

**MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE
Room 25, House Office Building
February 8, 2012**

MEMBERS PRESENT: Rep. Paul Ray, Chair
 Rep. Evan J. Vickers, Vice Chair
 Rep. Rebecca Chavez-Houck
 Rep. Tim M. Cosgrove
 Rep. Bradley M. Daw
 Rep. Daniel McCay
 Rep. Ronda Rudd Menlove
 Rep. Dean Sanpei
 Rep. Christine F. Watkins

STAFF PRESENT: Mr. Mark D. Andrews, Policy Analyst
 Ms. Linda Black, House Secretary

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

Rep. Ray called the meeting to order at 2:10 p.m.

MOTION: Rep. Daw moved to approve the minutes of February 6, 2012. The motion passed unanimously, with Rep. McCay and Rep. Watkins absent for the vote.

H.B. 254 Controlled Substances Amendments *(Rep. G. Froerer)*

Rep. Froerer presented the bill to the committee. (handout)

Spoke to the bill: Mr. Jay Henry, Utah Department of Public Safety, Bureau of Forensic Services
 Dr. Jeff Carr, Utah Department of Public Safety

MOTION: Rep. Daw moved to pass the bill out favorably. The motion passed unanimously.

H.B. 240 Medical Retainer Agreements *(Rep. K. Ivory)*

Rep. Ivory presented the bill to the committee.

Rep. Sanpei moved to amend the bill as follows:

1. Page 4, Lines 102 through 106:

102 (2) A medical retainer agreement exempt from the provisions of Subsection
103 31A-4-106(2) shall:
104 (a) describe the specific routine health care services that are included in the contract;

105 ~~{and}~~
106 (b) prominently state in writing that the retainer agreement is not health insurance ;
and
(c) prohibit the health care provider, but not the patient, from billing an insurer
for the services provided under the medical retainer agreement .

The motion passed unanimously.

Spoke in favor of the bill: Dr. Michael Jennings, family physician
 Ms. Michelle McOmber, Utah Medical Association
 Mr. Jonathan Ames, spoke for himself

MOTION: Rep. Sanpei moved to pass the bill out favorably, as amended. The motion passed unanimously.

H.B. 76 Pharmacy Audit Rights (*Rep. E. Vickers*)

Rep. Vickers presented the bill to the committee.

MOTION: Rep. Vickers moved to replace H.B. 76 with 1st Substitute H.B. 76. The motion passed unanimously, with Rep. Daw absent for the vote.

Spoke in favor of the bill: Mr. Dave Davis, Utah Retail Merchants Association
 Mr. Richard Barton, pharmacist
 Mr. Hal Roe, pharmacist
 Mr. Jerry Peterson, president, Utah Pharmacist Association
 Mr. Jim Driscoll, Independent Pharmacy Cooperative

Spoke to the bill: Mr. Lincoln Shurtz, CVS CAREMARK Pharmacies
 Mr. Frank Pignanelli, MEDCO Health Solutions
 Ms. Christina Heiner, Director, The Regence Group (Portland,

Or.)

MOTION: Rep. Watkins moved pass the bill out favorably, as substituted. The motion passed unanimously.

H.B. 122 E-prescribing Amendments (*Rep. E. Vickers*)

Rep. Vickers presented the bill to the committee

MOTION: Rep. Vickers moved to replace H.B. 122 with 1st Substitute H.B. 122. The motion passed unanimously.

MOTION: Rep. Sanpei moved to pass the bill out favorably, as substituted. The motion passed unanimously, with Rep. McCay absent for the vote.

MOTION: Rep. Daw moved to adjourn the meeting. The motion passed unanimously, with Rep. McCay absent for the vote.

Rep. Ray adjourned the meeting at 3:30 p.m.

Rep. Paul Ray, Chair