



MINUTES

HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Monday, March 4, 2019 | 4:00 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. Marsha Judkins
Rep. Paul Ray
Rep. Rex P. Shipp

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

Members Absent:

Rep. Sandra Hollins
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.

Chair Miles called the meeting to order at 4:14 p.m.

MOTION: Rep. Dailey-Provost moved to approve the minutes of February 28, 2019. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

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

Nays-0

Absent-5

Rep. S. Eliason
Rep. S. Hollins
Rep. P. Ray
Rep. R. Spendlove
Rep. R. Ward

1 . H.B. 419 Opioid Treatment Programs (Daw, B.)

Rep. Brad M. Daw presented the bill.

MOTION: Rep. Barlow moved to replace H.B. 419 with 1st Substitute H.B. 419. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

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

Nays-0

Absent-4

Rep. S. Eliason
Rep. S. Hollins
Rep. R. Spendlove
Rep. R. Ward

MOTION: Rep. Barlow moved to pass 1st Substitute H.B. 419 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

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

Nays-0

Absent-4

Rep. S. Eliason
Rep. S. Hollins
Rep. R. Spendlove
Rep. R. Ward

Rep. Daw assumed the chair.

2 . H.B. 371 Consent to Services for Homeless Youth (*Weight, E.*)

Rep. Elizabeth Weight presented the bill with the assistance of Ms. June Hiatt, Director of Policy & Advocacy, Utah Housing Coalition.

Ms. Anna Thomas, Senior Policy Analyst, Voices for Children spoke in favor of the bill.

Ms. Kathy Bray, President/CEO, Volunteers for America Utah, spoke in favor of the bill.

Ms. Kristen Mitchell, Executive Director, Youth Futures, spoke in favor of the bill.

Mr. Jeff Ojeda, Education Specialist, Utah State Board of Education, spoke to the bill.

Ms. Lisa Dame, Vice President, Mama Dragons, spoke for the bill.

MOTION: Rep. Ray moved to amend H.B. 371 with Amendment #2. The motion passed with a vote of 9 - 0 - 3.

Amendment 2
H.B. 371

1. Page 3, Lines 69 through 85:

69 (3) A person described in Subsection (2), including a temporary homeless youth
70 shelter, is not guilty of a violation of Subsection (2) and is not required to comply with
71 Subsections (2)(c) and (d), if:
72 (a) (i) a court order is issued authorizing a peace officer to take the child into custody;
73 and
74 [(b)] (ii) the person notifies a peace officer or the nearest detention center, as defined in
75 Section 62A-7-101, by telephone or other reasonable means, of the location of the child, within
76 eight hours after the later of:
77 [(+)] (A) the time that the person becomes aware that the child is a runaway; or
78 [(+)] (B) the time that the person begins harboring the child[-]; or
79 (b) (i) the child is a runaway who consents to shelter, care, or licensed services under
80 Section 62A-4a-502; and
81 (ii) (A) { the person determines contacting the child's parent or legal guardian is not in
82 the child's best interest;
83 — (B) } the person is unable to locate the child's parent or legal guardian; or
84 { -(C) } (B) the child refuses to disclose the contact information for the child's parent or legal
85 guardian.

2. Page 6, Lines 155 through 160:

155 (2) A homeless youth may consent to temporary shelter, care, or licensed services if the
156 homeless youth:
157 (a) is at least 15 years old; { -and- }
158 (b) manages the homeless youth's own financial affairs, regardless of the source of
159 income[-]; and
(c) is not in the physical custody of the homeless youth's parent or guardian.

160 (3) In determining consent under Subsection (2), a person may rely on the homeless

3. Page 6,: Lines 163 through 166

163 (4) A person who provides shelter, care, or licensed services to a homeless youth who
164 consents to the shelter, care, or licensed services under Subsection (2):

165 (a) shall report to the division as required under Section {~~62-4a-403~~} 62A-4a-403 and Subsection
166 62A-4a-501(4); and

Yeas-9

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

Nays-0

Absent-3

Rep. S. Hollins
Rep. R. Spendlove
Rep. N. Thurston

MOTION: Rep. Dailey-Provost moved to pass H.B. 371 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas-9

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

Nays-0

Absent-3

Rep. S. Hollins
Rep. R. Spendlove
Rep. N. Thurston

3 . H.B. 435 Undiagnosed Children Insurance Coverage Amendments (*Eliason, S.*)

Rep. Steve Eliason showed a video and presented the bill with the assistance of Marley Eliason, and Tyler and August Teuscher.

Mr. Kelly Atkinson, Executive Director, Utah Health Insurance Association, spoke in favor of the bill.

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

Mr. Chet Loftis, Director, Public Employees Health Plan, spoke to the bill.

MOTION: Rep. Ward moved to replace H.B. 435 with 1st Substitute H.B. 435. 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. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. S. Hollins
Rep. R. Spendlove

MOTION: Rep. Ray moved to pass 1st Substitute H.B. 435 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. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. S. Hollins
Rep. R. Spendlove

4 . H.B. 393 Suicide Prevention Amendments (*Eliason, S.*)

Rep. Steve Eliason presented the bill with the assistance of Mr. Mark Brinton, General Counsel and Director of Government Affairs, Utah Medical Association.

Ms. Taryn Hiatt, Area Director, Utah Chapter of the American Foundation for Suicide Prevention, spoke in favor of the bill.

Ms. MaryAnn Martindale, Executive Director, Utah Academy of Family Physicians, spoke to the bill.

Dr. Tom Metcalf, Retired, General Pediatrician, spoke in favor of the bill.

MOTION: Rep. Ray moved to replace H.B. 393 with 2nd Substitute H.B. 393. 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. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. S. Hollins
Rep. R. Spendlove

MOTION: Rep. Ray moved to pass 2nd Substitute H.B. 393 out favorably. The motion passed with a vote of 8 - 2 - 2.

Yeas-8
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. S. Eliason
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp

Nays-2
Rep. N. Thurston
Rep. R. Ward

Absent-2
Rep. S. Hollins
Rep. R. Spendlove

5 . S.B. 59 Child Welfare Worker Protections (*Vickers, E.*)

Rep. Walt Brooks presented the bill.

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

Ms. Diane Moore, Director, Division of Child and Family Services, spoke in favor of the bill.

MOTION: Rep. Judkins moved to pass S.B. 59 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston

Nays-0

Absent-4
Rep. S. Eliason
Rep. S. Hollins
Rep. R. Spendlove
Rep. R. Ward

6 . S.B. 143 Public Education Vision Screening (*Escamilla (Robles), L.*)

Sen. Luz Escamilla presented the bill with the assistance of Ms. BettySue Hinkson, Utah School Nurse Consultant, Utah Department of Health and Utah State Board of Education.

Dr. Tom Metcalf, Retired General Pediatrician, spoke in favor of the bill.

Ms. Alyssa White, Executive Director, Utah Optometric Association, spoke in favor of the bill.

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

MOTION: Rep. Judkins moved to pass S.B. 143 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-4
Rep. S. Barlow
Rep. S. Eliason
Rep. S. Hollins
Rep. R. Spendlove

7 . 3rd Sub. S.B. 161 Medical Cannabis Act Amendments (*Escamilla (Robles), L.*)

Sen. Luz Escamilla presented the bill with technical assistance from Mr. Michael Curtis, Legal Counsel, Office of Legislative Research and General Counsel.

Ms. Dani Palmer, Utah Eagle Forum spoke in opposition to the bill.

Mr. Michael Curtis, Legal Counsel, Office of Legislative Research and General Counsel, responded to committee member questions with technical clarifications.

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

Mr. Michael Malendez, Libertas Institute, spoke in favor of the bill.

MOTION: Rep. Judkins moved to replace 3rd Substitute S.B. 161 with 4th Substitute S.B. 161. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

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

Nays-0

Absent-4

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

MOTION: Rep. Thurston moved to amend 4th Substitute S.B. 161 with Amendment #1. The motion passed with a vote of 7 - 1 - 4.

Amendment 1
4th Sub. S.B. 161

1. Page 26, Lines 786 through 789:

786 (a) lawful possession or use of cannabis in a medicinal dosage form, a cannabis
787 product in a medicinal dosage form, or a medical cannabis device, in accordance with Title 26,
788 Chapter 61a, Utah Medical Cannabis Act{+}, except as it relates to that parent's ability to care for
789 a child{+}; or

Yeas-7

Rep. B. Daw
Rep. S. Eliason
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. R. Shipp
Rep. N. Thurston

Nays-1

Rep. J. Dailey-Provost

Absent-4

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

MOTION: Rep. Dailey-Provost moved to pass 4th Substitute S.B. 161 out favorably. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

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

Nays-0

Absent-4

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

Rep. Miles assumed the chair.

8 . 1st Sub. S.B. 170 Pharmacy and Pharmaceuticals Amendments (Vickers, E.)

Rep. Brad M. Daw presented the bill.

Mr. Paul Rogers, Phoenix Capital Venture, spoke to the bill.

MOTION: Rep. Daw moved to amend 1st Substitute S.B. 170 with Amendment #2. The motion passed with a vote of 7 - 1 - 4.

Amendment 2
1st Sub. S.B. 170

1. Page 1, Line 12:

12 ▶ amends the definition of "closed door pharmacy" and "practice as a licensed pharmacy technician";

2. Page 4, Lines 88 through 92:

88 (15) (i) "Closed-door pharmacy" means a pharmacy that :

(A) provides pharmaceutical care to a

89 defined and exclusive group of patients who have access to the services of the pharmacy

90 because they are treated by or have an affiliation with a specific entity, including a health

91 maintenance organization or an infusion company{-, but not including -}; or

(B) engages exclusively in the practice of telepharmacy and does not serve walk-in retail customers.

(ii) "Closed-door pharmacy" does not include a hospital pharmacy, a

92 retailer of goods to the general public, or the office of a practitioner.

Yeas-7

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

Nays-1

Rep. N. Thurston

Absent-4

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

MOTION: Rep. Shipp moved to pass 1st Substitute S.B. 170 out favorably. The motion passed with a vote of 8 - 0 - 4.



Yeas-8

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

Nays-0

Absent-4

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

MOTION: Rep. Judkins moved to adjourn. The motion passed with a vote of 8 - 0 - 4.

Yeas-8

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

Nays-0

Absent-4

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

Chair Miles adjourned the meeting at 6:47 p.m.