



MINUTES

HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Thursday, February 14, 2019 | 3:40 p.m. | 210 Senate Building

Members Present:

Rep. Brad M. Daw, Chair
Rep. Kelly B. Miles, Vice Chair
Rep. Stewart E. Barlow
Rep. Jennifer Dailey-Provost
Rep. Steve Eliason
Rep. Sandra Hollins
Rep. Marsha Judkins

Rep. Paul Ray
Rep. Rex P. Shipp
Rep. Robert M. Spendlove
Rep. Norman K. Thurston
Rep. Raymond P. Ward

Staff Present:

Ms. Karin M. Rueff, 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.

Chair Miles called the meeting to order at 3:46 p.m.

MOTION: Rep. Daw moved to approve the minutes of the February 11, 2019 meeting. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-4

Rep. S. Eliason
Rep. R. Shipp
Rep. R. Spendlove
Rep. N. Thurston

1 . 1st Sub. S.B. 38 Mental Health Amendments (Fillmore, L.)

Sen. Lincoln Fillmore presented the bill.

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

MOTION: Rep. Ward moved to amend 1st Substitute S.B. 38 with Amendment #1. The motion passed with a vote of 9 - 0 - 3.

Amendment 1
1st Sub. S.B. 38

1. Page 2, Line 50 through Page 3, Line 60:

50 (c) disclosing or refusing to disclose any confidential communication under Section

51 58-60-114 or 58-60-509[-]; and

52 (d) ~~{failure}~~ a pattern of failing to offer a patient the opportunity to waive the patient's privacy rights under

53 the Standards for Privacy of Individually Identifiable Health Information, 45 C.F.R., Parts 160

54 and 164.

55 (2) "Unprofessional conduct" under this chapter may be further defined by division

56 rule.

(3) Notwithstanding Section 58-1-401, the division may not act upon the license of a licensee for unprofessional conduct under Subsection (1)(d).

57 Section 2. Section 62A-15-618 is amended to read:

58 62A-15-618. Designated examiners.

59 (1) A designated examiner shall consider a proposed patient's mental health history

60 when evaluating a proposed patient.

Yeas-9

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Spendlove
Rep. R. Ward

Nays-0

Absent-3

Rep. S. Eliason
Rep. R. Shipp
Rep. N. Thurston

MOTION: Rep. Ray moved to pass 1st Substitute S.B. 38 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. S. Eliason
Rep. R. Shipp

2 . H.B. 275 Contraception for Women Prisoners (*Dailey-Provost, J.*)

Rep. J. Dailey-Provost presented the bill.

Ms. Wendy Garvin, Citizen, spoke in favor of the bill.

Ms. Maryann Martindale, Executive Director, Utah Academy of Family Physicians, spoke in favor of the bill.

Ms. Kathleen Kaufman, retired nurse, spoke in favor of the bill.

Mr. Matt DuMont, Chief Deputy Corrections Bureau, Salt Lake County Sheriff's Office, spoke to the bill.

MOTION: Rep. Hollins moved to hold H.B. 275. The motion passed with a vote of 11 - 0 - 1.

Yeas-11

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. R. Shipp
Rep. R. Spendlove
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-1

Rep. P. Ray

3 . 1st Sub. S.B. 38 Mental Health Amendments (*Fillmore, L.*)

MOTION: Rep. Daw moved to reconsider the committee's actions on 1st Substitute S.B. 38. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray
Rep. R. Spendlove

MOTION: Rep. Daw moved to amend 1st Substitute S.B. 38 with Amendment #1. The motion passed with a vote of 10 - 0 - 2.

Amendment 1
1st Sub. S.B. 38

1. Page 2, Line 50 through Page 3, Line 60:

50 (c) disclosing or refusing to disclose any confidential communication under Section
51 58-60-114 or 58-60-509[-]; and

52 (d) ~~{failure}~~ a pattern of failing to offer a patient the opportunity to waive the patient's privacy rights under
53 the Standards for Privacy of Individually Identifiable Health Information, 45 C.F.R., Parts 160
54 and 164.

55 (2) "Unprofessional conduct" under this chapter may be further defined by division
56 rule.

(3) Notwithstanding Section 58-1-401, the division may not act upon the license of a licensee for unprofessional conduct under Subsection (1)(d).

57 Section 2. Section 62A-15-618 is amended to read:

58 62A-15-618. Designated examiners.

59 (1) A designated examiner shall consider a proposed patient's mental health history
60 when evaluating a proposed patient.

Yeas-10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray
Rep. R. Spendlove

MOTION: Rep. Daw moved to pass 1st Substitute S.B. 38 out favorably. The motion passed with a vote of 10 - 0 - 2.



Yeas-10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray
Rep. R. Spendlove

4 . 3 Report by U.S. Department of Health and Human Services Region 8 Director Dr. Brian E. Shiozawa,

Dr. Brian E. Shiozawa, Regional Director for Region 8, U.S. Department of Health and Human Services, gave a report to the committee. Dr. Shiozawa emphasized Secretary Alex M. Azar II's priorities: (1) transforming the health care system to one that is value based, (2) improving the availability and affordability of health insurance, (3) ending the opioid crisis, and (4) lowering the costs of prescription drugs.

[Presentation on Transforming Health Care \[Source: U.S. Dept. of Health and Human Services, Region 8\]](#)

[Opioid Misuse Consultation Team \[Source: U.S. Dept. of Health and Human Services, Region 8\]](#)

Rep. Daw expressed appreciation to Dr. Shiozawa, and Rep. Ward, Rep. Thurston, and Rep. Ray asked questions to Dr. Shiozawa.

MOTION: Rep. Barlow moved to adjourn. The motion passed with a vote of 10 - 0 - 2.

Yeas-10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. S. Eliason
Rep. R. Spendlove

Chair Miles adjourned the meeting at 4:56 P.M.