

(Approved)
MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

Wednesday, January 24, 2018 • 2:00 p.m. • 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. Steve Eliason
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:

Ms. Karen C. Allred, Committee Secretary
Mr. Mark D. Andrews, Policy Analyst

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Kennedy called the meeting to order at 2:08 p.m.

Chair Kennedy asked the representatives to introduce themselves.

MOTION: Rep. Ward moved to approve the minutes of the March 6, 2017 meeting. The motion passed with a vote of 8 - 0 - 5 .

Yeas-8

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

Nays-0

Absent-5

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. R. Spendlove
Rep. N. Thurston

1 . H.B. 12 Family Planning Services Amendments (Ward, R.)

Rep. Raymond P. Ward presented the bill with the assistance of Dr. Jessica Sanders, Director of Family Planning Research, University of Utah Medical School.

Ms. Michelle McOmber, Utah Medicaid Association, spoke in favor of the bill.

Dr. Pamela Royer (obstetrics/gynecology) spoke in favor of the bill.

Ms. Jackie DeGaston spoke in opposition to the bill.

Dr. Holly Bullock (obstetrics/gynecology) spoke to the bill.

Ms. Vickie Samuelson, League of Women Voters and Co-Director, Legislative Action Group, spoke in favor of the bill.

Ms. Kari Norton, registered nurse, spoke in favor of the bill.

Ms. Emily Walsh spoke in favor of the bill.

Ms. Kat Martinez, an early childhood educator and volunteer with Teen Moms, spoke in favor of the bill.

MOTION: Rep. Ray moved to amend H.B. 12 with Amendment #1. The motion passed with a vote of 12 - 1 - 0 .

Amendment 1
H.B. 12

1. Page 1, Lines 21 through 25:

21 ▶ institutes a { ~~four-year pilot~~ } program for the provision of family planning services
22 under the Medicaid waiver or state plan amendment described in this bill;
23 ▶ creates a reporting requirement; and
24 ▶ provides a sunset date for the { ~~Medicaid waiver or state plan amendment described~~ } reporting
requirement created
25 in this bill.

2. Page 3, Lines 64 through 65:

64 (a) offer a { ~~four-year pilot~~ } program that provides family planning services to
65 low-income individuals; and

3. Page 3, Line 86:

86 (4) { ~~Section 26-18-415~~ } Subsection 26-18-415(3) is repealed on July 1, { ~~2023~~ } 2022 .

Yeas-12

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Eliason
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-1

Rep. N. Thurston

Absent-0

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

Yeas-12

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Eliason
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-1

Rep. N. Thurston

Absent-0

Rep. Daw assumed the chair.

2 . H.B. 105 Medicaid Sanctions Amendments (*Ward, R.*)

Rep. Raymond P. Ward presented the bill .

MOTION: Rep. Ray moved to pass H.B. 105 out favorably. The motion passed with a vote of 13 - 0 - 0 .

Yeas-13

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Eliason
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

Nays-0

Absent-0

MOTION: Rep. Eliason moved to place H.B. 105 on the Consent Calendar. The motion passed with a vote of 12 - 0 - 1 .

Yeas-12

Nays-0

Absent-1

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

Rep. S. Hollins

3 . H.B. 92 Utah Vital Statistics Act Amendment (*Hall, C.*)

Rep. Craig Hall presented the bill with the assistance of Mr. Richard Osborne, State Registrar and Bureau Director, Division of Vital Records and Statistics, Utah Department of Health.

Mr. Roger Hullinger, President, Utah Funeral Directors Association, spoke in favor of the bill.

Ms. Jackie DeGaston spoke to the bill.

MOTION: Rep. Miles moved to pass H.B. 92 out favorably. The motion passed with a vote of 13 - 0 - 0 .

Yeas-13

Nays-0

Absent-0

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. S. Eliason
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

4 . H.B. 91 Utah Anatomical Gift Act Amendments (*Froerer, G.*)

Rep. Gage Froerer presented the bill with the assistance of Mr. Alex McDonald, Director of Public Relations, Intermountain Donor Services.

Ms. Jackie DeGasten spoke to the bill.

MOTION: Rep. Thurston moved to amend H.B. 91 with Amendment #2. The motion passed with a vote of 11 - 0 - 2 .

Amendment 3
H.B. 91

1. Page 2, Lines 39 through 43:
39 (g) grandparents of the decedent;
40 {~~(h) an adult who exhibited special care and concern for the decedent;~~}
41 {~~(h)~~ (i) } (h) the persons who were acting as the guardians of the person of the decedent at
42 the time of death; {~~and~~}
(i) an adult who exhibited special care and concern for the decedent; and
43 [(+) (j)] any other person having the authority to dispose of the decedent's body.
2. Page 3, Lines 59 through 62:
59 (3) In determining whether an anatomical gift has been made, amended, or revoked
60 under this chapter, a person may rely upon representations of an individual listed in Subsection
61 26-28-109(1)(b), (c), (d), (e), (f), (g), [~~or (+)~~] (h), i, or (j) relating to the individual's relationship
62 to the donor or prospective donor unless the person knows that the representation is untrue.

Yeas-11

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. R. Chavez-Houck
Rep. P. Ray

MOTION: Rep. Miles moved to pass H.B. 91 out favorably. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. R. Chavez-Houck
Rep. P. Ray

MOTION: Rep. Miles moved to place H.B. 91 on the Consent Calendar. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. R. Chavez-Houck
Rep. P. Ray

5 . H.B. 104 Child Welfare Services Amendments (*Christofferson, K.*)

Rep. Kay J. Christofferson presented the bill with the assistance of Ms. Diane Moore, Director, Division of Child and Family Services, Utah Department of Human Services.

MOTION: Rep. Ward moved to pass H.B. 104 out favorably. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall

Nays-0

Absent-2

Rep. R. Chavez-Houck
Rep. P. Ray

Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

MOTION: Rep. Eliason moved to place H.B. 104 on the Consent Calendar. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. R. Chavez-Houck
Rep. P. Ray

6 . H.B. 112 Payments for State Care of Children (*Watkins, C.*)

Rep. Christine F. Watkins presented the bill.

Ms. Diane Moore, Director, Director, Division of Child and Family Services, Utah Department of Human Services, spoke to the bill.

Ms. Tami Hemplin, legislative liason, Office of Recovery Services, Department of Human Services, spoke to the bill.

Ms. Tara Harrison, Associate General Counsel, Office of Legislative Research and General Counsel, spoke to the bill.

MOTION: Rep. Kennedy moved to replace H.B. 112 with 1st Substitute H.B. 112. The motion passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-3

Rep. R. Chavez-Houck
Rep. P. Ray
Rep. R. Spendlove

MOTION: Rep. Kennedy moved to hold 1st Substitute H.B. 112. The motion passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. E. Redd
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-3

Rep. R. Chavez-Houck
Rep. P. Ray
Rep. R. Spendlove

7 . H.B. 80 Child Placement Amendments (*Peterson, J.*)

Rep. Jeremy Peterson presented the bill.

MOTION: Rep. Miles moved to pass H.B. 80 out favorably. The motion passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. C. Hall
Rep. S. Hollins
Rep. M. Kennedy
Rep. K. Miles
Rep. P. Ray

Nays-0

Absent-3

Rep. R. Chavez-Houck
Rep. R. Spendlove
Rep. R. Ward

Rep. E. Redd
Rep. N. Thurston

8 . H.B. 14 Substance Abuse Treatment Facility Patient Brokering (*Hutchings, E.*)

Rep. Eric Hutchings presented the bill.

Mr. Tyler Dallas, Chief Executive Officer, Cold Creek Behavioral Health, spoke in favor of the bill.

Mr. Adam Cohen, President, Utah Association of Addiction Treatment Providers, spoke in favor of the bill.

MOTION: Rep. Spendlove moved to amend H.B. 14 with Amendment #1. The motion passed with a vote of 10 - 0 - 3 .

Amendment 1
H.B. 14

1. Page 13, Lines 380 through 389:

380 (5) Notwithstanding Subsection (1)(a) and subject to Subsections (1)(b) and (2), an
381 individual is guilty of a third degree felony and, upon conviction, {~~shall~~} may be imprisoned for not
382 more than five years if the individual knowingly and willfully offers, pays, promises to pay,
383 solicits, or receives any remuneration, including any commission, bonus, kickback, bribe, or
384 rebate, directly or indirectly, overtly or covertly, in cash or in kind, or engages in any split-fee
385 arrangement in return for:
386 (a) referring an individual to a person for the furnishing or arranging for the furnishing
387 of any item or service for the treatment of a substance use disorder; or
388 (b) receiving a referred individual for the furnishing or arranging for the furnishing of
389 any item or service for the treatment of a substance use disorder.

Yeas-10

Rep. B. Daw
Rep. S. Eliason
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-0

Absent-3

Rep. S. Barlow
Rep. R. Chavez-Houck
Rep. N. Thurston

MOTION: Rep. Ray moved to pass H.B. 14 out favorably. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. B. Daw
Rep. S. Eliason
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

Nays-0

Absent-2

Rep. S. Barlow
Rep. R. Chavez-Houck

9 . H.B. 109 Services for People with Disabilities Amendments (*Ward, R.*)

Rep. Raymond Ward presented the bill .

MOTION: Rep. Eliason moved to adjourn. The motion passed with a vote of 11 - 1 - 1 .

Yeas-11

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

Nays-1

Rep. R. Ward

Absent-1

Rep. R. Spendlove

Chair Daw adjourned the meeting at 4:48 p.m.

Rep. Brad M. Daw, Chair

