



# MINUTES

## SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE

Wednesday, January 29, 2020 | 7:59 a.m. | 30 House Building

### Members Present:

Sen. Allen M. Christensen, Senate Chair  
Rep. Paul Ray, House Chair  
Rep. Raymond P. Ward, House Vice Chair  
Sen. Kirk A. Cullimore  
Sen. Daniel Hemmert  
Sen. Todd Weiler  
Rep. Steve R. Christiansen  
Rep. Kim F. Coleman  
Rep. Jennifer Dailey-Provost  
Rep. Brad M. Daw  
Rep. Sandra Hollins  
Rep. Marsha Judkins

Rep. Adam Robertson  
Rep. Norman K. Thurston

### Members Absent:

President J. Stuart Adams  
Sen. Luz Escamilla  
Sen. Keith Grover

### Staff Present:

An Bradshaw, Committee Secretary  
Russell T. Frandsen, Finance Officer  
Clare Tobin Lence, Finance Manager  
Kimberly D. Madsen, Financial Analyst

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).

## 1 . Call to Order

Chair Ray called the meeting to order at 8:19 a.m.

## 2 . Disease Control and Prevention - First Performance Report for New Items Funded in the 2019 General Session - Health

### [4-Building Block Performance Measure Report for FY 2019 - Health](#)

Russell Frandsen explained the order and focus of the meeting and discussed the reports.

## 3 . Requests for Appropriation - Health (agency only)

### [5-DCP Building Blocks - 2020 Subcommittee 1-29-20](#)

### [5b-DCP and LH itemized Budgets - 2020 GS](#)

Dr. Joe Miner, Executive Director, Department of Health (DOH), presented the department's building block requests with the assistance of Heather Borski, Director, Division of Disease Control and Prevention, DOH.

Rep. Daw asked for information regarding the extent of water testing done by DOH and made a comment about the water quality in American Fork Canyon. Joe Miner and Heather Borski responded.

Rep. Coleman asked for additional information about water testing and Heather Borski and Joe Miner responded.

Rep. Ward asked why the state manages water testing rather than private labs and why DOH was requesting the funding rather than the Department of Environmental Quality. Joe Miner and Heather Borski responded.

Rep. Robertson asked if state labs were less expensive than private labs and expressed concern with the state competing with private industry and Heather Borski responded.

Chair Ray asked Gary Crane, City Attorney for Layton and representing the League of Cities and Towns, to discuss concerns with water fees to utilize state labs for testing water quality when most towns and cities use private labs.

Dr. Erik Christensen, Chief Medical Examiner, presented the office's requests for funding.

Sen. Weiler asked for more information about the Office of the Medical Examiner's increased case load and Erik Christensen responded.

Rep. Coleman requested more information about software the Medical Examiner is requesting and Erik Christensen and Russell Frandsen responded.

Rep. Chistiansen asked for additional information about the request for additional staff and Erik Christensen responded.

Heather Borski explained the DOH's request for increased funding for sexually transmitted disease testing.

Sen. Christensen assumed the chair.

Rep. Ward asked for more information about how many tests are done through the DOH compared to testing done by private doctors and Heather Borski responded.

Rep. Ray resumed the chair.

Rep. Christiansen asked if it was realistic to charge for the costs of state-provided tests and Joe Miner responded.

Chair Ray asked how many tests done by public clinics are requested by individuals who want to maintain privacy rather than because of an inability to pay, and Joe Miner responded.

Rep. Judkins asked if individuals are asked if they are willing to have the test fee charged to their insurance and Joe Miner and Heather Borski responded.

Chair Ray asked about the fees charged for testing and Heather Borski and Joe Miner responded.

Rep. Coleman commented on the legislative branch's role in determining policy and Chair Ray responded.

Dr. Joe Miner continued with the building block funding requests with the assistance of Lloyd Berentzen, Executive Director, Bear River Health Department.

Rep. Ward asked about the local health departments' ability to meet the state's mandates with the provided funding and Lloyd Berentzen and Joe Miner responded.

Sen. Weiler commented on the extent of the need for funding but the committee's lack of funds.

Chair Ray asked for information about per capita funding for local health departments and Joe Miner and Lloyd Berentzen responded.

Joe Miner discussed the funding for staff with the assistance of Shari Watkins, Finance Director, DOH.

#### **4 . Medical Cannabis Implementation Status Update**

##### [6-Health Update on Implementation of Medical Cannabis 2020 GS](#)

Dr. Marc Babitz, Deputy Director, DOH, and Rich Oborn, Director, Center for Medical Cannabis, DOH, provided an update on the implementation of medical cannabis.

Rep. Christiansen asked about conflict of interests and Rich Oborn responded.

Chair Ray asked about the timing of criminal background checks and Rich Oborn responded and continued with his presentation.

Rep. Daw asked for more information regarding the interest of doctors in the program and Marc Babitz and Rich Oborn responded. Rich Oborn continued with his presentation.

Rep. Dailey-Provost commented on Marc Babitz's explanation of federal law and the fears doctors have of running afoul of federal law.

Rich Oborn continued with his presentation.

Chair Ray requested information regarding the Compassionate Use Board and Marc Babitz and Rich Oborn responded.

Rep. Ward asked about physician training for appropriate dosage recommendations and Marc Babitz responded.

Rep. Christiansen asked about the implications for medical malpractice in the medical cannabis field and Marc Babitz provided the information.

## **5 . Department of Health's Disease Control and Prevention Base Budget**

Russell Frandsen introduced the Base Budget for Disease Control and Prevention.

Joe Miner and Heather Borski explained the budget requests to the committee.

Chair Ray asked about Medicaid funding and Heather Borski responded.

Rep Ward asked for more information about Medicaid funding and Heather Borski responded.

Rep. Judkins asked what the benefit was of having a state immunization database and Joe Miner responded.

Sen. Christensen commented on the need to prioritize budget requests because of reduced funding this year and requested DOH provide prioritization to the committee and Joe Miner responded.

Rep. Coleman asked for a list of funding sources that come to the committee and Chair Ray responded.

Joe Miner discussed the pay back requirement for the cannabis program and Marc Babitz provided more information.

Russell Frandsen provided more information regarding funding allocation by the committee.

Shari Watkins, Finance Director, DOH, provided more information on fees and the budget requests by DOH.

Russell Frandsen explained additional budget items.

Rep. Thurston asked for more clarification on non-lapsing funds and Russell Frandsen replied.

Heather Borski provided additional information about the budget requests.

Sen. Christensen assumed the chair.

Rep. Ward asked if the number of smokers in the reports included vapers and Heather Borski and Russell Frandsen responded.

Rep. Ray resumed the chair.

Russell Frandsen continued with his comments and the budget explanation.

**MOTION:** Sen. Christensen moved to approve all the BC, BD, and BM motions, except BD 8, from the sheet entitled "Social Services Appropriations Subcommittee - Motions for Consideration" dated 1/27/2020.

Rep. Judkins asked for clarification and Russell Frandsen responded.

Rep. Christiansen expressed concerns with some of the motions and Russell Frandsen responded.

**SUBSTITUTE MOTION:** Rep. Christiansen moved to approve all of the BC, BD, and BM motions from the sheet entitled "Social Services Appropriations Subcommittee - Motions for Consideration" dated 1/27/2020, except BC 6, BC 7, BC 8, BD 3, BD 6, and BD 8. The substitute motion passed with a vote of 7 - 4 - 6.

Yeas-7

Sen. A. Christensen  
Rep. S. Christiansen  
Rep. K. Coleman  
Sen. K. Cullimore  
Rep. M. Judkins  
Rep. A. Robertson  
Rep. R. Ward

Nays-4

Rep. J. Dailey-Provost  
Rep. B. Daw  
Rep. S. Hollins  
Rep. P. Ray

Absent-6

Sen. J. Adams  
Sen. L. Escamilla  
Sen. K. Grover  
Sen. D. Hemmert  
Rep. N. Thurston  
Sen. T. Weiler

**MOTION:** Rep. Dailey-Provost moved to adjourn. The motion passed with a vote of 11 - 0 - 6.

Yeas-11

Sen. A. Christensen  
Rep. S. Christiansen  
Rep. K. Coleman  
Sen. K. Cullimore  
Rep. J. Dailey-Provost  
Rep. B. Daw  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. P. Ray  
Rep. A. Robertson  
Rep. R. Ward

Nays-0

Absent-6

Sen. J. Adams  
Sen. L. Escamilla  
Sen. K. Grover  
Sen. D. Hemmert  
Rep. N. Thurston  
Sen. T. Weiler

Chair Ray adjourned the meeting at 10:50 a.m.