

**REVISED MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES
STANDING COMMITTEE**

Monday, January 30, 2017 • 2:00 pm • 20 House Building

Members Present:

Rep. Brad M. Daw, Chair
Rep. Michael S. Kennedy, Vice Chair
Rep. Stewart E. Barlow
Rep. Rebecca Chavez-Houck
Rep. Craig Hall
Rep. Sandra Hollins
Rep. Kelly B. Miles
Rep. Paul Ray

Rep. Edward H. Redd
Rep. Robert M. Spendlove
Rep. Norman K Thurston
Rep. Raymond P. Ward

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Steve Benard, Legislative Session
Worker

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

Vice Chair Kennedy called the meeting to order at 2:04 p.m.

MOTION: Rep. Thurston moved to approve the minutes of the January 25, 2017, meeting. The motion passed with a vote of 6-0-6.

Yeas:

Rep. B. Daw
Rep. C. Hall
Rep. M. Kennedy
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. S. Hollins
Rep. K. Miles
Rep. R. Spendlove
Rep. R. Ward

1. H.B. 113 Nursing Care Facility Amendments (*Gibson, F.*)

Rep. Francis D. Gibson presented the bill, with the assistance of Mr. Dirk Andjewierden, Executive Director of the Utah Health Care Association.

MOTION: Rep. Daw moved to replace H.B. 113 with 1st Substitute H.B. 113. The motion passed with a vote of 9-0-3.

Yeas:

Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Nays:

Abs:

Rep. S. Barlow
Rep. R. Spendlove
Rep. R. Ward

MOTION: Rep. Thurston moved to pass 1st Substitute H.B. 113 out favorably. The motion passed with a vote of 9-0-3.

Yeas:

Nays:

Abs:

Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Rep. S. Barlow
Rep. R. Spendlove
Rep. R. Ward

MOTION: Rep. Ray moved to place 1st Substitute H.B. 113 on the Consent Calendar. The motion passed with a vote of 9-0-3.

Yeas:

Nays:

Abs:

Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Rep. S. Barlow
Rep. R. Spendlove
Rep. R. Ward

2. H.B. 167 Podiatric Physician Licensing Act Amendments (*Hawkes, T.*)

Rep. Hawks presented the bill with the assistance of Candace Daly, Utah Podiatric Medical Association.

MOTION: Rep. Ray moved to amend H.B. 167 with Amendment #1.

1. *Page 2, Lines 42 through 44:*

42 (ii) has been accepted in, and is successfully participating in, progressive resident
43 training in a { ~~program approved by the~~ Council on Podiatric Medical Education
approved program within Utah, in
44 the applicant's second or third year of postgraduate training; and

2. *Page 2, Lines 45 through 49:*

45 (iii) has agreed to surrender to the division the applicant's license as a podiatric

- 46 physician without any proceedings under Title 63G, Chapter 4, Administrative
Procedures Act,
- 47 and has agreed the applicant's license as a podiatric physician will be automatically
revoked by
- 48 the division if the applicant fails to continue in good standing in a { ~~progressive~~
resident training
- 49 ~~program approved by the~~} Council on Podiatric Medical Education approved
progressive resident training program within the state; and

The motion passed with a vote of 10-0-2.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Rep. R. Spendlove
Rep. R. Ward

MOTION: Rep. Chavez-Houck moved to pass H.B. 167 out favorably. The motion passed with a vote of 10-0-2.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Rep. R. Spendlove
Rep. R. Ward

MOTION: Rep. Miles moved to place H.B. 167 on the Consent Calendar. The motion passed with a vote of 10-0-2.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. N. Thurston

Rep. R. Spendlove
Rep. R. Ward

3. H.B. 66 Opiate Overdose Response Act Amendments (*Moss, C.*)

Rep. Carol Spackman Moss presented the bill with the assistance of Dr. Jennifer Plumb, University of Utah.

MOTION: Rep. Redd moved to replace H.B. 66 with 1st Substitute H.B. 66. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

MOTION: Rep. Barlow moved to amend 1st Substitute H.B. 66 with Amendment #1.

1. *Page 4, Lines 102 through 107:*

102 (b) A health care provider:

103 (i) [~~does~~] is { ~~not~~ [~~have immunity~~] immune from liability under Subsection
104 (1)(a) when

104 the health care provider is acting within the scope of the health care provider's
responsibilities

105 or duty of care; and

106 (ii) [~~does have immunity~~] is immune from liability under Subsection (1)(a) if the
health

107 care provider is under no legal duty to respond and otherwise complies with Subsection
(1)(a).

SUBSTITUTE MOTION:

Rep. Ray moved to pass 1st Substitute H.B. 66 out favorably. The motion passed with a vote of 9-3-0.

Yeas:

Rep. R. Chavez-Houck
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. R. Ward

Nays:

Rep. S. Barlow
Rep. B. Daw
Rep. N. Thurston

Abs:

4. H.B. 61 Pharmacy Service for Discharged Hospital Patients (*Redd, E.*)

Rep. Edward H. Redd presented the bill.

MOTION: Rep. Thurston moved to pass H.B. 61 out favorably. The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Rep. C. Hall

5. H.B. 101 Adoptive Studies and Evaluations Amendments (*Redd, E.*)

Rep. Edward H. Redd presented the bill.

Ms. Diane Moore, Office of Licensing, Department of Human Services, spoke to the bill.

MOTION: Rep. Ray moved to replace H.B. 101 with 1st Substitute H.B. 101. The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Rep. C. Hall

MOTION: Rep. Ray moved to pass out H.B. 101 with a favorable recommendation. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

6. H.B. 130 Cannabinoid Medicine Research (*Daw, B.*)

Rep. Brad M. Daw presented the bill with the assistance of Senator Evan Vickers.

Ms. Michelle McOmber, Utah Medical Association spoke for the bill.

Mr. George Chapman spoke in opposition to the bill.

Dr. Karen Buchi, MD., University of Utah Medical Marijuana/Opioid Task Force, spoke for the bill.

Ms. Jennifer Dailey, Utah Academy of Family Physicians, spoke for the bill.

Ms. Gabrielle Saunders, student, spoke for the bill.

Mr. Stan Rasmussen, Sutherland Institute, spoke for the bill.

MOTION: Rep. Ward moved to replace H.B. 130 with 1st Substitute H.B. 130. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

MOTION: Rep. Daw moved to amend 1st Substitute H.B. 130 with Amendment #1.

1. *Page 2, Lines 37 through 41:*

37 As used in this chapter:

38 (1) "Approved study" means a medical research study:

39 (a) the purpose of which is to investigate the medical benefits of a cannabinoid

{ ~~medicine~~ product ;

40 and

41 (b) that is approved by an IRB.

The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

MOTION: Rep. Ray moved to pass 1st Substitute H.B. 130 out favorably. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

MOTION: Rep. Thurston moved to adjourn. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward