

MOTION: Representative Buxton moved that 1st Substitute H.B. 109 replace H.B. 109. The motion passed unanimously.

Representative Bryson explained the substitute bill to the committee.

Dr. George Nikopoulos, Utah Psychiatry Association, and Associate Professor of Psychiatry - University of Utah; Dr. Kelly Smith, Anaesthesiologist - University of Utah Medical Center, and Dr. Louis A. Moench, Utah Psychiatric Association, spoke to the bill and answered questions of committee members.

MOTION: Representative Dillree moved to pass the bill out favorably.

SUBSTITUTE MOTON: Representative Buffmire moved to amend the bill as follows and pass the substitute bill out favorably.

Page 6, Line 168:After "complaints of" insert "severe and persistent"

The motion passed with the voting as follows: Representative Bird, Representative Dillree, Representative Lockhart, Representative Mascaro, and Representative Thompson voted yes. Representative Buffmire, Representative Buxton, Representative Last, and Representative Litvack voted no. Representative Jones was absent for the vote.

H.B. 37 Eliminate Spend down Provision for Medicaid (*R. Lockhart*)

Representative Lockhart presented the bill to the committee with a proposed substitute and amendment.

MOTION: Representative Lockhart moved that 1st Substitute H.B. 37 replace H.B. 37 and that the bill be amended as follows:

Page 1, Line 1: Delete "**ELIMINATE**" and insert "**RESTRUCTURE**"

The motion passed unanimously with Representative Dillree, Representative Jones, and Representative Mascaro absent for the vote.

Representative Lockhart explained the substitute bill to the committee.

Mr. Michael Deily, Division of Health Care Finance, answered questions of committee members.

Ms. Dee Rowland, Catholic Diocese, and Ms. Dorothy Beaumont, Medicaid recipient, spoke in support of the bill.

MOTION: Representative Bird moved to pass the substitute bill out favorably as amended. The motion passed unanimously with Representative Dillree and Representative Jones absent for the vote.

H.B. 152 Legislative Audits of Child Welfare (*M. Noel*)

Representative Noel presented the bill to the committee with a proposed substitute to the bill.

MOTION: Representative Mascaro moved that 1st Substitute H.B. 152 replace H.B. 152. The motion passed unanimously with Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

Representative Noel explained the substitute bill to the committee.

Mr. Wayne L. Welsh, Legislative Auditor General, spoke in support of the bill.

MOTION: Representative Bird moved to pass the substitute bill out favorably. The motion passed unanimously with Representative Buffmire, Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

MOTION: Representative Mascaro moved to place the bill on the Consent Calendar. The motion passed unanimously with Representative Buffmire, Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

H.B. 248 Privacy of State Database Health Records (*C. Bennion*)

Representative Bennion presented the bill to the committee with proposed amendments.

MOTION: Representative Mascaro moved to amend the bill as follows:

Page 3, Lines 84 and 85: After "department's" insert "use and" after "information"
delete the rest of line 84 and line 85 and insert "is not
governed by this chapter."

The motion passed unanimously with Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

Representative Bennion explained the bill to the committee.

Mr. Gary Doxey, Governor's Counsel, answered questions of committee members and spoke in support of the bill.

MOTION: Representative Buxton moved to pass the bill out favorably as amended. The motion passed unanimously with Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

MOTION: Representative Buffmire moved to place the bill on the Consent Calendar. The motion passed unanimously with Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

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H.B. 348 Limitation on Alimony, sponsored by Representative Harper, was not considered in today's meeting.

MOTION: Representative Mascaro moved to adjourn the meeting. The motion passed unanimously with Representative Dillree, Representative Jones, and Representative Lockhart absent for the vote.

Chair Thompson adjourned the meeting at 6:22 p.m.

Rep. Mike Thompson
Committee Chair