



MINUTES

SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Tuesday, February 4, 2020 | 4:00 p.m. | 250 State Capitol

Members Present:

Sen. Ronald Winterton, Chair
 Sen. David G. Buxton
 Sen. Allen M. Christensen
 Sen. Luz Escamilla
 Sen. Jani Iwamoto
 Sen. Scott D. Sandall

Sen. Evan J. Vickers

Members Absent:

President J. Stuart Adams

Staff Present:

Karin M. Rueff, Policy Analyst
 Annette Sion, Committee Secretary

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

Chair Winterton called the meeting to order at 4:04 P.M.

MOTION: Sen. Christensen moved to approve the minutes of the meeting January 31, 2020. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. D. Buxton
 Sen. A. Christensen
 Sen. S. Sandall
 Sen. E. Vickers
 Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams
 Sen. L. Escamilla
 Sen. J. Iwamoto

1 . S.B. 70 Determination of Death Amendments (Grover, K.)

Sen. Grover presented the bill with the assistance of Matt Hansen, Executive Director, Home Care and Hospice Association of Utah, and Kory Holdaway, Utah Home Health Care Association.

MOTION: Sen. Christensen moved to amend S.B. 70 with Amendment #1. The motion passed with a vote of 6 - 0 - 2.

Amendment 1
 S.B. 70

1. Page 2, Lines 43 through 48:

43 (2) A registered nurse may make a determination of death of an individual if:
 44 (a) an attending physician has documented in the individual's medical or clinical record
 45 that the individual's death is anticipated due to illness, infirmity, or disease no ~~{-earlier-}~~ later than 180
 46 days ~~{-before the date of the determination of death-}~~ after the day on which the physician makes the
documentation;
(b) the death actually occurs within the 180-day period described in Subsection (2)(a) ; and
 47 ~~{-(b)-}~~ (c) at the time of the documentation described in Subsection (2)(a), the physician
 48 authorized the following, in writing, to make the determination of death:

2. Page 2, Line 55:

55 (b) notify the physician described in Subsection (2){-(b)-};

3. Page 3, Lines 65 through 67:

65 (5) (a) For a health care facility to be eligible for a general authorization described in
 66 Subsection (2){-(b)-} (c), the facility shall adopt written policies and procedures that provide for the
 67 determination of death by a registered nurse under this section.

Yeas-6

Sen. D. Buxton
Sen. A. Christensen
Sen. L. Escamilla
Sen. S. Sandall
Sen. E. Vickers
Sen. R. Winterton

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

MOTION: Sen. Christensen moved to amend S.B. 70 with Amendment #2. The motion passed with a vote of 6 - 0 - 2.

Amendment 2
S.B. 70

- 1. Page 2, Line 43 through Page 3, Line 60:
- 43 (2) A registered nurse may make a determination of death of an individual if:
- 44 (a) an attending physician has :
- (i) documented in the individual's medical or clinical record
- 45 that the individual's death is anticipated due to illness, infirmity, or disease no earlier than 180
- 46 days before the date of the determination of death; and
- (ii) established clear assessment procedures for determining death; and
- 47 (b) at the time of the documentation described in Subsection (2)(a), the physician
- 48 authorized the following, in writing, to make the determination of death:
- 49 (i) one or more specific registered nurses; or
- 50 (ii) if the individual is in a health care facility that has complied with Subsection (5),
- 51 all registered nurses that the facility employs.
- 52 (3) A registered nurse who has determined death under this section shall:
- 53 (a) document the clinical criteria for the determination in the individual's medical or
- 54 clinical record;
- 55 (b) notify the physician described in Subsection (2)(b); and
- 56 (c) ensure that the death certificate includes:
- 57 (i) the name of the deceased;
- 58 (ii) the presence of a contagious disease, if known; and
- 59 (iii) the date and time of death { ; and
- 60 — (d) sign the death certificate }.

Yeas-6

Sen. D. Buxton
Sen. A. Christensen
Sen. L. Escamilla
Sen. S. Sandall
Sen. E. Vickers
Sen. R. Winterton

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

Kathleen Kaufman, Utah Nurses Association, spoke to the bill.

Mark Brinton, General Counsel & Director of Government Affairs, Utah Medical Association, spoke for the bill.

MOTION: Sen. Christensen moved to pass S.B. 70 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. D. Buxton
Sen. A. Christensen
Sen. L. Escamilla
Sen. J. Iwamoto
Sen. S. Sandall
Sen. E. Vickers
Sen. R. Winterton

Nays-0

Absent-1

Sen. J. Adams



2 . S.J.R. 1 Joint Resolution Supporting Coordination of Care for Older Adults Receiving Home Health Care Services (Iwamoto, J.)

Sen. Iwamoto presented the bill with the assistance of Sally Aerts, Co Chair, Utah Falls Prevention Alliance, Clay Watson, President, Utah Home Health and Hospice Association, Matt Hoffman, Medical Director, Utah Health Information Network, and Matt Hansen, Executive Director, Utah Home Health and Hospice Association.

[Utah Falls Prevention Alliance](#)

[SJR001 Home Health Order Hub](#)

Mark Brinton, General Counsel & Director of Government Affairs, spoke for the bill.

Kathleen Kaufman, Utah Nurses Association, spoke for the bill.

MOTION: Sen. Escamilla moved to pass S.J.R. 1 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

- Sen. D. Buxton
- Sen. A. Christensen
- Sen. L. Escamilla
- Sen. J. Iwamoto
- Sen. S. Sandall
- Sen. E. Vickers
- Sen. R. Winterton

Nays-0

Absent-1

- Sen. J. Adams

3 . S.B. 74 Family Planning Services Amendments (Kitchen, D.)

Sen. Kitchen presented the bill.

SB74: Family Planning Services Amendment handout.

Sheila Walsh-McDonald, Utah Department of Health, answered questions from the committee.

MOTION: Sen. Iwamoto moved to pass SB0074 out favorably.

MOTION: Sen. Christensen made a substitute motion to table SB0074.

Sen. Christensen withdrew his substitute motion.

MOTION: Sen. Christensen made a motion to adjourn. The motion passed with a vote of 5 - 2 - 1.

Yeas-5

- Sen. D. Buxton
- Sen. A. Christensen
- Sen. S. Sandall
- Sen. E. Vickers
- Sen. R. Winterton

Nays-2

- Sen. L. Escamilla
- Sen. J. Iwamoto

Absent-1

- Sen. J. Adams

Chair Winterton adjourned the meeting at 5:12 P.M.