



# MINUTES

## HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Thursday, March 7, 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. 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](http://www.le.utah.gov).

Chair Daw called the meeting to order at 4:06 P.M.

**MOTION:** Rep. Hollins moved to approve the minutes of the march 6, 2019 meeting. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. B. Daw  
Rep. S. Hollins  
Rep. P. Ray  
Rep. R. Shipp  
Rep. R. Ward

Nays-0

Absent-5

Rep. S. Eliason  
Rep. M. Judkins  
Rep. K. Miles  
Rep. R. Spendlove  
Rep. N. Thurston

**1 . 1st Sub. S.B. 188 Consent for Medical Procedure Amendments (McCay, D.)**

Sen. Daniel McCay presented the bill.

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

Mr. Conner Boyack, Libertas Institute, spoke in favor of the bill.

Ms. Ashley Weitz, Survivor Adocate, spoke in favor of the bill.

Ms. Maryann Christensen, Executive Director, Utah Eagle Forum, spoke in favor of the bill.

**MOTION:** Rep. Dailey-Provost moved to amend 1st Substitute S.B. 188 with Amendment #2. The motion passed with a vote of 8 - 0 - 4.

Amendment 2  
1st Sub. S.B. 188

1. Page 3, Line 84:

84 (a) provide the patient~~Œ~~→or the patient's representative←Œwith a written or electronic document

2. Page 3, Line 86:

86 (ii) contains the following heading {printed} at the top of the document in not smaller

3. Page 4, Lines 100 through 102:

100 (b) obtain the signature of the patient or the patient's representative on the written or electronic

- 101 document while witnessed by a third party; and
- 102 (c) sign the written or electronic document.

Yeas-8

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

Nays-0

Absent-4

Rep. S. Barlow  
Rep. K. Miles  
Rep. P. Ray  
Rep. R. Spendlove

**MOTION:** Rep. Judkins moved to pass 1st Substitute S.B. 188 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. S. Hollins  
Rep. M. Judkins  
Rep. R. Shipp  
Rep. N. Thurston  
Rep. R. Ward

Nays-0

Absent-4

Rep. S. Barlow  
Rep. K. Miles  
Rep. P. Ray  
Rep. R. Spendlove

**MOTION:** Rep. Dailey-Provost moved to place 1st Substitute S.B. 188 on the Consent Calendar. The motion failed with a vote of 7 - 1 - 4.

Yeas-7

Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. R. Shipp  
Rep. N. Thurston  
Rep. R. Ward

Nays-1

Rep. B. Daw

Absent-4

Rep. S. Barlow  
Rep. K. Miles  
Rep. P. Ray  
Rep. R. Spendlove

**2 . 1st Sub. S.B. 157 Acupuncture Licensing Act Amendments (*Harper, W.*)**

Sen. Wayne A. Harper presented the bill.

Ms. Heather Seay, Licensed Acupuncturist, spoke in favor of the bill.

Ms. Jennifer Morrison, Acupuncture Office Employee, spoke in favor of the bill.

Ms. Julia Simmons, Certified Home Economics Educator, spoke in favor of 1st Sub. S.B. 188.

Mr. Eric Millican, Dermatologist, University of Utah, spoke in opposition to the bill.

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

Ms. Kris Justesen, Acupuncturist, spoke in favor of the bill.

Ms. Candace Daley, Lobbyist for Utah Acupuncturists, spoke in favor of the bill.

**MOTION:** Rep. Ward moved to replace 1st Substitute S.B. 157 with 2nd Substitute S.B. 157.

**SUBSTITUTE MOTION:** Rep. Ray moved to replace 1st Substitute S.B. 157 with 3rd Substitute S.B. 157. The substitute motion failed with a vote of 6 - 6 - 0.

<u>Yeas-6</u>	<u>Nays-6</u>	<u>Absent-0</u>
Rep. B. Daw	Rep. S. Barlow	
Rep. M. Judkins	Rep. J. Dailey-Provost	
Rep. P. Ray	Rep. S. Eliason	
Rep. R. Shipp	Rep. S. Hollins	
Rep. R. Spendlove	Rep. K. Miles	
Rep. N. Thurston	Rep. R. Ward	

Rep. Ward's motion to replace 1st Substitute S.B. 157 with 2nd Substitute S.B. 157 passed with a vote of 12 - 0 - 0.

<u>Yeas-12</u>	<u>Nays-0</u>	<u>Absent-0</u>
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. R. Spendlove		
Rep. N. Thurston		
Rep. R. Ward		

**MOTION:** Rep. Ray moved to pass 2nd Substitute S.B. 157 out favorably. The motion passed with a vote of 12 - 0 - 0.

<u>Yeas-12</u>	<u>Nays-0</u>	<u>Absent-0</u>
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. R. Spendlove		
Rep. N. Thurston		
Rep. R. Ward		

**3 . H.B. 434 Disease Testing Amendments (Stoddard, A.)**

Rep. Andrew Stoddard presented the bill with the assistance of Mr. Alan Dayton, Intermountain Health Care .

**MOTION:** Rep. Judkins moved to replace H.B. 434 with 1st Substitute H.B. 434. The motion passed with a vote of 12 - 0 - 0.

Yeas-12

Nays-0

Absent-0

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. R. Spendlove  
Rep. N. Thurston  
Rep. R. Ward

**MOTION:** Rep. Dailey-Provost moved to pass 1st Substitute H.B. 434 out favorably. The motion passed with a vote of 12 - 0 - 0.

Yeas-12

Nays-0

Absent-0

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. R. Spendlove  
Rep. N. Thurston  
Rep. R. Ward

**4 . H.B. 461 Pediatric Neuro-rehabilitation Fund (*Hutchings, E.*)**

Rep. Eric K. Hutchings presented the bill with the assistance of Dr. Dale Hull, Co-Founder and Executive Director, Neuroworxs.

[Utah Pediatric Neuro-Rehabilitation Fund](#)

Mr. Andrew Justvig, Political Communications Director, Rep. Eric Hutchings, spoke in favor of the bill.

Ms. Morgan Roetker, Neuroworxs Patient, spoke in favor of the bill.

Mr. Kyler Pope, spoke in favor of the bill.

Mr. John Tullis, Parent, spoke in favor of the bill.

Mr. Lindsay, Mother, and Landon Bingham, Child with Cerebral Palsy, spoke in favor of the bill.

Ms. Alison Oakey, Pediatric Re-hab Provider, Primary Children's Hospital, spoke in favor of the bill.

**MOTION:** Rep. Dailey-Provost moved to amend H.B. 461 with Amendment #1. The motion passed with a vote of 11 - 0 - 1.

Amendment 1  
H.B. 461

1. Page 3, Line 81:

81 [(b)] (ii) equipment {~~necessary for daily living~~} for use in the qualified charitable clinic [-]; and

2. Page 5, Lines 131 through 134:

- 131 (f) a physical therapist licensed under Title 58, Chapter 24b, Physical Therapy Practice
- 132 Act, with experience treating brain and spinal cord injuries, appointed by the governor; or
- 133 (g) an occupational therapist licensed under Title 58, Chapter 42a, Occupational
- 134 Therapy Practice Act, with experience treating brain and spinal cord injuries, appointed by the governor;

Yeas-11

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. Spendlove  
Rep. N. Thurston  
Rep. R. Ward

Nays-0

Absent-1

Rep. S. Hollins

**MOTION:** Rep. Dailey-Provost moved to pass H.B. 461 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. R. Spendlove  
Rep. R. Ward

Nays-0

Absent-2

Rep. S. Hollins  
Rep. N. Thurston

**5 . H.B. 443 Health Care Cost Transparency (*Winder, M.*)**

Rep. Mike Winder presented the bill.

Mr. Dave Gessel, Executive Vice President, Utah Hospital Association, spoke in opposition to the bill.

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

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

Mr. Stephen Foxely, Regents BlueCross BlueShield, Utah Health Insurance Association, spoke in favor of the bill.

**MOTION:** Rep. Judkins moved to replace H.B. 443 with 1st Substitute H.B. 443. 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. P. Ray  
Rep. R. Shipp  
Rep. N. Thurston  
Rep. R. Ward

Nays-0

Absent-3

Rep. S. Hollins  
Rep. K. Miles  
Rep. R. Spendlove

**MOTION:** Rep. Shipp moved to pass 1st Substitute H.B. 443 out favorably. The motion passed with a vote of 7 - 2 - 3.

Yeas-7

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

Nays-2

Rep. J. Dailey-Provost  
Rep. R. Ward

Absent-3

Rep. S. Hollins  
Rep. K. Miles  
Rep. R. Spendlove

**6 . H.B. 451 Victim Address Confidentiality Program (Pitcher, S.)**

Rep. Stephanie Pitcher presented the bill with the assistance of Ms. Darcy Goddard, Deputy District Attorney, Salt Lake County District Attorney's Office.

Ms. Erin Jemison, Director of Public Policy, YWCA Utah, spoke in favor of the bill.

Mr. Marus Yokey, Assistant Attorney General, Utah Department of Public Safety, spoke in opposition to the bill.

Mr. Rob VanDyke, Kane County Attorney, President, County and District Attorney's Association, spoke in favor of the bill.

**MOTION:** Rep. Dailey-Provost moved to replace H.B. 451 with 1st Substitute H.B. 451.

**SUBSTITUTE MOTION:** Rep. Ray moved to Return HB 451 to Rules for Interim Study. The substitute motion passed with a vote of 6 - 3 - 3.

Yeas-6

Rep. S. Barlow  
Rep. B. Daw  
Rep. S. Eliason  
Rep. K. Miles  
Rep. P. Ray  
Rep. R. Shipp

Nays-3

Rep. J. Dailey-Provost  
Rep. M. Judkins  
Rep. R. Ward

Absent-3

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

**7 . H.B. 460 Medicaid Eligibility Amendments (Moss, C.)**

Rep. Carol Spackman Moss presented the bill with the assistance of Mr. Patrick Fleming, Chair, Utah Substance Abuse Advisory Council (USAACV).

Mr. Andrew Riggle, Public Policy Director, Disability Law Center, spoke in favor of the bill.

Mr. Rob Wesemann, Executive Director, NAMI of Utah, spoke in favor of the bill.

**MOTION:** Rep. Ray moved to amend H.B. 460 with Amendment #1. The motion passed with a vote of 9 - 0 - 3.

Amendment 1  
H.B. 460

1. Page 5, Line 149 through Page 6, Line 157:

149 (13) (a) The department may not deny or terminate eligibility for Medicaid solely

150 because an individual is

~~(i) incarcerated ; and {-.}~~

~~(ii) not an inmate as defined in Section 64-13-1.~~

151 ~~{(b) Upon release from incarceration, an individual remains eligible for Medicaid if the~~  
-152 ~~individual;~~

153 ~~—(i) was eligible for Medicaid before incarceration; and~~

154 ~~—(ii) is not determined to be ineligible for Medicaid on grounds other than incarceration.}~~

155 ~~{(c) This} (b) Subsection (13) (a) does not require the Medicaid program to provide coverage~~  
156 for any services for an individual while the individual is incarcerated ~~{if prohibited under state~~

157 ~~or federal law}.~~

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. Ray moved to pass H.B. 460 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

**MOTION:** Rep. Judkins moved to adjourn.

Chair Daw adjourned the meeting at 6:17 P.M.