

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES  
STANDING COMMITTEE  
MONDAY, FEBRUARY 28, 2011  
ROOM 250 STATE CAPITOL COMPLEX**

Members Present: Sen. D. Chris Buttars, Chair  
Sen. Allen M. Christensen  
Sen. Mark B. Madsen  
Sen. Stuart C. Reid  
Sen. Patricia W. Jones  
Sen. Luz Robles

Staff Present: Mark D. Andrews, Policy Analyst  
Kathy Helgesen, Committee Secretary

Public Speakers Present: Michelle McOmber, CEO, Utah Medical Association  
Greg Curtis, Lobbyist, Certified Nurse Anesthetists  
Natalie Parkin, Utah Beauty School Association  
Mark Brinton, General Counsel, Utah Medical Association  
Stephanie Williams, Master Aesthetician, Medical Assistant  
Tom Metcalf, MD  
David Stewart, Lobbyist, CRNA  
Candace Daly, Aesthetic and Chiropractic Associations, Utah  
Cosmetology Schools

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

Sen. Buttars called the meeting to order at 4:20 p.m.

**Approval of Minutes**

**MOTION:** Sen. Jones moved to approve the minutes of February 25, 2011

The motion passed unanimously with Sen. Reid and Sen. Madsen absent for the vote.

1. **SB0186- Utah Medical Practice Act Amendments (J.S. Adams)**

**MOTION:** Sen. Christensen moved to adopt an amendment as follows:

1. *Page 1, Line 14:*

14           ▶   prohibits an individual from using the title "doctor," "M.D." or  
                  { "~~O.D.~~" }   "D.O." in a

2. *Page 3, Line 66:*

66 forgery, or intentional deception, misrepresentation, misstatement, or omission;  
{~~for~~} or

3. *Page 3, Lines 79 through 84:*

79 this title[-] {~~;~~~~or~~} ∴  
80 {~~(g) using the designation "doctor," "Dr.," or a comparable designation in a~~  
manner  
81 which might cause a reasonable person to believe the individual using the designation  
is a  
82 doctor licensed under this title, if the individual is not licensed under this title;  
provided that an  
83 individual who has received an earned doctorate may use the designation of the  
degree if it is  
84 followed by "Not Licensed" or "Not Licensed in Utah" in the same size and style of  
lettering.}

4. *Page 8, Line 230:*

230 (iv) had a federal registration or license denied, suspended, or revoked by  
competent federal authority

5. *Page 17, Line 499:*

499 United States {~~,~~} or its territories, {~~or Canada,~~} submitting a current  
certification by the Educational

6. *Page 18, Lines 548 through 549:*

548 (c) comply with the requirements for licensure under Subsection (1)(a) through (d)  
{~~and~~} ∴  
549 (1)(e)(i) , and (1)(g) through (j) ;

7. *Page 19, Lines 566 through 567:*

566 (f) submit to a records review, a practice history review, and {~~physical and~~  
567 ~~psychological~~} comprehensive assessments, if requested by the division in  
collaboration with the board; and

8. *Page 27, Line 829:*

829 doctor of osteopathic medicine {~~degree~~} but is not a licensed osteopathic physician

and surgeon

9. *Page 29, Line 866:*

866 located outside of the United States [~~or~~], or its [jurisdictions] {~~districts~~ , or }  
territories {~~, or Canada~~}

10. *Page 35, Line 1069:*

1069 The division in collaboration with the board may assess penalties  
{~~under~~} as described in Section 58-67-503.

The motion passed unanimously with Sen. Reid and Sen. Madsen absent for the vote.

Sen. Adams presented the bill.

Ms. McOmber, Mr. Brinton and Dr. Metcalf spoke in favor of the bill.

Mr. Curtis, Ms. Parkin, Ms. Williams, Mr. Stewart and Ms. Daly spoke in opposition to the bill.

**MOTION:** Sen. Christensen moved to pass S.B. 186, as amended, out of committee with a favorable recommendation.

The motion passed 4-2-0 with Sen. Buttars and Sen. Jones voting in opposition.

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

The motion passed unanimously.

The meeting adjourned at 5:20 p.m.

Minutes reported by Kathy Helgesen, Secretary.

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Sen. D. Chris Buttars, Committee Chair