

**( Approved )**  
**MINUTES OF THE**  
**HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE**  
Monday, February 26, 2018 • 4:00 p.m. • 210 Senate 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. Raymond P. Ward

**Staff Present:**

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

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Daw called the meeting to order at 4:08 p.m.

**MOTION:** Rep. Kennedy moved to approve the February 22, 2018, minutes. The motion passed with a vote of 8 - 0 - 4 .

Yeas-8

Rep. S. Barlow  
Rep. B. Daw  
Rep. S. Eliason  
Rep. C. Hall  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. E. Redd  
Rep. R. Spendlove

Nays-0

Absent-4

Rep. R. Chavez-Houck  
Rep. K. Miles  
Rep. P. Ray  
Rep. R. Ward

**1 . H.C.R. 18 Concurrent Resolution Recognizing the Work of the Stop the Bleed Initiative and Campaign (Spendlove, R.)**

Rep. Robert M. Spendlove presented the bill with the assistance of Ms. Kristen Gooch, Intermountain Healthcare, and Zach Robinson, University of Utah Healthcare.

**MOTION:** Rep. Kennedy moved to pass H.C.R. 18 out favorably. The motion passed with a vote of 11 - 0 - 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. P. Ray  
Rep. E. Redd  
Rep. R. Spendlove

Nays-0

Absent-1

Rep. K. Miles

Rep. R. Ward

**MOTION:** Rep. Ray moved to place H.C.R. 18 on the Consent Calendar. The motion passed with a vote of 11 - 0 - 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. P. Ray  
Rep. E. Redd  
Rep. R. Spendlove  
Rep. R. Ward

Nays-0

Absent-1

Rep. K. Miles

**2 . H.B. 425 Physician Certification (McKell, M.)**

Rep. Mike K. McKell presented the bill with the assistance of Dr. Brett Thorpe, Revere Health Clinic.

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

Mr. Kelly Atkinson, Executive Director, Utah Health Insurance Association, spoke in opposition to the bill and indicated that he would supply the committee with information requested by committee members.

Dr. Kathryn Carlson, Medical Doctor, spoke in favor of the bill.

Mr. David Gessel, Utah Hospital Association, spoke in opposition to the bill.

**MOTION:** Rep. Ray moved to pass H.B. 425 out favorably. The motion passed with a vote of 10 - 2 - 0 .

Yeas-10

Rep. S. Barlow  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. M. Kennedy

Nays-2

Rep. C. Hall  
Rep. K. Miles

Absent-0

Rep. P. Ray  
Rep. E. Redd  
Rep. R. Spendlove  
Rep. R. Ward

**3 . 2nd Sub. S.B. 130 Cannabidiol Product Act (Vickers, E.)**

Sen. Evan J. Vickers presented the bill.

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

Mr. Stan Rasmussen, Sutherland Institute, spoke in favor of the bill.

Ms. Gayle Ruzicka, Eagle Forum, spoke in favor of the bill.

Mr. Scott Ericson, Deputy Commissioner, Utah Department of Agriculture and Food, spoke in favor of the bill.

Mr. Matt Smith, Med 7, spoke in favor of the bill.

**MOTION:** Rep. Eliason moved to pass 2nd Substitute S.B. 130 out favorably. The motion passed with a vote of 11 - 0 - 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. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

**4 . H.B. 418 Child and Family Services Amendments (Edwards, R.)**

Rep. Rebecca P. Edwards presented the bill with the assistance of Ms. Diane Moore, Director, Division of Child and Family Services.

Ms. Elizabeth Klc, Utah Behavioral Health Care Committee, spoke to the bill.

Ms. Christina Gallup, Board Certified Internal Medicine and Addiction Medicine, and President, Utah Society of Addiction Medicine, spoke to the bill.

Dr. Kris Campbell, Pediatrician, Center for Safe and Healthy Families, Primary Children's Hospital, spoke to the bill.

**MOTION:** Rep. Redd moved to return H.B. 418 to the Rules Committee and request that the committee's chairs draft a letter requesting that the bill be studied during the 2018 interim. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

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. E. Redd  
Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray  
Rep. R. Spendlove

**5 . H.B. 448 Podiatric Physician Practice Amendments (*Fawson, J.*)**

Rep. Justin L. Fawson presented the bill.

**MOTION:** Rep. Miles moved to replace H.B. 448 with 1st Substitute H.B. 448. The motion passed with a vote of 11 - 0 - 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

Nays-0

Absent-1

Rep. P. Ray

Rep. K. Miles  
Rep. E. Redd  
Rep. R. Spendlove  
Rep. R. Ward

**MOTION:** Rep. Miles moved to amend 1st Substitute H.B. 448 with Amendment #1. The motion passed with a vote of 11 - 0 - 1 .

Amendment 1  
1st Sub. H.B. 448

1. Page 2, Lines 29 through 31:  
29 of the foot or ankle[, except that the individual].  
30 (2) Except as provided in {~~Subsection (4)~~} **Subsections (3) and (4)**, an individual licensed as a podiatric  
31 physician under this chapter may not perform:
  
2. Page 2, Lines 50 through 52:  
50 [~~(3) An~~] (4) Subject to Subsection (3), an individual licensed as a podiatric physician  
51 under this chapter may [~~not~~] **only** perform [~~the procedures~~] a procedure described in Subsection (2)  
52 [~~unless~~] if the individual:

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. R. Spendlove

Nays-0

Absent-1

Rep. R. Ward

**MOTION:** Rep. Spendlove moved to pass 1st Substitute H.B. 448 out favorably. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

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

Nays-0

Absent-1

Rep. R. Ward

Rep. S. Eliason  
Rep. C. Hall  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. K. Miles  
Rep. P. Ray  
Rep. E. Redd  
Rep. R. Spendlove

**MOTION:** Rep. Miles moved to place 1st Substitute H.B. 448 on the Consent Calendar. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

Nays-0

Absent-1

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

**6 . H.B. 399 Opioid Abuse Prevention and Treatment Amendments (*Eliason, S.*)**

Rep. Eliason presented the bill.

Mr. Dave Davis, President, Utah Retail Merchants Association, spoke in favor of the bill.

Ms. Sheila Walsh McDonald, Legislative Liaison, Utah Department of Health, spoke in favor of the bill.

**MOTION:** Rep. Ray moved to replace H.B. 399 with 1st Substitute H.B. 399. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

Nays-0

Absent-1

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

Rep. R. Ward

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

**MOTION:** Rep. Ray moved to amend 1st Substitute H.B. 399 with Amendment #1. The motion passed with a vote of 11 - 0 - 1 .

Amendment 1  
1st Sub. H.B. 399

1. Page 3, Lines 63 through 66:

63 (4) Whenever a pharmacist sells or dispenses a Schedule II or Schedule III controlled  
64 substance that is an opiate, a pharmacist shall affix a warning to the container or the lid for the  
65 container in which the substance is sold or dispensed that contains the following text {in not less  
66 than 14-point font } .:

Yeas-11

Nays-0

Absent-1

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

**MOTION:** Rep. Ray moved to pass 1st Substitute H.B. 399 out favorably. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

Nays-0

Absent-1

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

Rep. R. Ward

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

**7. H.B. 400 Controlled Substance Abuse Amendments (*Eliason, S.*)**

Rep. Steve Eliason presented the bill.

**MOTION:** Rep. Redd moved to replace H.B. 400 with 1st Substitute H.B. 400. The motion passed with a vote of 12 - 0 - 0 .

Yeas-12

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. R. Ward

**MOTION:** Rep. Redd moved to amend 1st Substitute H.B. 400 with Amendment #1. The motion passed with a vote of 12 - 0 - 0 .

Amendment 1  
1st Sub. H.B. 400

1. Page 2, Lines 34 through 47:

- 34 (2) { ~~Except as provided in Subsection (4), a~~ } ▲ prescriber may not issue an initial opiate  
35 prescription without discussing with the patient, or the patient's parent or guardian if the patient  
36 is under 18 years of age and is not an emancipated minor:  
37 (a) the risks of addiction and overdose associated with opiate drugs;  
38 (b) the dangers of taking opiates with alcohol, benzodiazepines, and other central  
39 nervous system depressants;  
40 (c) the reasons why the prescription is necessary;



- 41 (d) alternative treatments that may be available; and
- 42 (e) other risks associated with the use of the drugs being prescribed.
- {-43-} { ~~(3) This section does not apply to a prescription for:~~
- 44 ~~— (a) a patient who is currently in active treatment for cancer;~~
- 45 ~~— (b) a patient who is receiving hospice care from a licensed hospice; or~~
- 46 ~~— (c) a medication that is being prescribed to a patient for the treatment of the patient's~~
- 47 ~~substance abuse or opiate dependence. }~~

Yeas-12

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. R. Ward

**MOTION:** Rep. Ray moved to pass 1st Substitute H.B. 400 out favorably. The motion passed with a vote of 10 - 2 - 0 .

Yeas-10

Nays-2

Absent-0

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

**8 . 1st Sub. S.B. 73 Public Employees' Benefit and Insurance Program Amendments (Hemmert, D.)**

Sen. Daniel Hemmert presented the bill.

**MOTION:** Rep. Barlow moved to pass 1st Substitute S.B. 73 out favorably. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

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. R. Ward

Nays-0

Absent-1

Rep. S. Eliason

**MOTION:** Rep. Spendlove moved to adjourn. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

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. R. Ward

Nays-0

Absent-1

Rep. S. Eliason

Chair Daw adjourned the meeting at 6:09 p.m.