

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, November 20, 2002 – 2:00 p.m. – Room 416 State Capitol

Members Present:

Rep. Carl R. Saunders, Chair
Sen. D. Edgar Allen
Sen. Peter C. Knudson
Rep. Patrice M. Arent
Rep. Trisha S. Beck
Rep. Glenn A. Donnelson
Rep. Patricia W. Jones
Rep. David Litvack
Rep. Rebecca D. Lockhart
Rep. Steven R. Mascaro
Rep. Michael T. Morley
Rep. Carol Spackman Moss

Rep. Jack A. Seitz
Rep. Mike Thompson

Members Absent:

Sen. Terry R. Spencer, Chair
Rep. Wayne A. Harper
Rep. Paul Ray

Staff Present:

Mr. Mark D. Andrews, Research Analyst
Ms. Catherine J. Dupont, Associate General Counsel
Ms. Stacey M. Snyder, Associate General Counsel
Ms. Alicia M. Laughlin, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or by contacting the committee secretary, Alicia Laughlin, at 538-1032.

1. Committee Business

Chair Saunders called the meeting to order at 2:20 p.m.

MOTION: Sen. Knudson moved to approve the minutes of the October 23, 2002 meeting. The motion passed unanimously, with Rep. Beck, Rep. Lockhart, Rep. Morley, and Rep. Moss absent for the vote.

2. Accessible Housing for Persons With a Disability

Rep. Mascaro presented and discussed revised draft legislation "Accessible Housing," (2003FL-0127/008) mailed previously to committee members.

Mr. Taz Biesinger, Home Builders Association of Utah, indicated that the Association does not feel that legislation is necessary.

Ms. Fraser Nelson, Disability Law Center, indicated that establishing mandates through legislation is important in order to keep the elderly population living in their homes and not needing assisted living or rest homes.

Ms. Kris Fawson, Coalition for Persons with Disabilities, spoke in favor of the draft legislation.

MOTION: Rep. Arent moved to recommend "Accessible Housing" as a committee bill. The motion passed unanimously, with Rep. Morley and Rep. Thompson absent for the vote.

3. Legislative Proposals for 2003 General Session

All proposals were discussed under other agenda items.

4. Repeal of FACT (Families, Agencies, and Communities Together for Children and Youth at Risk) Funding – Report by Fiscal Analyst

Mr. Jonathan Ball, Technology Analyst, Office of the Legislative Fiscal Analyst, distributed and presented "Families, Agencies, and Communities Together For Children and Youth at Risk (FACT)." He indicated that the Fiscal Analyst recommends the FACT Program be continued, but not as a separately funded program.

5. Funding of State and County Health and Human Services Legislative Task Force – Report

Rep. Seitz, Co-Chair, Funding of State and County Health and Human Services Legislative Task Force, reported on the Task Force. He indicated that it has made some progress through the cooperative efforts of the counties and the State.

Mr. Kerry Steadman, Director, Salt Lake County Department of Human Services, requested that the Task Force be reauthorized for an additional year to continue the progress that has been made.

Rep. Seitz introduced and discussed draft legislation "Substance Abuse and Mental Health Amendments." (2003FL-0233/005)

Ms. Robin Arnold-Williams, Executive Director, Department of Human Services, clarified the legislation.

MOTION: Rep. Mascaro moved to recommend draft legislation "Substance Abuse and Mental Health Amendments" as a committee bill. The motion passed unanimously, with Rep. Thompson absent for the vote.

Rep. Seitz introduced and discussed draft legislation "Reauthorization of Funding of State and County Health and Human Services Task Force." (2003FL-0317/003)

MOTION: Rep. Lockhart moved to recommend draft legislation "Reauthorization of Funding of State and County Health and Human Services Task Force" as a committee bill. The motion passed unanimously, with Rep. Arent and Rep. Thompson absent for the vote.

Rep. Seitz introduced and discussed draft legislation "Commitment and Custody of Adults and Minors Amendments." (2003FL-0373/003)

Ms. Arnold-Williams clarified the legislation.

MOTION: Rep. Seitz moved to recommend draft legislation "Commitment and Custody of Adults and Minors Amendments" as a committee bill. The motion passed unanimously, with Rep. Arent and Rep. Thompson absent for the vote.

Rep. Seitz introduced and discussed draft legislation "Legislative Budgeting for COLA for Local Health

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Authorities." (2003FL-0389/001)

MOTION: Rep. Knudson moved to recommend draft legislation "Legislative Budgeting for COLA for Local Health Authorities" as a committee bill. The motion passed unanimously, with Rep. Arent and Rep. Thompson absent for the vote.

Rep. Seitz introduced and discussed draft legislation "Local Human Services Authorities Amendments." (2003FL-0316/005)

MOTION: Rep. Lockhart moved to recommend draft legislation "Local Human Services Authorities Amendments" as a committee bill. The motion passed unanimously, with Rep. Arent and Rep. Thompson absent for the vote.

6. Task Force on Involuntary Commitment of the Mentally Ill – Report

Sen. Blackham, Co-Chair, Task Force on Involuntary Commitment of the Mentally Ill, distributed and presented "Report to the Health and Human Services Interim Committee."

Sen. Blackham introduced and discussed draft legislation "Involuntary Commitment Amendments," (2003FL-0210/010) mailed previously to committee members.

MOTION: Rep. Mascaro moved to amend draft legislation "Involuntary Commitment Amendments" as follows:

- Pg. 7, Line 191: After "days:", insert "or"
- Pg. 7, Line 194: After "care:" insert "and"

The motion passed unanimously, with Sen. Allen and Rep. Jones absent for the vote.

MOTION: Sen. Knudson moved to recommend draft legislation "Involuntary Commitment Amendments" as amended. The motion passed unanimously, with Sen. Allen and Rep. Jones absent for the vote.

7. Access to Health Care and Coverage Task Force – Report

Rep. Lockhart and Sen. Knudson, Co-Chairs, Access to Health Care and Coverage Task Force, distributed and presented "Access to Health Care and Coverage Task Force Report." Rep. Lockhart introduced and discussed draft legislation "Eliminate Spend Down Provision For Medicaid." (2003FL-0191/001)

Ms. Judy Hillman, Utah Issues, distributed and presented "Fact/FAQ Sheet."

MOTION: Rep. Beck moved to recommend draft legislation "Eliminate Spend Down Provision For Medicaid" as a committee bill. The motion passed unanimously, with Sen. Allen, Rep. Arent, and Rep. Jones absent for the vote.

8. Child Welfare Legislative Oversight Panel – Report

Rep. Throckmorton, Co-Chair, Child Welfare Legislative Oversight Panel, distributed a letter to the Committee with recommended legislation and reported on the Panel. He introduced and discussed draft legislation "Amendments to Child Welfare Legislative Oversight Panel and Open and Public Meetings." (2003FL-0058/004)

MOTION: Rep. Seitz moved to recommend "Amendments to Child Welfare Legislative Oversight Panel and Open and Public Meetings" as a committee bill. The motion passed unanimously, with Sen. Allen and Rep. Jones absent for the vote.

Rep. Throckmorton introduced and discussed draft legislation "Consolidation of Child Welfare Oversight Reports." (2003FL-0069/002)

MOTION: Rep. Mascaro moved to recommend "Consolidation of Child Welfare Oversight Reports" as a committee bill. The motion passed unanimously, with Sen. Allen and Rep. Jones absent for the vote.

Rep. Throckmorton introduced and discussed draft legislation "Prohibition of Coercive Restraint Therapy." (2003FL-0075/005)

MOTION: Rep. Thompson moved to recommend "Prohibition of Coercive Restraint Therapy" as a committee bill. The motion passed unanimously, with Sen. Allen, Rep. Jones, and Rep. Seitz absent for the vote.

9. Medicaid 1115 Primary Care Network Waiver – Follow-up Report

Mr. Merwin Stewart, Commissioner, Department of Insurance, and Mr. Chad Westover, Children's Access Programs, Utah Department of Health, distributed and presented "Primary Care Network Enrollment Data."

10. Pharmaceuticals – Report by Department of Health Advisory Committee

Mr. Michael Deily, Director, Division of Health Care Finance, Utah Department of Health, referred to the memorandum mailed to committee members. He reported on the progress and actions of the Health Advisory Committee.

11. Other Items / Adjourn

MOTION: Rep. Donnelson moved to adjourn the meeting. The motion passed unanimously, with Sen. Allen, Sen. Knudson, Rep. Beck, Rep. Jones, Rep. Litvack, and Rep. Seitz absent for the vote.

Chair Saunders adjourned the meeting at 5:00 p.m.