



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

LEGISLATURE

Thursday, February 17, 2022 | 8:23 a.m. | 445 State Capitol

Members Present:

Rep. Joel Ferry, Chair
Rep. Walt Brooks, Vice Chair
Rep. Brady Brammer
Rep. James A. Dunnigan
Rep. Jon Hawkins
Rep. Brian S. King
Rep. A. Cory Maloy
Rep. Ashlee Matthews
Rep. Jefferson Moss
Rep. Calvin R. Musselman

Rep. Mark A. Strong
Rep. Jordan D. Teuscher
Rep. Norman K. Thurston
Rep. Mark A. Wheatley

Members Absent:

Rep. Timothy D. Hawkes

Staff Present:

Adam J. Sweet, Policy Analyst
Jonathan Rees, Committee Secretary

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

Chair Ferry called the meeting to order at 8:29 a.m.

MOTION: Rep. Brooks moved to approve the minutes. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. W. Brooks
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. J. Moss
Rep. J. Teuscher
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 6

Rep. B. Brammer
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Strong

1. 1st Sub. S.B. 83 Cosmetic Manufacturing Certificate Program (Bramble, C.)

Sen. Bramble presented the bill.

MOTION: Rep. Thurston moved to pass 1st Substitute S.B. 83 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. J. Moss
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. J. Dunnigan
Rep. T. Hawkes
Rep. A. Matthews
Rep. M. Strong

2. H.B. 342 Contact Lens Purchase Amendments (Teuscher, J.)

Rep. Teuscher presented the bill.

Mark Taylor, Legislative Committee, Utah Optometric Association, spoke in favor of the bill.

Kennion Anderson spoke in opposition to the bill.

MOTION: Rep. Brooks moved to amend H.B. 342 with Amendment #1. The motion passed with a vote of 12 - 0 - 3.

Amendment 1
H.B. 342

1. Page 2, Lines 31 through 33:

31 (c) inform the patient that the patient may have options among several contact lens
32 brands or manufacturers and ask the patient if the patient has a preference for a particular brand
33 or manufacturer{+}, and document this information in a clear statement on:
(i) the document required by federal law acknowledging that the patient received the contact lens prescription; or
(ii) the digital prescription, if the optometrist or physician is providing a digital prescription;

2. Page 2, Line 41 through Page 3, Line 66:

41 (4) ~~{(a)}~~ If the patient requests a brand or manufacturer that the prescribing optometrist
42 or physician determines is medically appropriate for the patient, the prescribing optometrist or
43 physician shall offer the patient a prescription that includes the brand or manufacturer that the
44 patient requests.

~~{~~45 ~~—(b) The prescribing optometrist or physician may include alternative brands or
46 manufacturers under Subsection (4)(a) on a single prescription.~~

47 ~~—(c) If the prescribing optometrist or physician determines that only a single brand or
48 manufacturer is medically appropriate for the patient, the prescribing optometrist or physician
49 shall document the reason for this medical judgment with sufficient detail to allow a qualified
50 professional to review the medical judgment.~~

51 ~~—(d) The prescribing optometrist or physician shall:~~

52 ~~—(i) provide the documentation described in Subsection (4)(c) to the patient upon the
53 patient's request; and~~

54 ~~—(ii) maintain the documentation described in Subsection (4)(c) for at least three years
55 after the date of the patient encounter.~~

56 ~~—(5) (a) A prescription issued under this part shall include on the federally required
57 acknowledgment of receipt of the contact lens prescription, or on the digital prescription if
58 providing a digital prescription, a clear statement indicating that the patient:~~

59 ~~—(i) acknowledges that the prescriber informed them that the patient may have a choice
60 among several contact lens manufacturer brands, and the patient was asked if the patient had a
61 preference; and~~

62 ~~—(ii) received a list of any brands or manufacturers that the patient requested that were
63 not included on the patient's prescription.~~

64 ~~—(b) If a patient requests a discussion with the optometrist or physician under Subsection
65 (5)(a)(ii), the prescribing optometrist shall list all of the brands that the patient has requested on
66 the contact lens prescription.}~~

Yeas - 12

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. J. Moss
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 3

Rep. J. Dunnigan
Rep. T. Hawkes
Rep. M. Strong

MOTION: Rep. Hawkins moved to move to next agenda item. The motion failed with a vote of 3 - 8 - 4.

Yeas - 3

Rep. J. Hawkins
Rep. A. Maloy
Rep. M. Wheatley

Nays - 8

Rep. B. Brammer
Rep. J. Ferry
Rep. B. King
Rep. A. Matthews
Rep. J. Moss
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston

Absent - 4

Rep. W. Brooks
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. M. Strong

MOTION: Rep. Thurston moved to pass H.B. 342 out favorably. The motion passed with a vote of 9 - 2 - 4.

Yeas - 9

Rep. B. Brammer
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Matthews
Rep. J. Moss
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston

Nays - 2

Rep. A. Maloy
Rep. M. Wheatley

Absent - 4

Rep. W. Brooks
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. M. Strong

3. 1st Sub. S.B. 95 Limitations on Employer Liability (Owens, D.R.)

Rep. Owens presented the bill with the assistance of Shannon Bloomfield and Alex Bloomfield.

Paige Norton spoke in favor of the bill.

Rikki Hrenko-Browning, President, Utah Petroleum Association, spoke in favor of the bill.

Todd Bingham, President, Utah Manufacturing Association, spoke in favor of the bill.

Dave Davis, President, Utah Retail Merchant's Association, spoke in favor of the bill.

Brian Summers, President, Utah Mining Association, spoke in favor of the bill.

Brook Miller, Robert J. DeBry and Associates, Utah Association for Justice, spoke in favor of the bill.

Dan Walker, Clyde Company, spoke in favor of the bill.

MOTION: Rep. Wheatley moved to replace 1st Substitute S.B. 95 with 3rd Substitute S.B. 95. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. B. Brammer
Rep. J. Ferry
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Strong
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 6

Rep. W. Brooks
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. J. Hawkins
Rep. J. Moss
Rep. J. Teuscher

MOTION: Rep. King moved to pass 3rd Substitute S.B. 95 out favorably. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. B. Brammer
Rep. J. Ferry
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Strong
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 6

Rep. W. Brooks
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. J. Hawkins
Rep. J. Moss
Rep. J. Teuscher

4. 2nd Sub. S.B. 119 Preconstruction and Construction Liens Amendments (*Sandall, S.*)

Sen. Sandall presented the bill.

Rachel Ortis, Vice President, Utah Land Title Association, spoke in favor of the bill.

Dana Farmer spoke in favor of the bill.

MOTION: Rep. Musselman moved to pass 2nd Substitute S.B. 119 out favorably. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

Rep. B. Brammer
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Strong
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 5

Rep. W. Brooks
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. J. Moss
Rep. J. Teuscher

5. 1st Sub. S.B. 100 Paid Leave Modifications (*Weiler, T.*)

Sen. Weiler presented the bill.

MOTION: Rep. Matthews moved to pass 1st Substitute S.B. 100 out favorably. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. B. Brammer
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Matthews
Rep. M. Strong
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 7

Rep. W. Brooks
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. A. Maloy
Rep. J. Moss
Rep. C. Musselman
Rep. J. Teuscher

6. H.B. 151 Retail Facility Incentive Payments Amendments (*Schultz, M.*)

Rep. Shultz presented the bill with the assistance of Ben Hart, Governor's Office of Economic Opportunity.

Cameron Diehl, Executive Director, Utah League of Cities and Towns, spoke to the bill.

Angela Price, Policy Director, Salt Lake City, spoke in favor of the bill.

Rusty Cannon, President, Utah Taxpayer's Association, spoke in favor of the bill.

MOTION: Rep. Musselman moved to replace H.B. 151 with 1st Substitute H.B. 151. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. B. Brammer
Rep. J. Dunnigan
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. W. Brooks
Rep. T. Hawkes
Rep. J. Moss
Rep. M. Strong

MOTION: Rep. Musselman moved to pass 1st Substitute H.B. 151 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. B. Brammer
Rep. J. Dunnigan
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. W. Brooks
Rep. T. Hawkes
Rep. J. Moss
Rep. M. Strong

MOTION: Rep. Matthews moved to adjourn. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. B. Brammer
Rep. J. Dunnigan
Rep. J. Ferry
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. J. Teuscher
Rep. N. Thurston
Rep. M. Wheatley

Nays - 0

Absent - 4

Rep. W. Brooks
Rep. T. Hawkes
Rep. J. Moss
Rep. M. Strong

Chair Ferry adjourned the meeting at 9:59 a.m.