

**MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE
Room 25, House Office Building
January 29, 2013**

MEMBERS PRESENT: Rep. Paul Ray, Chair
Rep. LaVar Christensen, Vice Chair
Rep. Stewart Barlow
Rep. Rebecca Chavez-Houck
Rep. Tim M. Cosgrove
Rep. Brian M. Greene
Rep. Michael S. Kennedy
Rep. Ronda Rudd Menlove
Rep. Edward H. Redd

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

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

Chair Ray called the meeting to order at 2:10 p.m., and introduced the committee.

H.B. 56 Behavioral Health Care Workforce Amendments (*Rep. R. Menlove*)

Rep. Menlove presented the bill to the committee with the assistance of Mr. Santiago Cortez, Chair, Utah Substance Abuse Advisory Council. (handout)

Spoke in favor of the bill: Ms. Michelle McOmber, Utah Medical Association
Dr. Nanci Klein, Utah Psychological Association
Mr. Justin McPheters, licensed family therapist
Mr. Ken Stettler, Department of Human Services Office of
Licensing

Spoke to the bill: Ms. Cherie Rawlings

MOTION: Rep. Chavez-Houck moved to pass the bill out favorably. The motion passed unanimously.

H.B. 57 Mental and Behavioral Health Amendments (*Rep. D. Sanpei*)

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

Spoke in favor of the bill: Mr. Adam Trupp, Utah Association of Counties
Ms. Michelle McOmber, Utah Medical Association

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

H.B. 270 Prescription Drug Database Access Amendments (*Rep. R. Menlove*)

Rep. Menlove presented the bill to the committee.

MOTION: Rep. Kennedy moved to replace H.B. 270 with 1st Substitute H.B. 270. The motion passed unanimously.

Spoke in favor of the bill: Dr. David Patton, Executive Director, Utah Department of Health
Mr. Reid Barker, Executive Director, Utah Pharmacists
Association
Ms. Michelle McOmber, Utah Medical Association

MOTION: Rep. Barlow moved to hold the bill. The motion passed unanimously.

H.B. 58 Protection of Athletes with Head Injuries Act Amendments (*Rep. P. Ray*)

Rep. Ray presented the bill to the committee.

Spoke to the bill: Mr. Rob Wall, City of South Jordan, Utah

MOTION: Chair Ray moved to amend the bill as follows:

1. *Page 1, Lines 16 through 21:*

- 16 ▶ amends definitions; and
{ 17 → requires that each agent of an amateur sports organization be aware of the
18 organization's concussion and head injury policy;
19 → requires that an amateur sports organization or its agent immediately
remove a child
20 from participating in a sporting event if the organization or agent knows or should
21 have known the child sustained a concussion or traumatic head injury; and }

2. Page 2, Lines 30 through 31:

{ 30 ~~26-53-201, as enacted by Laws of Utah 2011, Chapter 97~~
31 ~~26-53-301, as enacted by Laws of Utah 2011, Chapter 97~~ }

3. Page 3, Line 85 through Page 5, Line 123:

85 { ~~Section 2. Section 26-53-201 is amended to read:~~
86 ~~26-53-201. Adoption and enforcement of concussion and head injury policy --~~
87 ~~Notice of policy to parent or guardian.~~
88 ~~Each amateur sports organization shall:~~
89 ~~(1) adopt and enforce a concussion and head injury policy that:~~
90 ~~(a) is consistent with the requirements of Section 26-53-301; and~~
91 ~~(b) describes the nature and risk of:~~
92 ~~(i) a concussion or a traumatic head injury; and~~
93 ~~(ii) continuing to participate in a sporting event after sustaining a concussion or~~
94 ~~a~~
95 ~~traumatic head injury;~~
96 ~~(2) ensure that each agent of the amateur sports organization is [familiar with]~~
97 ~~aware~~
98 ~~of, and has a copy of, the concussion and head injury policy; and~~
99 ~~(3) before permitting a child to participate in a sporting event of the amateur~~
100 ~~sports~~
101 ~~organization:~~
102 ~~(a) provide a written copy of the concussion and head injury policy to a parent~~
103 ~~or legal~~
104 ~~guardian of a child; and~~
105 ~~(b) obtain the signature of a parent or legal guardian of the child,~~
106 ~~acknowledging that~~
107 ~~the parent or legal guardian has read, understands, and agrees to abide by, the~~
108 ~~concussion and~~
109 ~~head injury policy.~~
110 ~~Section 3. Section 26-53-301 is amended to read:~~
111 ~~26-53-301. Removal of child suspected of sustaining concussion or a traumatic~~
112 ~~head injury -- Medical clearance required before return to participation.~~
113 ~~(1) An amateur sports organization, and each agent of the amateur sports~~
114 ~~organization,~~
115 ~~shall:~~
116 ~~(a) immediately remove a child from participating in a sporting event of the~~
117 ~~amateur~~

110 ~~sports organization if [the child is suspected of sustaining] the organization or agent~~
111 ~~knows or~~
112 ~~should have known the child sustained a concussion or a traumatic head injury; and~~
113 ~~—(b) prohibit the child described in Subsection (1)(a) from participating in a~~
114 ~~sporting~~
115 ~~event of the amateur sports organization until the child:~~
116 ~~—(i) is evaluated by a qualified health care provider who is trained in the~~
117 ~~evaluation and~~
118 ~~management of a concussion; and~~
119 ~~—(ii) provides the amateur sports organization with a written statement from the~~
120 ~~qualified health care provider described in Subsection (1)(b)(i) stating that:~~
121 ~~—(A) the qualified health care provider has, within three years before the day on~~
122 ~~which~~
123 ~~the written statement is made, successfully completed a continuing education course~~
124 ~~in the~~
125 ~~evaluation and management of a concussion; and~~
126 ~~—(B) the child is cleared to resume participation in the sporting event of the~~
127 ~~amateur~~
128 ~~sports organization.~~
129 ~~—(2) This section does not create a new cause of action.~~
130 }
131 }

The motion passed unanimously.

MOTION: Chair Ray moved to adjourn the meeting. The motion passed unanimously.

Chair Ray adjourned the meeting at 4:00 p.m.

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