



MINUTES

SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Tuesday, February 23, 2021 | 8:00 a.m. | 110 Senate Building

Members Present:

Sen. Michael S. Kennedy, Chair
Sen. Jacob L. Anderegg
Sen. David G. Buxton
Sen. Luz Escamilla
Sen. Keith Grover

Sen. Jani Iwamoto
Sen. Evan J. Vickers
Sen. Chris H. Wilson

Staff Present:

Mark D. Andrews, Policy Analyst
Kristen Anderson, Committee Secretary

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

Chair Kennedy called the meeting to order at 8:00 a.m.

MOTION: Sen. Wilson moved to approve the minutes of the February 18, 2021, meeting. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. D. Buxton
Sen. J. Iwamoto
Sen. M. Kennedy
Sen. E. Vickers
Sen. C. Wilson

Nays-0

Absent-3

Sen. J. Anderegg
Sen. L. Escamilla
Sen. K. Grover

1 . S.B. 208 Employee Medical Procedure Protection Act (Kennedy, M.)

Sen. Wilson assumed the chair.

Sen. Kennedy presented the bill with the assistance of nine individuals who spoke in favor of the bill, to the bill, or both.

Kristen Chevrier, Director, Vaccine Freedom Utah, assisted with the presentation of the bill.

Dr. Gopi Krishna assisted with the presentation of the bill.

Kirk Pearson, operator of a small construction company, assisted with the presentation of the bill.

Dr. James Zebrack, physician, assisted with the presentation of the bill.

Elias Bishop, Believe In Health, assisted with the presentation of the bill.

Phil Allred, master electrician, assisted with the presentation of the bill.

Cheryl Allred assisted with the presentation of the bill.

Teri Bishop assisted with the presentation of the bill.

Nathan Brown, business owner, assisted with the presentation of the bill.

Lincoln Shurtz, Northrop Grumman, spoke to the bill.



Chris Hill, Deputy Commissioner and General Counsel for the Utah Labor Commission, spoke to the bill.

Dave Davis, President, Utah Retail Merchants Association and Utah Food Industry Association, spoke to the bill.

Kate Bradshaw, Associated Building Contractors and Utah Plumbing and Heating Contractors Association, spoke in opposition to the bill.

James Campbell, spoke to the bill.

Billy Moschella, an independent business owner and a vaccine-injured individual, spoke in favor of the bill.

Todd Bingham, CEO, Utah Manufacturers Association, spoke to the bill.

Francis Lyman, small business owner, spoke in favor of the bill.

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

Jacey Skinner, Vice President, Salt Lake Chamber, spoke to the bill.

Olivia Dawn, Utah Eagle Forum, spoke in favor of the bill.

Dalane England, United Women's Forum, spoke in favor of the bill.

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

Joe McAllister, General Counsel for Lakeview Rock Products and Mining Company and Hughes General Contractors, Inc., spoke in opposition to the bill.

Cory Seegmiller, spoke in favor of the bill.

Chanel Flores, representing the Utah defense manufacturing community, spoke to the bill.

MOTION: Sen. Anderegg moved to pass S.B. 208 out favorably.

SUBSTITUTE MOTION: Sen. Kennedy moved to amend S.B. 208 with Amendment #2. The substitute motion passed with a vote of 7 - 0 - 1.

Amendment 2
S.B. 208

1. Page 2, Lines 51 through 56:

51 34A-12-201. Employer prohibitions.

52 ~~{An}~~ (1) Except as provided in Subsection (2), an employer may not require any of the following to accept or decline a medical

53 procedure:

54 ~~{(1)}~~ (a) an employee;

55 ~~{(2)}~~ (b) a prospective employee; or

56 ~~{(3)}~~ (c) a blood relative of an employee or prospective employee.

(2) A governmental entity, as defined in 63D-2-102, may require an employee to receive a vaccine, if the employee is:

(a) acting in a public health or medical setting; and

(b) required to receive a vaccine in order to perform the employee's assigned duties and responsibilities.



Yeas-7

Sen. J. Anderegg
Sen. D. Buxton
Sen. L. Escamilla
Sen. K. Grover
Sen. J. Iwamoto
Sen. M. Kennedy
Sen. C. Wilson

Nays-0

Absent-1

Sen. E. Vickers

MOTION: Sen. Buxton moved to hold S.B. 208.

SUBSTITUTE MOTION: Sen. Anderegg moved to pass S.B. 208 out favorably. The substitute motion passed with a vote of 4 - 3 - 1.

Yeas-4

Sen. J. Anderegg
Sen. K. Grover
Sen. M. Kennedy
Sen. C. Wilson

Nays-3

Sen. D. Buxton
Sen. L. Escamilla
Sen. J. Iwamoto

Absent-1

Sen. E. Vickers

Sen. Kennedy resumed the chair.

2 . 1st Sub. H.B. 194 Diabetes Prevention Program (Harrison, S.)

Rep. Harrison presented the bill.

[National Diabetes Prevention Program \(Source Rep. S. Harriosn\)](#)

Dr. Liz Joy spoke in favor of the bill.

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

Karlee Adams, diabetes prevention program coordinator, spoke in favor of the bill.

Dr. Amy Locke spoke in favor of the bill.

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

MOTION: Sen. Iwamoto moved to pass 1st Substitute H.B. 194 out favorably. The motion passed with a vote of 4 - 1 - 3.

Yeas-4

Sen. J. Anderegg
Sen. L. Escamilla
Sen. J. Iwamoto
Sen. C. Wilson

Nays-1

Sen. M. Kennedy

Absent-3

Sen. D. Buxton
Sen. K. Grover
Sen. E. Vickers

3 . H.B. 248 Mental Health Support Program for First Responders (Kwan, K.)

Rep. Kwan presented the bill.

[Mental Health Support Program \(Source Rep. K. Kwan\)](#)

David Spatafore, representing the Utah Chiefs of Police Association, the Fire Chiefs Association, Weber-Morgan 911, and Valley Emergency Communication 911, spoke in favor of the bill.



Sen. Buxton declared a conflict of interest.

Becky Pickle, spoke in favor of the bill.

Taryn Hiatt, Director, American Foundation for Suicide Prevention, spoke in favor of the bill.

Salt Lake City Mayor Erin Mendenhall, spoke in favor of the bill.

Kendle Zdunich, Utah Public Employees Association, spoke in favor of the bill.

John Park, Utah league of Cities and Towns, spoke in favor of the bill.

MOTION: Sen. Anderegg moved to pass H.B. 248 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg
Sen. D. Buxton
Sen. L. Escamilla
Sen. J. Iwamoto
Sen. M. Kennedy
Sen. C. Wilson

Nays-0

Absent-2

Sen. K. Grover
Sen. E. Vickers

4 . H.B. 168 Sale of Sexual Assault Test Kits Prohibited (Romero, A.)

Rep. Romero presented the bill with the assistance of Dr. Julie Valentine, a forensic nurse and a Professor and Associate Dean at Brigham Young University School of Nursing.

Monica Gardner, spoke in favor of the bill.

Cheryl Stout, spoke in favor of the bill.

Ned Searle, Commission on Criminal and Juvenile and Justice, reported that the commission, the Sentencing Commission, the Legislative Law Enforcement Committee, the Utah Council for Victims of Crime, and the Utah Sexual Violence Policy Alliance support the bill.

MOTION: Sen. Escamilla moved to adjourn. The motion passed with a vote of 2 - 0 - 6.

Yeas-2

Sen. L. Escamilla
Sen. M. Kennedy

Nays-0

Absent-6

Sen. J. Anderegg
Sen. D. Buxton
Sen. K. Grover
Sen. J. Iwamoto
Sen. E. Vickers
Sen. C. Wilson

Chair Kennedy adjourned the meeting at 10:08 AM.