

**MINUTES OF THE  
SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE  
MONDAY, FEBRUARY 16, 2004  
ROOM 414, STATE CAPITOL BUILDING**

Members Present: Sen. James M. Evans, Chair  
Sen. Ron Allen  
Sen. Beverly Evans  
Sen. Scott K. Jenkins  
Sen. Paula F. Julander  
Sen. Peter Knudson  
Sen. David L. Thomas

Members Excused: Sen. Leonard Blackham

Staff Present: Mark Andrews, Policy Analyst  
Jeanne Wride, Committee Secretary

Public Speakers Present: Melva Sine, Utah Restaurant Association  
Greg Guber, Utah Restaurant Association  
Craig Swapp, attorney  
Jim Olsen, Utah Food Industry Association  
Brian King, Utah Trial Lawyers Association  
Joyce Maughan, attorney  
Vicki Peterson, Utah Eagle Forum  
Kim Grant, For Children's Sake  
Michael Gough, parent  
Karen Clark, Utah Families  
Kristen, Brewer, Gaurdian Ad Litem  
Russell Siaz  
Ammie Green, IHC Health Plans  
Dan Cloguett, citizen  
Paul Sorensen, parent  
David L. Corwin, MD  
Joyce Kinmont, Utah Families  
Craig Barlow, Assistant Attorney General

A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. J. Evans called the meeting to order at 8:10 a.m.

**MOTION TO APPROVE MINUTES:**

**MOTION:** Sen. Allen moved to approve the minutes of February 12, 2004.

The motion passed unanimously with Sen. B. Evans, Sen. Jenkins, and Sen. Thomas absent

for the vote.

**1. 1st SUB. S.B. 214 PROHIBITION OF OBESITY LAWSUITS (Sen. H Stephenson)**

Sen. Stephenson presented the bill to the committee.

Melva Sine, Utah Restaurant Association; Greg Guber, Utah Restaurant Association; and Jim Olsen, Utah Food Industry Association, spoke in favor of the bill. Craig Swapp, attorney, and Brian King, Utah Trial Lawyers Association, spoke in opposition.

**MOTION:** Sen. Thomas moved to pass 1st. Sub. S.B. 214 out of committee with a favorable recommendation.

**SUBSTITUTE. MOTION:** Sen. Allen moved to hold 1st. Sub. S.B. 214;

The motion failed with Sen. J. Evans, Sen. Jenkins, Sen. Knudson, and Sen. Thomas voting against and Sen. B. Evans absent at the time of the vote.

The original motion passed with Sen. Allen and Sen. Julander voting against and Sen. B. Evans absent at the time of the vote.

Sen. Thomas assumed the chair.

**2. 1st SUB. H.B. 82 VIRTUAL VISITATION AMENDMENTS (Rep. Aagard)**

Rep. Aagard presented the bill to the committee.

Joyce Maughan, attorney; Michael Gough, parent; Kristen Brewer, Gaurdian Ad Litem; spoke in favor of the bill. Vicki Peterson, Utah Eagle Forum; Kim Grant, For Children's Sake; and Karen Clark, Utah Families; spoke in opposition. Russel Siaz spoke to the bill.

**MOTION:** Sen. Knudson moved to pass 1<sup>nd</sup> Sub H.B. 82 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. J. Evans and Sen. Allen absent for the vote.

**3. H.B. 95 CLARIFICATION OF DEPENDENT HEALTH CARE COVERAGE AMENDMENTS (Rep. Kiser)**

Rep. Kiser presented the bill to the committee.

Ammie Green, IHC Health Plans, spoke to the bill.



**AN INVESTIGATIVE**

34g **INTERVIEW SHALL BE ENCOURAGED TO RECORD THE INTERVIEW  
SESSION BY MEANS OF**

34h **AUDIOTAPE.]**

**(2) Interviews conducted in accordance with Subsection (1) shall be carried  
out in an existing Children's Justice Center or in a soft interview room, when  
available.**

**(a) If the Children's Justice Center or a soft interview room is not available,  
the interviewer shall use the best setting available under the circumstances.**

**(b) If the equipment required under Subsection (1) is not available, the  
interview shall be audiotaped, provided that the interviewer shall clearly state on  
the tape:**

**(i) the time, date, and place of the interview;**

**(ii) the full name and age of the child being interviewed; and**

**(iii) that the equipment required under Subsection (1) is not available and why.**

**(3) A worker who meets with a child subsequent to the initial investigative interview  
shall be encouraged to record any interaction by means of an audiotape. At the  
beginning of the tape, the worker shall state clearly the time, date, and place of the  
meeting, and the full name and age of the child in attendance.**

34i **(4) A PARENT OR GUARDIAN WHO ACCOMPANIES A CHILD WHILE  
MEETING WITH A**

34j **WORKER MAY NOT BE PROHIBITED FROM AUDIOTAPING THE  
INTERACTION BETWEEN THE CHILD**

34k **AND WORKER. h**

The motion passed unanimously with Sen. J. Evans, Sen. Allen, and Sen. Knudson absent for the vote.

Dan Cloguett, citizen, spoke to the bill. Paul Sorensen, parent; Joyce Kinmont, Utah Families; and Karen Clark, Utah Families spoke in favor of the bill. David L. Corwin, MD and Craig Barlow, Assistant Attorney General, spoke in opposition.

**MOTION:** Sen. Jenkins moved to pass 1st Sub. H.B. 54, as amended, out of committee with a favorable recommendation.

The motion failed with Sen. B. Evans and Sen. Julander voting against and Sen. J. Evans, Sen. Allen, and Sen. Knudson absent for the vote.

5. **H.C. R. 2 INDIVIDUALS WITH DISABILITIES ACT RESOLUTION** (Rep. Holdaway)

H. C. R. 2 was not heard.

**MOTION:** Sen. Jenkins moved to adjourn.

The motion passed unanimously with Sen. J. Evans, Sen. Allen, and Sen. Knudson absent for the vote.

Acting committee chair Thomas adjourned the meeting at 10:05 a.m.

Minutes reported by Jeanne Wride, Secretary

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Sen. James Evans, Committee Chair