



# MINUTES

## HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Thursday, February 9, 2023 | 8:00 a.m. | 110 Senate Building

**Members Present:**

Rep. Ken Ivory, Chair  
Rep. Cheryl K. Acton, Vice Chair  
Rep. Stewart E. Barlow  
Rep. Jennifer Dailey-Provost  
Rep. Steve Eliason  
Rep. Stephanie Gricius  
Rep. Sandra Hollins  
Rep. Tim Jimenez  
Rep. Marsha Judkins

Rep. Quinn Kotter  
Rep. Rosemary T. Lesser  
Rep. Anthony E. Loubet  
Rep. Raymond P. Ward

**Members Absent:**

Rep. Robert M. Spendlove

**Staff Present:**

Seth Anderson, Policy Analyst  
Ashley Dibble, Committee Secretary

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).

Chair Acton called the meeting to order.

**MOTION:** Rep. Ivory moved to approve the minutes from the February 6, 2023, meeting. The motion passed with a vote of 9 - 0 - 5.

Yeas - 9

Rep. C. Acton  
Rep. J. Dailey-Provost  
Rep. S. Gricius  
Rep. K. Ivory  
Rep. T. Jimenez  
Rep. M. Judkins  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. R. Ward

Nays - 0

Absent - 5

Rep. S. Barlow  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. A. Loubet  
Rep. R. Spendlove

**1. H.B. 239 Medical Record Access Amendments (Ward, R.)**

Rep. Ward presented the bill with assistance of Mark Greenwood, MD, President, Utah Medical Association.

Dave Gessel, Executive Vice President, Utah Hospital Association, spoke in favor of the bill.

Kristen Chevrier spoke in opposition to the bill.

Dalane England, Utah Eagle Forum, United Women's Forum, spoke in opposition to the bill.

Emily Tingey spoke in favor of the bill.

Rob Ence, Executive Director, Utah Commission on Aging, spoke in favor of the bill.

Daniel Olson spoke in opposition to the bill.

**MOTION:** Rep. Eliason moved to replace H.B. 239 with 1st Substitute H.B. 239. The motion passed with a vote of 9 - 1 - 4.

Yeas - 9

Rep. C. Acton  
Rep. S. Barlow  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. K. Ivory  
Rep. T. Jimenez  
Rep. M. Judkins  
Rep. R. Lesser  
Rep. R. Ward

Nays - 1

Rep. Q. Kotter

Absent - 4

Rep. J. Dailey-Provost  
Rep. S. Gricius  
Rep. A. Loubet  
Rep. R. Spendlove

**MOTION:** Rep. Ivory moved to amend 1st Substitute H.B. 239 with Amendment #1. The motion passed with a vote of 9 - 1 - 4.

Amendment 1  
1st Sub. H.B. 0239

1. Page 3, Lines 76 through 79:

76 (1) {~~Beginning July 1, 2025, each hospital system, collectively, shall ensure that a~~  
77 ~~patient's medical information that is created when the patient receives care from the hospital~~  
78 ~~system is accessible to a physician designated by the patient, preferably through the use of~~  
79 ~~single login.}~~ Beginning July 1, 2025, each hospital system shall ensure for a patient receiving care in their  
hospital that the patient's medical information maintained by all of the hospital systems is accessible to a physician  
designated by the patient, preferably through the use of single login.

Yeas - 9

Rep. C. Acton  
Rep. S. Barlow  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. K. Ivory  
Rep. T. Jimenez  
Rep. M. Judkins  
Rep. R. Lesser  
Rep. R. Ward

Nays - 1

Rep. Q. Kotter

Absent - 4

Rep. J. Dailey-Provost  
Rep. S. Gricius  
Rep. A. Loubet  
Rep. R. Spendlove

**MOTION:** Rep. Judkins moved to pass 1st Substitute H.B. 239 out favorably. The motion passed with a vote of 7 - 3 - 4.

Yeas - 7

Rep. C. Acton  
Rep. S. Barlow  
Rep. S. Eliason  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. R. Lesser  
Rep. R. Ward

Nays - 3

Rep. K. Ivory  
Rep. T. Jimenez  
Rep. Q. Kotter

Absent - 4

Rep. J. Dailey-Provost  
Rep. S. Gricius  
Rep. A. Loubet  
Rep. R. Spendlove

**2. 1st Sub. S.B. 91 Medical Cannabis Regulation Amendments (Vickers, E.)**

Sen. Vickers presented the bill.

**MOTION:** Rep. Eliason moved to amend 1st Substitute S.B. 91 with Amendment #1.

Amendment 1  
1st Sub. S.B. 0091

1. Page 1, Lines 16 through 17:

16 ▸ modifies labeling requirements including requiring additional warning labels {~~for~~  
17 ~~certain products~~};

2. Page 20, Lines 591 through 599:

591 (v) includes a warning label that states:

592 (A) for a container labeled before July 1, 2021, "WARNING: Cannabis has  
593 intoxicating effects and may be addictive. Do not operate a vehicle or machinery under its  
594 influence. KEEP OUT OF REACH OF CHILDREN. This product is for medical use only. Use  
595 only as directed by a qualified medical provider."; ~~{-or}~~

596 (B) for a container labeled on or after July 1, 2021, "WARNING: Cannabis has  
597 intoxicating effects and may be addictive. Do not operate a vehicle or machinery under its  
598 influence. KEEP OUT OF REACH OF CHILDREN. This product is for medical use only. Use  
599 only as directed by a recommending medical provider."[-]; and

(C) for a container labeled on or after January 1, 2024, that using the product in the container may cause a mental illness; and

3. Page 21, Lines 621 through 626:

621 (a) shall make rules to establish:

622 (i) a standard labeling format that:

623 (A) complies with the requirements of this section; and

624 (B) ensures inclusion of a pharmacy label; ~~{-and}~~

625 (ii) additional requirements on packaging for cannabis and cannabis products to ensure  
626 safety and product quality; and

(iii) the exact wording for a label described in Subsection (1)(b)(v)(C); and

Rep. Eliason withdrew the motion to amend 1st Substitute S.B. 91 with Amendment #1.

**MOTION:** Rep. Judkins moved to pass 1st Substitute S.B. 91 out favorably. The motion passed with a vote of 10 - 0 - 4.

Yeas - 10

Nays - 0

Absent - 4

Rep. C. Acton  
Rep. S. Barlow  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. S. Hollins  
Rep. K. Ivory  
Rep. M. Judkins  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet

Rep. J. Dailey-Provost  
Rep. T. Jimenez  
Rep. R. Spendlove  
Rep. R. Ward

### **3. S.B. 104 Master Plan for Aging (Kwan, K.)**

Sen. Kwan presented the bill with assistance of Rob Ence, Executive Director, Utah Commission on Aging.

#### [2 Utah Master Plan for Aging: UCOA](#)

**MOTION:** Rep. Ward moved to pass S.B. 104 out favorably. The motion passed with a vote of 12 - 0 - 2.

Yeas - 12

Nays - 0

Absent - 2

Rep. C. Acton  
Rep. S. Barlow  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. S. Hollins  
Rep. K. Ivory  
Rep. T. Jimenez  
Rep. M. Judkins  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet  
Rep. R. Ward

Rep. J. Dailey-Provost  
Rep. R. Spendlove



**MOTION:** Rep. Ward moved to adjourn. The motion passed with a vote of 12 - 0 - 2.

Yeas - 12

- Rep. C. Acton
- Rep. S. Barlow
- Rep. S. Eliason
- Rep. S. Gricius
- Rep. S. Hollins
- Rep. K. Ivory
- Rep. T. Jimenez
- Rep. M. Judkins
- Rep. Q. Kotter
- Rep. R. Lesser
- Rep. A. Loubet
- Rep. R. Ward

Nays - 0

Absent - 2

- Rep. J. Dailey-Provost
- Rep. R. Spendlove

Chair Acton adjourned the meeting.