

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE
Room 450, State Capitol
March 6, 2013**

Members Present: Rep. Jim Dunnigan, Chair
Rep. Dixon Pitcher, Vice Chair
Rep. Jake Anderegg
Rep. Johnny Anderson
Rep. Jim Bird
Rep. Derek Brown
Rep. Spencer Cox
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Dana Layton
Rep. Jeremy Peterson
Rep. Marc Roberts
Rep. Jon Stanard
Rep. Mark Wheatley
Rep. Larry Wiley

Members Absent: Rep. Brad Wilson

Staff Present: Mr. Bryant Howe, Assistant Director
Ms. Rosemary Young, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Chair Dunnigan called the meeting to order at 4:20 p.m.

MOTION: Rep. Duckworth moved to approve the minutes of the March 5, 2013 meeting. The motion passed unanimously with Rep. Anderson, Rep. Froerer, and Rep. Peterson absent for the vote.

Chair Dunnigan relinquished the chair to Vice Chair Pitcher

H.B. 160 Health System Reform Amendments (Rep. J. Dunnigan)

MOTION: Rep. Anderegg moved to replace H.B. 160 with 1st Substitute H.B. 160. The motion passed unanimously with Rep. Anderson absent for the vote.

MOTION: Rep. Anderegg moved to amend 1st Sub. H.B. 160 as follows:

1. Page 46, Line 1395:

1395 (1) A stop-loss insurer shall demonstrate to the commissioner that the **rates**

associated with specific and

2. Page 46, Line 1417:

1417 include the disclosure exhibit required by the ~~{commission}~~ commissioner
through administrative rule. The

3. Page 47, Lines 1435 through 1436:

1435 (6) assure the ~~{levels of}~~ rates associated with the specific attachment
points and aggregate attachment points

1436 ~~{retained by the small employer plans}~~ are actuarially sound and are not against
the public

4. Page 49, Lines 1484 through 1485:

1484 reports in writing, and , if practicable, in person if requested, to the Legislature's
Business and Labor Interim

1485 Committee [~~and if authorized~~], the Health Reform Task Force, ~~{and}~~ or the
legislative Executive

The motion passed unanimously with Rep. Anderson absent for the vote.

Rep. Dunnigan presented the bill to the committee assisted by Cathy Dupont of the Office of Legislative Research and General Counsel. Cheryl Eagar, Association of American Physicians and Surgeons, and Judi Hilman, Utah Health Project, spoke in favor of the bill.

MOTION: Rep. Bird moved to transmit 1st Sub. H.B. 160 with a favorable recommendation. The motion passed unanimously with Rep. Anderson and Rep. Cox absent for the vote.

MOTION: Rep. Bird moved to place 1st Sub. H.B. 160 on the Consent Calendar. The motion passed unanimously with Rep. Anderson and Rep. Cox absent for the vote.

H.B. 404 Short Sale Amendments (Rep. M. Roberts)

MOTION: Rep. Roberts moved to amend H.B. 404 as follows:

1. Page 6, Line 167:

167 mortgage at the time the trust deed was reconveyed or the mortgage was released.

(7) This section does not limit or modify the application of Section 57-1-33.1.

The motion passed unanimously with Rep. Anderson and Rep. Cox absent for the vote. Rep. Roberts explained the bill to the committee assisted by James Seaman, Utah Land Title

Association, who then spoke in favor of the bill.

MOTION: Rep. Froerer moved to transmit H.B. 404 with a favorable recommendation. The motion passed unanimously with Rep. Anderson absent for the vote.

H.B. 140 Consumer-focused Health Delivery and Payment Demonstration Project
(Rep. S. Barlow)

MOTION: Rep. Peterson moved to replace H.B. 140 with 1st Substitute H.B. 140. The motion passed unanimously with Rep. Anderson absent for the vote.

Rep. Barlow explained the bill to the committee. Michelle McOmber, Utah Medical Association, spoke in favor of the bill.

MOTION: Rep. Layton moved to transmit 1st Sub. H.B. 140 with a favorable recommendation. The motion passed unanimously with Rep. Anderson and Rep. Froerer absent for the vote.

H.B. 169 Licensing Amendments *(Rep. R. Edwards)*

Rep. Edwards distributed a handout and presented the bill to the committee assisted by Prof. Letha Mark, Utah Association of Music Therapists. Maureen Hearn, Utah State University Music Therapy Program, and Alison Wendel, Utah Association of Music Therapists, spoke in favor of the bill. Connor Boyack, Libertas Institute, spoke in opposition to the bill.

MOTION: Rep. Anderson moved to transmit H.B. 169 with a favorable recommendation. The motion failed with Rep. Anderson, Rep. Brown, Rep. Duckworth, Rep. Froerer, Rep. Peterson, Rep. Wheatley, and Rep. Pitcher voting in favor and Rep. Wiley absent for the vote.

2nd Sub. S.B. 190 Procurement Revisions *(Sen. S. Jenkins)*

MOTION: Rep. Anderegg moved to replace 2nd Sub. S.B. 190 with 3rd Sub. S. B. 190. The motion passed unanimously with Rep. Wiley absent for the vote.

Sen. Jenkins presented the bill to the committee assisted by Kent Beers, Director of Purchasing and General Services, and Tom Vaughn, Office of Legislative Research and General Counsel. Sen. Jenkins declared a conflict of interest.

Tracy Taylor, Wasatch Taxpayers Association, and Gary Oliverson, citizen, spoke in opposition to the bill, and LeGrand Bitter, Utah Association of Special Districts, spoke in favor of the bill.

MOTION: Rep. Froerer moved to transmit 3rd Sub. S.B. 190 with a favorable

Rep. Last explained the bill to the committee.

MOTION: Rep. Duckworth moved to transmit H.B. 323 with a favorable recommendation. The motion passed unanimously with Rep. Anderegg absent for the vote.

3rd Sub. S.B. 67 Consumer Protection Revisions (Sen. C. Bramble)

Sen. Bramble explained the bill to the committee.

MOTION: Rep. Bird moved to transmit 3rd Sub. S.B. 67 with a favorable recommendation. The motion passed unanimously with Rep. Anderegg and Rep. Wheatley absent for the vote.

MOTION: Rep. Bird moved to place 3rd Sub. S.B. 67 on the Consent Calendar. The motion passed unanimously with Rep. Anderegg and Rep. Wheatley absent for the vote.

1st Sub. S.B. 143 Mortgage and Financial Affairs Amendments (Sen. W. Harper)

This bill was not heard.

2nd Sub. S.B. 187 Food Handler Licensing Amendments (Sen. C. Bramble)

MOTION: Rep. Anderson moved to amend 2nd Sub. S.B. 187 as follows:

1. Page 3, Lines 60 through 61:

60 (b) an exam, which requires a passing score of 75% and, except as provided in
61 Subsection (11) ~~{(b)}~~, consists of:

2. Page 3, Line 70:

70 (B) passes the exam described in this Subsection (3) or an exam approved by
the department in accordance with Subsection (11) ; and

3. Page 3, Lines 79 through 80:

79 (b) (i) A local health department may charge a food handler permit fee that is
reasonable

80 and that reflects the cost of managing the food safety program. =

(ii) The department shall establish by rule the maximum amount a local health
department may charge for the fee described in Subsection (4)(b)(i).

The motion passed unanimously.

Sen. Bramble provided a handout and explained the bill to the committee.

MOTION: Rep. Brown moved to transmit 2nd Sub. S.B. 187 with a favorable recommendation. The motion passed unanimously.

MOTION: Rep. Anderson moved to place 2nd Sub. S.B. 187 on the Consent Calendar. The motion passed unanimously.

H.B. 153 Medicaid Amendments (*Rep. R. Chavez-Houck*)

Rep. Chavez-Houck provided handouts and introduced the bill to the committee assisted by Jeannie Edens, Salt Lake County Behavioral Health Services. Kris Fawson, Legislative Coalition of People with Disabilities, spoke to the bill.

The following individuals spoke in favor of the bill:

Matt Slonaker	Utah Health Policy Project (handout)
Jenn Gonnely	Utah League of Women Voters
Danny Harris	AARP

The following individuals spoke in opposition to the bill:

Cherilyn Eagar	Association of American Physicians and Surgeons
Jason Christensen	citizen

MOTION: Rep. Wiley moved to proceed to the next item on the agenda. The motion passed unanimously.

H.B. 391 Nullification of the Patient Protection and Affordable Care Act (*Rep. L. Perry*)

Rep. Perry explained the bill to the committee assisted by James Mackley, Coalition to Nullify Obamacare.

MOTION: Rep. Anderegg moved to replace H.B. 391 with 1st Substitute H.B. 391 under his name. The motion passed with Rep. Anderson, Rep. Bird, Rep. Duckworth, Rep. Layton, Rep. Wheatley, and Rep. Wiley voting in opposition.

The following individuals spoke in favor of the bill:

Joe Wolverton	<u>The New American Magazine</u>
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Ken Ivory	Utah House of Representatives
Candace Salima	Utah taxpayer
Cherilyn Eagar	Association of American Physicians and Surgeons

The following individuals spoke in opposition to the bill:

Judi Hilman	Utah Health Policy Project
Lincoln Nehring	Voices for Utah Children
Janida Emerson	Association for Utah Community Health

MOTION: Rep. Roberts moved to hold 1st Sub. H.B. 391.

SUBSTITUTE MOTION: Rep. Anderegg moved to transmit 1st Sub. H.B. 391 with a favorable recommendation. The motion passed with Rep. Anderson, Rep. Bird, Rep. Duckworth, Rep. Wheatley, Rep. Wiley, and Rep. Pitcher voting in opposition.

MOTION: Rep. Layton moved to adjourn. The motion passed unanimously.

Chair Dunnigan adjourned the meeting at 8:23 p.m.

Rep. James Dunnigan, Chair