

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES  
STANDING COMMITTEE  
FEBRUARY 1, 2007  
ROOM W020, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present: Sen. D. Chris Buttars, Chair  
Sen. Allen M. Christensen  
Sen. Brent H. Goodfellow  
Sen. Peter C. Knudson  
Sen. Scott D. McCoy

Staff Present: Mark D. Andrews, Policy Analyst  
Nedra B. Duzett, Secretary

Public Speakers Present: Joyce Dolcourt, ARC of Utah  
Laura Poe, Bureau Manager, Division of Occupational &  
Professional Licensing  
Santiago Cortez, ANSAP  
Brent Kelsey, Asst. Director, Division of Substance Abuse and  
Mental Health, Department of Human Services  
Dave Felt, Director, Odyssey House OP/AUSAP  
Maurine Henry, Utah Commission on Aging  
Kent Alderman, Estate Planning Attorney  
George Kelner, Director, Division of Services for People with  
Disabilities  
Dr. Michael Abrams, Board of Directors, Utah Association of  
Surgical Centers  
Dr. Stewart Barlow, Past President, Utah Medical Association  
Brian Berg, Administrator, West Surgical Center  
Dr. Martin Brown, surgical center  
Terrell Day, surgical center  
Kelly Atkinson, Utah Health Insurance Association  
Robin Riggs, Vice-President, Salt Lake City Chamber of  
Commerce  
Dave Gessell, Utah Hospital Associations  
Eliana White, Utah Health Insurance Association  
Tom Bingham, Utah Manufacturing Association

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

Committee Chair Buttars called the meeting to order at 8:01 a.m.

**MOTION:** Sen. McCoy moved to approve the minutes of the January 30, 2007 meeting.

The motion passed unanimously with Sen. Goodfellow absent for the vote.

1. **H.B. 84 Traumatic Brain Injury Fund** (*J. Gowans*)

Rep. Gowans explained the bill.

Joyce Dolcourt, ARC of Utah, spoke in support of the bill.

**MOTION:** Sen. Christensen moved to pass the bill out favorably.

The motion passed with Sen. Christensen voting in opposition to the bill.

2. **S.B. 45 Nursing Amendments** (*P. Knudson*)

**MOTION:** Sen. Knudson moved the following amendment to the bill:

*Page 4, Lines 104 through 107*

104 plan[-]; or  
105 (d) the provision of preoperative, intraoperative, and postoperative anesthesia care  
and  
106 related services upon the request of a licensed health care professional by an  
advanced practice registered nurse specializing as a certified registered  
107 nurse anesthetist, including:

*Page 5, Lines 127 through 130*

127 ~~{(e)}~~ {(iv) for purposes of Subsection (13)(d), "upon the request of a  
licensed health care professional":  
(A) means a health care professional practicing within the scope of the health  
care professional's license, requests anesthesia services for a specific patient; and  
(B) does not, ~~— {nothing in this section shall be construed as to}~~ require an  
advanced practice  
128 registered nurse specializing as a certified registered nurse anesthetist to enter into a  
129 consultation and referral plan or obtain additional authority to ~~{prescribe in order~~  
~~to}~~ select, administer, or  
130 provide preoperative, intraoperative, or postoperative anesthesia care and services

Page 8, Lines 231 through 232

231 (e) {~~advanced practice registered nurse - CRNA;~~  
232 ~~(f)~~} advanced practice registered nurse - CRNA without prescriptive practice; and

Page 8, Line 241 through Page 9, Line 247

241 (5) {~~An individual holding a certified registered nurse anesthetist license as of  
July 1,~~

242 ~~2007, who can document the successful completion of advanced course work in  
patient~~

243 ~~assessment, diagnosis and treatment, and pharmacotherapeutics shall be issued an  
advanced~~

244 ~~practice registered nurse - CRNA license.~~

245 ~~(6)~~} An individual holding a certified registered nurse anesthetist license as of  
July 1,

246 ~~2007 {, who cannot document the requirements of Subsection (5),}~~ shall be issued  
an "APRN -

247 ~~CRNA - without prescriptive practice" license.~~

The motion passed unanimously.

Sen. Knudson explained the bill.

Laura Poe, Bureau Manager, Division of Occupational and Professional Licensing, spoke in support of the bill.

**MOTION:** Sen. Christensen moved to pass the amended bill out favorably.

The motion passed unanimously.

3. **S.B. 160 Pharmacy Practice Act Amendments** (P. Knudson)

**MOTION:** Sen. Knudson moved the following amendment to the bill:

Page 5, Line 121 through Page 5, Line 124

121 (b) {~~providing to or receiving from a physician, surgeon, organization,  
agency, or other~~

122 ~~person, either directly or indirectly, any form of compensation for the referral of a  
patient to a~~

- 123 ~~pharmacy licensed under this chapter, including compensation in the form of a commission;~~  
124 ~~bonus, rebate, kickback, or split-fee arrangement;}~~ for pharmacies and pharmacists not participating in Medicare or Medicaid, an act that would violate the Federal Anti-kickback Statute, 42 U.S.C. sec. 1320a-7b(b).

The motion passed unanimously.

Sen. Knudson explained the bill as amended.

Laura Poe, Bureau Manager, Division of Occupational and Professional Licensing, spoke in support of the bill.

**MOTION:** Sen. Christensen moved to pass the bill as amended out favorably.

The motion passed unanimously.

**4. S.J.R. 3 Resolution Encouraging Congressional Funding for State Children's Health Insurance (P. Knudson)**

Sen. Knudson explained the bill.

**MOTION:** Sen. Christensen moved to pass the bill out favorably.

The motion passed unanimously.

**5. S.B. 193 Amendments to Mental Health Professional Practice Act (P. Jones)**

Sen. Jones explained the bill.

The following individuals spoke in support of the bill:

Santiago Cortez, ANSAP  
Brent Kelsey, Asst. Director, DSAMRI  
Dave Felt, Director, Odyssey House OP/AUSAP

**MOTION:** Sen. McCoy moved to pass the bill out favorably.

The motion passed unanimously with Sen. Knudson absent for the vote.

**6. S.B. 75 Advanced Health Care Directive Act (A. Christensen)**

**MOTION:** Sen. Christensen moved to delete in title and body S.B. 75 and replace it with 1st Substitute S.B. 75, Advance Health Care Directive Act.

The motion passed unanimously with Sen. Knudson absent for the vote.

Sen. Christensen explained the substitute bill.

The following individuals spoke in support of the bill:

Maurine Henry, Utah Commission on Aging  
Kent Alderman, estate planning attorney

**MOTION:** Sen. Goodfellow moved to pass the bill out favorably.

The motion passed unanimously with Sen. Knudson absent for the vote.

7. **H.B. 47 Pilot Program for Family Preservation Services** (*R. Menlove*)

Rep. Menlove explained the bill.

**MOTION:** Sen. McCoy moved to pass the bill out favorably.

The motion passed unanimously with Sen. Knudson absent for the vote.

8. **H.B. 211 Background Checks for Division of Services for People with Disabilities**  
(*R. Lockhart*)

Rep. Lockhart explained the bill.

George Kelner, Director, Division of Services for People with Disabilities, Department of Human Services, spoke in support of the bill.

**MOTION:** Sen. Goodfellow moved to pass the bill out favorably.

The motion passed unanimously with Sen. Knudson absent for the vote.

9. **S.B. 66 Employer Health Insurance Options - Cafeteria Plans** (*M. Waddoups*)

**MOTION:** Sen. Christensen moved to delete in title and body S.B. 66 and replace it with 1st Substitute S.B. 66, Employer Health Insurance Options - Cafeteria Plans.

The motion passed with Sen. Goodfellow and Sen. Knudson absent for the vote.

Sen. Waddoups explained the bill.

The following individuals spoke in support of the bill.

Dr. Michael Abrams, Board of Directors, Utah Association of Surgical  
Center  
Dr. Stewart Barlow, Past President, Utah Medical Association  
Brian Berg, Administrator, West Surgical Center  
Dr. Martin Brown, surgical center  
Terrell Day, surgical center

The following individuals spoke in opposition to the bill.

Kelly Atkinson, Utah Health Insurance Association  
Robin Riggs, Vice-President, Salt Lake City Chamber of Commerce  
Dave Gessell, Utah Hospital Association  
Eliana White, Utah Health Insurance Association  
Tom Bingham, Utah Manufacturing Association

**MOTION:** Sen. Christensen moved to pass the bill out favorably.

The motion passed with Sen. Goodfellow voting in opposition, and with Sen. Knudson  
absent for the vote.

**10. S.B. 61 Protability of Medical Assistance Funds (E. Mayne)**

The bill was not considered.

**11. S.B. 182 Child Support Modifications for TANF Recipients (L. Hillyard)**

The bill was not considered.

**12. S.B. 184 Revisions to Child Support Definitions (L. Hillyard)**

The bill was not considered.

**13. S.B. 189 Medicaid Home and Community-based Long-term Care (G. Davis)**

The bill was not considered.

**14. S.B. 200 Reduced Cigarette Ignition Propensity (E. Mayne)**

The bill was not considered.

**15. H.B. 57 Public Health Amendments (B. Last)**

The bill was not considered.

Chair Buttars adjourned the meeting at 9:58 a.m.

Minutes reported by Nedra Duzett, Secretary.

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Sen. D. Chris Buttars, Committee Chair