

**MINUTES OF THE
SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE
WEDNESDAY, JANUARY 28, 2004
ROOM 414, STATE CAPITOL BUILDING**

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

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

Public Speakers Present: Laura Poe, Division of Occupational and Professional Licensing;
Craig Barlow, Attorney General's Office
Val Bateman, Utah Medical Association
Alain Balmanno, Attorney General's Office
Joyce Kinmont, Utah Families
Richard Anderson, Division of Child and Family Services
Bonnie Macri, JEDI for Women
Fraser Nelson, Disability Law Center
Lisa Bierly, JEDI for Women/parent
Connie Roska, parent
Paul Boyden, Prosecutors Association
Barbara Feaster, FOSTER Success
Bill Barnes, Primary Children's Medical Center

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

Sen. J. Evans called the meeting to order at 8:15 a.m.

1. Approval of Minutes

MOTION: Sen. Julander moved to approve the minutes of January 20th and 22nd.

The motion passed with Sen. Blackham, Sen. B. Evans and Sen. Thomas absent at the time of the vote.

2. S.B. 86 MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS (Sen. D. C. Buttars)

Sen. Buttars presented his bill to the committee.

MOTION: Sen. Julander moved to amend the bill as follows:

1. Page 2, Line 36: After "experience," insert "or" and delete ", or examination"

The motion passed unanimously with Sen. Blackham and Sen. B. Evans absent at the time of the vote.

MOTION: Sen. Julander moved to pass S.B. 86 out of committee as amended.

The motion passed unanimously with Sen. Blackham and Sen. B. Evans absent at the time of the vote.

3.. S.B. 125 CONFIDENTIALITY OF DRUG TESTING (Sen. P. Julander)

Sen. Julander presented the bill to the committee.

Laura Poe, Division of Occupational and Professional Licensing, spoke to the bill.

MOTION: Sen. Allen moved to pass S.B. 125 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Blackham and Sen. B. Evans absent at the time of the vote.

4. 2nd. SUB. S.B. 90 MEDICAL NEGLIGENCE - EXCLUSION (By Sen. D. Thomas)

MOTION: Sen. Thomas moved to adopt the 3rd Substitute S.B. 90.

The motion passed unanimously with Sen. Blackham and Sen. B. Evans absent at the time of the vote.

Sen. Thomas presented the bill to the committee.

MOTION: Sen. Thomas moved to amend the bill as follows:

1. Page 3, Line 82: Delete "competent"
2. Page 4, Line 92: Delete "competent"
3. Page 10, Line 286: Delete "competent"
4. Page 13, Line 369: Delete "competent"
5. Page 17, Line 499: Delete "competent"
6. Page 20, Line 591: Delete "competent"
7. Page 20, Line 598: Delete "competent"

The motion passed unanimously.

Richard Anderson, Division of Child and Family Service and Val Bateman, Utah Medical Association, spoke to the bill. Joyce Kinmont, Family Advocate; Bonnie Macri, JEDI for Women; Lisa Bierly, JEDI for Women/parent and Connie Roska, parent, spoke in favor of the bill. Craig Barlow, Attorney General's Office; Alain Balmanno, Attorney General's Office; Fraser Nelson, Disability Law Center; Paul Boyden, Prosecutors Association; and Barbara Feaster, FOSTER Success, spoke in opposition to the bill.

MOTION: Sen. Thomas moved to pass 3rd Sub. S.B. 90 out of committee with a favorable recommendation as amended.

SUB. MOTION:

Sen. Knudson moved to refer 3rd. Sub. S. B. 90 back to Rules with a recommendation that the bill be sent to interim study.

The motion failed with Sen. J. Evans, Sen. Jenkins, Sen. Blackham and Sen. Thomas voting in opposition.

ORIGINAL MOTION: Sen. Thomas moved to pass 3rd Sub. S.B. 90 out of committee with a favorable recommendation as amended.

The motion failed with Sen. Allen, Sen. B. Evans, Sen. Knudson, and Sen. Julander voting in opposition.

5. H.B. 48 COLLECTION OF INFORMATION BY DEPARTMENT OF HEALTH (Rep. D. Hogue)

H. B. 48 was not heard.

6. H.B. 41 HEALTH INSURANCE COVERAGE FOR DEPENDENTS (Rep. J. Buffmire)

H.B. 41 was not heard.

MOTION: Sen. Blackham moved to adjourn.

The motion passed unanimously.

Chair J. Evans adjourned the meeting at 10:00 a.m.

Minutes reported by Jeanne Wride, Secretary

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Sen. James Evans, Committee Chair