

**MINUTES OF THE
SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE**

Tuesday , February 27, 2018 • 4:00 p.m. • 250 State Capitol

Members Present:

Sen. Lincoln Fillmore, Chair
Sen. Jim Dabakis
Sen. Peter C. Knudson
Sen. Kevin T. Van Tassell

Sen. Allen M. Christensen
Sen. Luz Escamilla
Sen. Evan J. Vickers
Sen. Brian Zehnder

Members Absent:

Staff Present:

Mr. Brent Palmer, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

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

Chair Fillmore called the meeting to order at 4:22 p.m.

MOTION: Sen. Van Tassell moved to approve the minutes of the February 26, 2018. The motion passed with a vote of 4 - 0 - 4 .

Yeas-4

Sen. J. Dabakis
Sen. L. Fillmore
Sen. P. Knudson
Sen. K. Van Tassell

Nays-0

Absent-4

Sen. A. Christensen
Sen. L. Escamilla
Sen. E. Vickers
Sen. B. Zehnder

1 . S.B. 222 Toxicology Amendments (*Davis, G.*)

Sen. Davis explained the bill.

MOTION: Sen. Dabakis moved to amend S.B. 222 with Amendment #1. The motion passed with a vote of 4 - 0 - 4 .

Amendment 1
S.B. 222

1 Page 3, Line 72

72 program to provide health, mental health, or substance use disorder services; ~~{or}~~

2 Page 3, Line 89 through Page 4, Line 90

89 provider, practice group, or substance use disorder treatment program may provide to a patient ~~{-}~~ ; or

(f) payments by a laboratory to a person that:

(i) does not have a financial interest in or with a facility or person who refers a clinical sample to the laboratory;

(ii) is not related to an owner of a facility or a person who refers a clinical sample to the laboratory;

(iii) is not related to and does not have a financial relationship with a health care provider who orders the laboratory to conduct a test that is used toward the furnishing of an item or service for the treatment of a substance use disorder;

(iv) identifies, in advance of providing marketing or sales services, the types of clinical samples that each laboratory will receive, if the person provides marketing or sales services to more than one laboratory;

(v) the person does not identify as or hold itself out to be a laboratory or part of a network with an insurance payor, if the person provides marketing or sales services under a contract with a laboratory, as described in Subsection (6)(f)(v)(B);

(vi) the person identifies itself in all marketing materials as a salesperson for a licensed laboratory and identifies each laboratory that the person represents, if the person provides marketing or sales services under a contract with a laboratory, as described in Subsection (6)(f)(v)(B); and
(vii)(A) is a sales person employed by the laboratory to market or sell the laboratory's services to a person who provides substance use disorder treatment; or
(B) is a person under contract with the laboratory to market or sell the laboratory's services to a person who provides substance use disorder treatment, if the total compensation paid by the laboratory does not exceed the total compensation that the laboratory pays to employees of the laboratory for similar marketing or sales services.

Yeas-4

Sen. J. Dabakis
Sen. L. Fillmore
Sen. P. Knudson
Sen. K. Van Tassell

Nays-0

Absent-4

Sen. A. Christensen
Sen. L. Escamilla
Sen. E. Vickers
Sen. B. Zehnder

Mr. Michael Murano, President, Beechtree Diagnostics, spoke in favor of the bill.

MOTION: Sen. Van Tassell moved to pass S.B. 222 out favorably. The motion passed with a vote of 4 - 0 - 4 .

Yeas-4

Sen. J. Dabakis
Sen. L. Fillmore
Sen. P. Knudson
Sen. K. Van Tassell

Nays-0

Absent-4

Sen. A. Christensen
Sen. L. Escamilla
Sen. E. Vickers
Sen. B. Zehnder

MOTION: Sen. Van Tassell moved to adjourn. The motion passed with a vote of 4 - 0 - 4 .

Yeas-4

Sen. J. Dabakis
Sen. L. Fillmore
Sen. P. Knudson
Sen. K. Van Tassell

Nays-0

Absent-4

Sen. A. Christensen
Sen. L. Escamilla
Sen. E. Vickers
Sen. B. Zehnder

Chair Fillmore adjourned the meeting at 4:34 p.m.