

**MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE
ROOM W125, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX
February 15, 2008**

MEMBERS PRESENT: Rep. Paul Ray, Chair
 Rep. Ronda R. Menlove, Vice Chair
 Rep. Richard A. Greenwood
 Rep. Wayne A. Harper
 Rep. David Litvack
 Rep. Phil Riesen

MEMBERS ABSENT: Rep. John Dougall
 Rep. Stephen E. Sandstrom

STAFF PRESENT: Mark Andrews, Policy Analyst
 Sylvia Newton, House Secretary
 Thomas R. Vaughn, Associate General Counsel

Note: A list of visitors and copy of handouts are filed with committee minutes.

Rep. Ray called the meeting to order at 8:09 a.m.

MOTION: Rep. Litvack moved to approve the minutes of the February 13, 2008 meeting. The motion passed unanimously.

1st Sub. S.B. 66 Uniform Emergency Volunteer Health Practitioners Act (Sen. L. Hillyard)

Sen Hillyard explained 1st Sub. S.B. 66 to the committee.

Spoke in favor of the bill: Mike Weibel, Bear River Health Department

MOTION: Rep. Menlove moved to pass the bill with a favorable recommendation. The motion passed unanimously with Rep. Greenwood absent for the vote.

MOTION: Rep. Menlove moved to place 1st Substitute S.B. 66 on the Consent Calendar with the approval of Sen. Hillyard. The motion passed unanimously with Rep. Greenwood absent for the vote.

H.B. 491 Health Plan Exemption from Selected Requirements (Rep. E. Hutchings)

MOTION: Rep. Harper moved to delete in title and body H.B. 491 and replace it with 1st Substitute H.B. 491. The motion passed unanimously with Rep. Greenwood absent for the vote.

MOTION: Rep. Menlove moved to amend the bill as follows:

1. *Page 3, Lines 66 through 73:*

- 66 (2) A health benefit plan is not subject to the sections described in Subsection (1) if:
67 (a) (i) the plan is provided by a foreign insurer; or
68 (ii) the plan is provided by a domestic insurer;
69 (b) **if** the plan is provided by a foreign insurer:
70 (i) the foreign insurer is an admitted insurer; and
71 (ii) the plan provides coverage substantially equivalent to a health benefit plan
72 provided by the insurer in another state;
73 (c) (i) each plan enrollee in this state at the time of application;

The motion to amend the bill passed unanimously.

Rep. Hutchings explained 1st Substitute H.B. 491 to the committee.

MOTION: Rep. Litvack moved to proceed to the next item on the agenda.

SUBSTITUTE

MOTION: Rep. Harper moved to pass the bill out with a favorable recommendation. The motion passed with Rep. Litvack and Rep. Riesen voting in opposition to the motion.

H.B. 361 Anti-seizure Drug Notification (*Rep. E. Hutchings*)

MOTION: Rep. Riesen moved to amend the bill as follows:

1. *Page 3, Lines 80 through 89:*

- 80 (7) (a) For purposes of Subsection (7) ~~{(b)}~~ , "substitutes" means to substitute:
81 (i) a generic drug for another generic drug;
82 (ii) a generic drug for a nongeneric drug;
83 (iii) a nongeneric drug for another nongeneric drug; or
84 (iv) a nongeneric drug for a generic drug.
85 (b) **A prescribing practitioner who makes a finding under Subsection (5)(a) for**
a patient with a seizure disorder shall indicate a prohibition on substitution of a drug
product equivalent in the manner provided in Subsections (5)(a) or (b).
(c) Except as provided in Subsection (7) ~~{(c)}~~ (d) , a pharmacist or

pharmacy intern who cannot dispense the prescribed drug as written, and who needs to substitute

86 ~~{substitutes}~~ a drug product equivalent for ~~{an epilepsy}~~ the drug
prescribed to ~~{a}~~ the patient to treat or

87 prevent seizures shall notify the prescribing practitioner prior to the substitution.

88 ~~{c}~~ (d) Notification under Subsection (7) ~~{b}~~ (c) is not required
if the drug product equivalent is

89 paid for in whole or in part by Medicaid.

The motion to amend the bill passed unanimously.

Rep. Hutchings explained H.B. 361 as amended to the committee.

Spoke to the bill: Jim Olsen, Utah Retail Merchants Association
 Michael Wood, pharmacist

Spoke in favor of the bill: Awais Riaz, M.D., University of Utah
 Julie Christensen, Epilepsy Association of Utah
 Thomas Houts, physician

MOTION: Rep. Harper moved to pass H.B. 361 as amended with a favorable recommendation. The motion passed unanimously.

S.B. 17 Child Abuse and Neglect Registry - Management and Licensing Information Systems Amendments (Sen. G. Davis)

MOTION: Rep. Menlove moved to delete in title and body S.B. 17 and replace it with 1st Substitute S.B. 17. The motion passed unanimously.

MOTION: Rep. Menlove moved to amend the substitute bill as follows:

1. Page 6, Lines 159 through 161:

159 (d) The Judicial Council shall make rules ~~{, in accordance with Title 63, Chapter~~
~~46a,~~

160 ~~Utah Administrative Rulemaking Act.}~~ that ensure the confidentiality of the
proceedings

161 described in Subsection (5)(c) and the records related to the proceedings.

The motion to amend the bill passed unanimously.

Sen. Davis explained 1st Substitute S.B. 17 as amended to the committee.

Spoke to the bill: Thomas R. Vaughn, Associate General Counsel, Office of Legislative Research and General Counsel.

Spoke in favor of the bill: Duane Betournay, Director, Division of Child and Family Services, Department of Human Services.

MOTION: Rep. Riesen moved to pass 1st Substitute S.B. 17 as amended with a favorable recommendation. The motion passed unanimously.

MOTION: Rep. Riesen moved to adjourn the meeting. The motion passed unanimously.

Rep. Ray adjourned the meeting at 9:09 a.m.

Rep. Paul Ray
Committee Chair