



MINUTES

HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Wednesday, February 17, 2021 | 4:00 p.m. | 445 State Capitol

Members Present:

Rep. Merrill F. Nelson, Chair
 Rep. Candice B. Pierucci, Vice Chair
 Rep. Cheryl K. Acton
 Rep. Stewart E. Barlow
 Rep. Jennifer Dailey-Provost
 Rep. Steve Eliason
 Rep. Sandra Hollins
 Rep. Marsha Judkins
 Rep. Rosemary Lesser

Rep. Kelly B. Miles
 Rep. Paul Ray
 Rep. Raymond P. Ward

Members Absent:

Rep. Robert M. Spendlove

Staff Present:

Karin M. Rueff, Policy Analyst
 Rafaela Eguiguren, Committee Secretary

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

Vice Chair Pierucci assumed the chair.

Chair Pierucci called the meeting to order at 4:03 p.m.

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

Yeas-8

Rep. C. Acton
 Rep. S. Barlow
 Rep. J. Dailey-Provost
 Rep. S. Hollins
 Rep. R. Lesser
 Rep. K. Miles
 Rep. M. Nelson
 Rep. C. Pierucci

Nays-0

Absent-5

Rep. S. Eliason
 Rep. M. Judkins
 Rep. P. Ray
 Rep. R. Spendlove
 Rep. R. Ward

1 . H.B. 332 Medicaid Fraud Control Unit Amendments (Last, B.)

Rep. Bradley G. Last presented the bill with the assistance of Kaye Lynn Wootton, Director, Medicaid Fraud Control Unit, Utah Attorney General's Office.

MOTION: Rep. Nelson moved to pass H.B. 332 out favorably. The motion passed with a vote of 10 - 0 - 3.

Yeas-10

Rep. C. Acton
 Rep. S. Barlow
 Rep. J. Dailey-Provost
 Rep. S. Hollins
 Rep. R. Lesser
 Rep. K. Miles
 Rep. M. Nelson
 Rep. C. Pierucci
 Rep. P. Ray
 Rep. R. Ward

Nays-0

Absent-3

Rep. S. Eliason
 Rep. M. Judkins
 Rep. R. Spendlove

2 . H.B. 271 Home Child Care Amendments (Pulsipher, S.)

Rep. Susan Pulsipher presented the bill.

Kristy DeGraaf spoke to the bill.

Katie Ricord, Executive Director, Utah Association for the Education of Young Children, spoke to the bill.

Marc Watterson, Utah Department of Health, spoke to the bill.

Kory Holdaway, representing the Utah Private Child Care Association, spoke to the bill.

MOTION: Rep. Nelson moved to amend H.B. 271 with Amendment #2. The motion passed with a vote of 12 - 0 - 1.

Amendment 2
H.B. 271

1. Page 1, Lines 16 through 17:

16 Other Special Clauses:

17 {~~None~~} This bill provides a special effective date.

2. Page 2, Lines 34 through 38:

34 (3) (a) "Child care" means continuous care and supervision of [five] five {~~seven~~} or more
35 qualifying children, that is:

36 {~~(a)~~} (i) in lieu of care ordinarily provided by a parent in the parent's home;

37 {~~(b)~~} (ii) for less than 24 hours a day; and

38 {~~(c)~~} (iii) for direct or indirect compensation.

(b) "Child care" does not include residential child care for six or fewer qualifying children.

3. Page 4, Line 111:

111 rules necessary to implement this section.

Section 2. Effective Date.

This bill takes effect on January 1, 2022.

Yeas-12

- Rep. C. Acton
- Rep. S. Barlow
- Rep. J. Dailey-Provost
- Rep. S. Eliason
- Rep. S. Hollins
- Rep. M. Judkins
- Rep. R. Lesser
- Rep. K. Miles
- Rep. M. Nelson
- Rep. C. Pierucci
- Rep. P. Ray
- Rep. R. Ward

Nays-0

Absent-1

- Rep. R. Spendlove

MOTION: Rep. Nelson moved to pass H.B. 271 as amended with a favorable recommendation. The motion passed with a vote of 7 - 5 - 1.

Yeas-7

Rep. C. Acton
Rep. S. Barlow
Rep. S. Eliason
Rep. M. Judkins
Rep. M. Nelson
Rep. C. Pierucci
Rep. R. Ward

Nays-5

Rep. J. Dailey-Provost
Rep. S. Hollins
Rep. R. Lesser
Rep. K. Miles
Rep. P. Ray

Absent-1

Rep. R. Spendlove

3 . H.B. 265 Pharmacy Software Amendments (Lesser, R.)

Rep. Lesser presented the bill with the assistance of Chris McQuivey.

[HB 265 Bryson McQuivey](#)

Carrie Dunford, Clinical Pharmacist, answered questions from the committee.

Maryann Martindale, Utah Academy of Family Physicians, spoke in favor of the bill and answered questions from the committee.

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

MOTION: Rep. Ray moved to amend H.B. 265 with Amendment #1. The motion passed with a vote of 12 - 0 - 1.

Amendment 1
H.B. 265

1. Page 13, Lines 385 through 388:

385 (3) Beginning July 1, 2024, a pharmacy software program for receiving an electronic
386 prescription for a controlled substance shall be capable of electronically transferring a
387 prescription to a different pharmacy ;
(a) upon the request of the patient or the practitioner ;
(b) with the approval of a pharmacist at the originating pharmacy; and
(c) if the
388 prescription is unfilled.

Yeas-12

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

MOTION: Rep. Dailey-Provost moved to pass H.B. 265 as amended with a favorable recommendation. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

4 . H.B. 333 Medicaid Amendments (*Eliason, S.*)

Rep. Eliason presented the bill with the assistance of Tonya Hales, Assistant Division Director, Medicaid and Health Financing, Utah Department of Health, and Nate Crippes, Staff Attorney, Disability Law Center.

Chair Nelson assumed the chair at 5:15 p.m.

Dirk Anjewierden, Executive Director, Utah Health Care Association, spoke in favor of the bill.

MOTION: Rep. Judkins moved to pass H.B. 333 out favorably. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

MOTION: Rep. Eliason moved to place H.B. 333 on the Consent Calendar. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

5 . H.B. 319 Emergency Volunteer Health Practitioners Act Amendments (*Ward, R.*)

Rep. Ward presented the bill with the assistance of Kevin McCulley, Utah Department of Health.

Maryann Martindale, Utah Academy of Family Physicians, spoke in favor of the bill.

MOTION: Rep. Judkins moved to pass H.B. 319 out favorably. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

MOTION: Rep. Ward moved to place H.B. 319 on the Consent Calendar. The motion passed with a vote of 12 - 0 - 1.

Yeas-12

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Ward

Nays-0

Absent-1

Rep. R. Spendlove

6 . H.B. 233 Education Immunization Modifications (*Strong M.A.*)

Rep. Mark A. Strong presented the bill.

Maryann Martindale, Utah Academy of Family Physicians, spoke against the bill.

Elias Bishop, Believe Information Solutions, spoke in favor of the bill.

Sylvia Andrew, Eagle Forum, spoke in favor of the bill.

Aaron Bullen spoke in favor of the bill.

MOTION: Rep. Ward moved to amend H.B. 233 with Amendment #2. The motion passed with a vote of 11 - 0 - 2.

Amendment 2
H.B. 233

1. Page 2, Lines 39 through 41:

39 (2) An institution that offers both remote and in-person learning options may not deny
40 a student who is exempt from a requirement to receive a vaccine under Subsection (1) to
41 participate in an in-person learning option based upon the student's vaccination status.

(3) Subsections (1) and (2) do not apply to a student studying in a medical setting at an institution of higher education.

(4) Nothing in this section restricts a state or local health department from acting under applicable law to contain the spread of an infectious disease.

2. Page 3, Lines 78 through 80:

78 (ii) An institution that offers both remote and in-person learning options may not deny
79 a student who is exempt from a requirement to receive a vaccine under Subsection (1) to
80 participate in an in-person learning option based upon the student's vaccination status.

(iii) Subsections (1) and (2) do not apply to a student studying in a medical setting at an institution of higher education.

(iv) Nothing in this section restricts a state or local health department from acting under applicable law to contain the spread of an infectious disease.

3. Page 5, Lines 127 through 129:

127 (5) An LEA that offers both remote and in-person learning options may not deny a
128 student who is exempt from a requirement to receive a vaccine under Subsection (1) to
129 participate in an in-person learning option based upon the student's vaccination status.

(6) Nothing in this section restricts a state or local health department from acting under applicable law to contain the spread of an infectious disease.

Yeas-11

Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. R. Ward

Nays-0

Absent-2

Rep. P. Ray
Rep. R. Spendlove

MOTION:

Rep. Barlow moved to pass H.B. 233 as amended with a favorable recommendation. The motion passed with a vote of 9 - 3 - 1.

Yeas-9

Rep. C. Acton
Rep. S. Barlow
Rep. S. Eliason
Rep. M. Judkins
Rep. R. Lesser
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray

Nays-3

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

Absent-1

Rep. R. Spendlove

MOTION:

Rep. Eliason moved to adjourn. The motion passed with a vote of 12 - 0 - 1.



Yeas-12

- Rep. C. Acton
- Rep. S. Barlow
- Rep. J. Dailey-Provost
- Rep. S. Eliason
- Rep. S. Hollins
- Rep. M. Judkins
- Rep. R. Lesser
- Rep. K. Miles
- Rep. M. Nelson
- Rep. C. Pierucci
- Rep. P. Ray
- Rep. R. Ward

Nays-0

Absent-1

- Rep. R. Spendlove

Chair Nelson adjourned the meeting.