



DRAFT MINUTES

HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Monday, March 9, 2020 | 8:00 a.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. Candice B. Pierucci
Rep. Paul Ray

Rep. Rex P. Shipp
Rep. Robert M. Spendlove
Rep. Norman K. Thurston
Rep. Raymond P. Ward

Staff Present:

Mark D. Andrews, Policy Analyst
Linda Service, Committee Secretary
An Bradshaw, Committee Secretary
Brodi Ashton, Committee Secretary

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

Chair Daw called the meeting to order at 8:05 a.m.

MOTION: Rep. Shipp moved to approve the minutes. The motion passed with a vote of 8 - 0 - 5.

Yeas-8

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

Nays-0

Absent-5

Rep. S. Eliason
Rep. S. Hollins
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove

1 . 3rd Sub. S.B. 29 Drug Disposal Program (Thatcher, D.)

Rep. Thatcher presented the bill.

MOTION: Rep. Thurston moved to pass 3rd Substitute S.B. 29 out favorably. The motion passed with a vote of 11 - 0 - 2.

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-2

Rep. C. Pierucci
Rep. R. Spendlove

2 . 2nd Sub. S.B. 135 Dental Practice Act Amendments (Christensen, A.)

Sen. Allen Christensen presented the bill.

MOTION: Rep. Eliason moved to amend 2nd Substitute S.B. 135 with Amendment #2. The motion passed with a vote of 11 - 0 - 2.

Amendment 2
2nd Sub. S.B. 135

1. Page 5, Lines 144 through 146:

144 (b) (i) A treating dentist may use teledentistry to { ~~delegate duties to~~ } collaborate with a dental hygienist { ~~or~~
145 dental auxiliaries } within the relevant applicable scopes of practice and under the appropriate
146 level of dentist supervision, in accordance with existing supervision laws.

2. Page 6, Lines 154 through 157:

154 (1) A dentist may provide dental services using teledentistry, including the following:
155 (a) { ~~supervising~~ } collaborating with a licensed dental professional in the completion of the following at a
156 public health setting, generally with a written collaborative agreement, directly, or indirectly, in
157 accordance with this chapter:

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-2

Rep. C. Pierucci
Rep. R. Spendlove

MOTION: Rep. Ward moved to pass 2nd Substitute S.B. 135 out favorably. The motion passed with a vote of 11 - 0 - 2.

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-2

Rep. C. Pierucci
Rep. R. Spendlove

3 . 1st Sub. S.B. 145 Pharmacy Practice Act Amendments (Vickers, E.)

Sen. Evan Vickers presented the bill.

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

Dave Davis, Utah Retail Merchants Association, spoke in favor of the bill.

MOTION: Rep. Dailey-Provost moved to amend 1st Substitute S.B. 145 with Amendment #2. The motion passed with a vote of 11 - 0 - 2.

Amendment 2
1st Sub. S.B. 145

1. Page 10, Line 291 through Page 11, Line 308:

291 Section 6. Section 58-17b-610.8 is enacted to read:

292 58-17b-610.8. Prescription devices.

293 {~~— (1) A pharmacist or pharmacy intern may prescribe and dispense a prescription device~~

294 ~~described in Subsection (2) to a patient if:~~

295 ~~— (a) the patient has a current diagnosis, prescription, or treatment protocol from a~~

296 ~~prescribing practitioner for which one or more of the devices described in Subsection (2) is~~

297 ~~indicated; and~~

298 ~~— (b) the pharmacist or pharmacy intern acts in accordance with rules made by the~~

299 ~~division under Subsection (3).~~

300 ~~— (2) This section applies to:~~

301 ~~— (a) nebulizers;~~

302 ~~— (b) spacers for use with nebulizers or inhalers; and~~

303 ~~— (c) diabetic testing supplies.~~

304 ~~— (3) The division shall make rules in accordance with Title 63G, Chapter 3, Utah~~

305 ~~Administrative Rulemaking Act, and in consultation with the board, the Physicians Licensing~~

306 ~~Board created in Section 58-67-201, and the Osteopathic Physician and Surgeon's Licensing~~

307 ~~Board created in Section 58-68-201, to implement this section.~~

(1) Any of the following documents from a prescribing practitioner shall be considered a prescription for purposes of the dispensing of and payment for a device described in Subsection (3), if the device is prescribed or indicated by the document and the document is on file with a pharmacy:

(a) a written prescription; or

(b) a written record of a patient's:

(i) current diagnosis; or

(ii) treatment protocol.

(2) A pharmacist or pharmacy intern at a pharmacy at which a document considered a prescription in Subsection (1) is on file may dispense a prescription device described in Subsection (3) to the patient in accordance with:

(a) the document; and

(b) rules made by the division under Subsection (4).

(3) This section applies to:

(a) nebulizers;

(b) spacers for use with nebulizers or inhalers; and

(c) diabetic testing supplies.

(4) The division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in consultation with the board, the Physicians Licensing Board created in Section 58-67-201, and the Osteopathic Physician and Surgeon's Licensing Board created in Section 58-68-201, to implement this section.

308 Section 7. Section 58-17b-1001 is enacted to read:

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. C. Pierucci

Rep. R. Shipp

Rep. N. Thurston

Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray

Rep. R. Spendlove

MOTION:

Rep. Thurston moved to pass 1st Substitute S.B. 145 out favorably. The motion passed with a vote of 11 - 0 - 2.

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. C. Pierucci
Rep. R. Shipp
Rep. N. Thurston
Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray
Rep. R. Spendlove

4 . S.B. 174 Abortion Prohibition Amendments (McCay, D.)

Sen. Dan McKay presented the bill with the assistance of Gayle Ruzicka, Utah Eagle Forum.

Meredith Reed, citizen, spoke in opposition to the bill.

Merrilee Boyack, Abortion-Free Utah, spoke in support of the bill.

Ashley Liewer, spoke in opposition to the bill.

Mary Taylor, Pro-life Utah, spoke in support of the bill.

Dr. Kris Campbell, citizen, spoke in opposition to the bill.

Katelyn Powell, citizen, spoke in support of the bill.

Michelle Deininger, spoke in opposition to the bill.

Maryann Christensen, Utah Eagle Forum and Citizens for Strong Families, spoke in support of the bill.

MOTION: Rep. Ward moved to return S.B. 174 to the Rules Committee

MOTION: Rep. Ray moved to pass S.B. 174 out favorably.

Rep. Ray's motion to pass S.B. 174 out favorably passed with a vote of 10 - 3 - 0.

Yeas-10

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

Nays-3

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

Absent-0

**5 . S.C.R. 8 Concurrent Resolution in Support of the Chinese People Regarding the Coronavirus Outbreak
(Anderegg, J.)**

Sen. Anderegg presented the resolution to the committee.

MOTION: Rep. Ward moved to amend S.C.R. 8 by deleting lines 64, 65, and 65a.
Amendment 2
S.C.R. 8

1. Page 3, Lines 64 through 65a:
{~~64~~ ~~—WHEREAS, according to the Centers for Disease Control (CDC), the risk of a~~
65 ~~coronavirus infection to Utahns and the general American public is presently considered low~~ ~~§~~
65a ~~but the situation is dynamic and rapidly changing~~ ~~§~~;

Rep. Ward's motion to amend passed with a vote of 9 - 2 - 2.

Yeas-9

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. R. Shipp
Rep. R. Spendlove
Rep. R. Ward

Nays-2

Rep. B. Daw
Rep. P. Ray

Absent-2

Rep. C. Pierucci
Rep. N. Thurston

MOTION: Rep. Ward moved to pass S.C.R. 8 out favorably as amended. The motion passed with a vote of 11
- 0 - 2.

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. R. Spendlove
Rep. R. Ward

Nays-0

Absent-2

Rep. C. Pierucci
Rep. N. Thurston

6 . S.C.R. 11 Concurrent Resolution Urging the Issuance of Federal Guidelines to Protect Consumers of Cannabidiol Products (*Bramble, C.*)

Chair Daw explained the bill.

MOTION: Rep. Spendlove moved to pass S.C.R. 11 out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas-10

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

Nays-0

Absent-3

Rep. C. Pierucci
Rep. P. Ray
Rep. N. Thurston



MOTION: Rep. Eliason moved to adjourn. The motion passed with a vote of 9 - 1 - 3.

Yeas-9

Rep. S. Barlow
Rep. B. Daw
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. R. Shipp
Rep. R. Spendlove
Rep. R. Ward

Nays-1

Rep. J. Dailey-Provost

Absent-3

Rep. C. Pierucci
Rep. P. Ray
Rep. N. Thurston

Chair Daw adjourned the meeting at 9:48 a.m.