



# MINUTES

## HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Monday, February 25, 2019 | 8:00 a.m. | 210 Senate Building

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**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. Norman K. Thurston  
Rep. Raymond P. Ward

**Members Absent:**

Rep. Robert M. Spendlove

**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](http://www.le.utah.gov).

Chair Daw called the meeting to order at 8:11 a.m.

**MOTION:** Rep. Hollins moved to approve the minutes of the February 19, 2019 meeting. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. S. Barlow  
Rep. B. Daw  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. P. Ray  
Rep. R. Shipp  
Rep. R. Ward

Nays-0

Absent-5

Rep. J. Dailey-Provost  
Rep. M. Judkins  
Rep. K. Miles  
Rep. R. Spendlove  
Rep. N. Thurston

**1 . H.B. 370 Pharmacy Benefit Manager Amendments (Ray, P.)**

Rep. Paul Ray presented the bill.

[Flow of payment for Insulin](#)

Mr. Lincoln Shurtz, CVS Health, spoke in opposition to the bill.

Mr. Frank Pignaneli, Express Scripts, spoke in opposition to the bill.

Mr. Kelly Atkinson, Executive Director, Utah Health Insurance Association, spoke in opposition to the bill.

Mr. Stephen Foxley, Regence BlueCross BlueShield, spoke in opposition to the bill.

**MOTION:** Rep. Thurston moved to pass H.B. 370 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

Rep. S. Barlow  
 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-3

Rep. J. Dailey-Provost  
 Rep. S. Eliason  
 Rep. R. Spendlove

**2 . H.B. 344 Student Asthma Relief Amendments (*Wheatley, M.*)**

Rep. Mark A. Wheatley presented the bill with the assistance of Dr. Debbie Sigman, Executive Director, Breathe Utah, and Ms. Elizabeth Hinkson, Utah Department of Health, Utah State Board of Education (USBE), State School Nurse Consultant.

[Stock Albuterol is critical for Asthma Emergencies](#)

Mr. Mark Brinton, General Counsel and Director of Government Affairs, Utah Medical Association, spoke in favor of the bill.

Ms. Larissa Johnson Brown, public school teacher, spoke in favor of the bill.

**MOTION:** Rep. Thurston moved to amend H.B. 344 with Amendment #1. The motion passed with a vote of 11 - 0 - 1.

Amendment 1  
 H.B. 344

1. Page 3, Line 68 through Page 4, Line 92:  
 68 potentially fatal anaphylactic reaction.

- (5) "Health care provider" means an individual who is licensed as:
  - (a) a physician under Title 58, Chapter 67, Utah Medical Practice Act;
  - (b) a physician under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;
  - (c) an advanced practice registered nurse under Section 58-31b-302; or
  - (d) a physician assistant under Title 58, Chapter 70a, Physician Assistant Act.

69 ~~[(3)]~~ ~~[(5)]~~ (6) "Qualified adult" means a person who:

- 70 (a) is 18 years of age or older; and
- 71 (b) (i) for purposes of administering an epinephrine auto-injector, has successfully
- 72 completed the training program established in Section 26-41-104[-]; and
- 73 (ii) for purposes of administering stock albuterol, has successfully completed the
- 74 training program established in Section 26-41-104.1.

75 ~~[(4)]~~ ~~[(6)]~~ (7) "Qualified epinephrine auto-injector entity":

- 76 (a) means a facility or organization that employs, contracts with, or has a similar
- 77 relationship with a qualified adult who is likely to have contact with another person who may
- 78 experience anaphylaxis; and
- 79 (b) includes:
  - 80 (i) recreation camps;
  - 81 (ii) an education facility, school, or university;
  - 82 (iii) a day care facility;
  - 83 (iv) youth sports leagues;
  - 84 (v) amusement parks;
  - 85 (vi) food establishments;
  - 86 (vii) places of employment; and
  - 87 (viii) recreation areas.

88 ~~[(7)]~~ (8) "Qualified stock albuterol entity" means a public or private school that employs,

89 contracts with, or has a similar relationship with a qualified adult who is likely to have contact

90 with another person who may experience an asthma emergency.

91 ~~[(8)]~~ (9) "Stock albuterol" means a prescription inhaled medication:

92 (a) used to treat asthma; and

Yeas-11

Nays-0

Absent-1

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

Rep. R. Spendlove

**MOTION:** Rep. Shipp moved to pass H.B. 344 out favorably. The motion passed with a vote of 11 - 0 - 1.

Yeas-11

Nays-0

Absent-1

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

Rep. R. Spendlove

**3 . H.B. 348 Utah Emergency Medical Services System Act Amendments (*Christofferson, K.*)**

Rep. Kay J. Christofferson presented the bill with the assistance of Mr. Guy Dansie, Emergency Medical Service (EMS) Program Director, Bureau of Emergency Medical Services and Preparedness, Utah Department of Health.

Mr. Mike Moffit, President, Gold Cross Ambulance, spoke in favor of the bill.

Mr. Eddie Hales, American Fork Fire Department, spoke in favor of the bill.

**MOTION:** Rep. Ward moved to amend H.B. 348 with Amendment #1. The motion passed with a vote of 10 - 0 - 2.

Amendment 1  
H.B. 348

1. Page 3, Line 64:  
64 26-8a-408 do not apply.

- (c) A revised license issued under Subsection (4)(b):
- (i) may only affect the level of service that the licensee may provide;
- (ii) may not affect any other terms, conditions, or limitations of the original license; and
- (iii) may not impact the rights of other licensees.

Yeas-10  
Rep. J. Dailey-Provost  
Rep. B. Daw  
Rep. S. Eliason  
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. Barlow  
Rep. R. Spendlove

**MOTION:** Rep. Judkins moved to pass H.B. 348 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas-10  
Rep. J. Dailey-Provost  
Rep. B. Daw  
Rep. S. Eliason  
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. Barlow  
Rep. R. Spendlove

**4 . 1st Sub. S.B. 47 Placement of Minors Amendments (*Fillmore, L.*)**

Sen. Lincoln Fillmore presented the bill.

**MOTION:** Rep. Ward moved to pass 1st Substitute S.B. 47 out favorably. The motion passed with a vote of 10 - 0 - 2.

Yeas-10  
Rep. J. Dailey-Provost  
Rep. B. Daw  
Rep. S. Eliason  
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. Barlow  
Rep. R. Spendlove

**5 . S.B. 105 Hemp and Cannabinoid Act Amendments (*Vickers, E.*)**

Sen. Evan J. Vickers presented the bill.

**MOTION:** Rep. Dailey-Provost moved to pass S.B. 105 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

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

Nays-0

Absent-3

Rep. S. Barlow  
Rep. R. Spendlove  
Rep. R. Ward

**6 . S.C.R. 3 Concurrent Resolution Regarding the Public Employees' Health Plans (*Hemmert, D.*)**

Sen. Daniel Hemmert presented the bill.

Mr. Todd Losser, Executive Director, Utah Public Employees Association, spoke in favor of the bill.

Mr. R. Chet Loftis, Director, Utah Public Employees Health Plan (PEHP), spoke to the bill.

**MOTION:** Rep. Eliason moved to pass S.C.R. 3 out favorably. 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. P. Ray  
Rep. R. Shipp  
Rep. N. Thurston  
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

**MOTION:** Rep. Miles moved to adjourn. 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. P. Ray  
Rep. R. Shipp  
Rep. N. Thurston  
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

Chair Daw adjourned the meeting at 9:27 A.M.